



Domestic workers in Russia and Kazakhstan

Contents

Introduction	p. 4
I. Methodology	p. 5
1.1 Definitions and types of occupation in the area of domestic work	p. 5
1.2. Data sources	p. 6
1.3 Research methods	p. 6
1.4 Research stages	p. 7
II. Policies and regulations concerning domestic work in Russia and Kazakhstan compared with international practices	p. 9
2.1. Regulations governing domestic work in the Russian Federation	p. 9
2.1.1. Russian legislation on labour and employment	p. 9
2.1.2. Russian legislation on labour migration	p. 9
2.2. Regulations governing domestic work in the Republic of Kazakhstan	p. 11
2.2.1. Kazakhstan legislation on labour and employment	p. 11
2.2.2. Kazakhstan legislation covering domestic work	p. 11
2.3. International experience of regulating domestic work	p. 12
III. Profiles of domestic workers in the Russian Federation and Kazakhstan	p. 15
3.1. Countries of origin	p. 15
3.2. Age, gender and family status of the respondents	p. 15
3.3. Educational level and Russian-language skills	p. 17
3.4. Prior-migration experience	p. 18
3.5. Motivation and migration experience	p. 19
IV. Documents and status of migrant domestic workers in the destination countries	p. 21
4.1. Residence and work permits	p. 21
4.2. Health certificates	p. 23
4.3. Employment status	p. 23
V. Employment relations and working conditions of domestic workers	p. 25
5.1. Areas of employment and job search	p. 25
5.2. Contract with an employer (and its content)	p. 27
5.3. Wages of domestic workers and social benefits provided by the employer	p. 33
5.4. Competition in the domestic labour market	p. 37
5.5. Working conditions and working schedule	p. 39
VI. Living conditions and health status	p. 42
6.1. Living conditions of domestic workers	p. 42
6.2. Domestic workers' health and access to medical services	p. 43
VII. Protection of the rights of domestic workers, conflicts and security	p. 45
7.1. Protection of rights	p. 45
7.2. Conflicts	p. 50
7.3. Security	p. 54
VIII. Integration challenges and plans for the future	p. 58
Conclusions and recommendations	p. 62
Main conclusions based on the results of the research	p. 62
Recommendations	p. 65
Recommendations for improving the regulation of domestic work in Russia	p. 66
Recommendations for improving the regulation of domestic work in Kazakhstan	p. 67

Abbreviations

CIS – Commonwealth of Independent States

CISR – Center for Independent Social Research (Saint Petersburg)

DW – domestic worker(s)

FZ – federal law

ILO – International Labour Organization

ISCO ILO – International Standard Classification of Occupations of the ILO

MRC – Migration Research Center

NGO – Non-governmental organization

RF – Russian Federation

UN – United Nations

UN Women – a United Nations organization dedicated to gender equality and the empowerment of women

Introduction

This research aims to analyse the working conditions and needs of migrant DW (both those who came from CIS countries and internal migrants) in the Russian labour market (the cities of Moscow and St Petersburg) and in Kazakhstan (the cities of Astana and Almaty) within the framework of promoting ILO Convention 189 of June 16, 2011.

The following tasks were set in order to achieve the above objective:

1. To study international experience regarding the rights and working conditions of domestic workers.
2. To analyse normative and legislative documents of Russia and Kazakhstan concerning the employment of citizens and labour migrants, in order to determine whether they correspond to the standards set in ILO Convention 189.
3. To define a socio-economic profile of migrant DW – men and women (age, educational level, social status, country/region of origin, family status and other characteristics);
4. To analyse DW access to human rights protection mechanism and access to health, education and social services (with a special focus on the needs of women);
5. To determine the risks and most frequent forms of the violation of DW rights and to study the potential risks and level of exposure faced by DW to discrimination, physical violence and sexual harassment.
6. To collect relevant information on cases of forced labour and the worst forms of child labour in domestic work;
7. To develop recommendations for the improvement of migrant DW life in Russia and Kazakhstan within the framework of promoting ILO Convention 189.

I. Methodology

1.1 Definitions and types of occupation within the area of domestic work

When defining domestic work one needs to take into consideration a number of specific characteristics of this type of work. First of all, domestic work means work performed in or for a household which makes no profit from such work. Both in legal terms and in practice, domestic work is partially or completely excluded from labour protection legislation; however, it is covered by non-governmental regulations.

A domestic worker can be employed by an individual (or his representative), a family, an employment agency, or a third party. (For example, in the USA, a health care agency or the state can perform an intermediary role in the recruitment process).

“Domestic work” means work performed in or for a household or households.

The term “domestic worker” means any person engaged in domestic work within an employment relationship.

ILO Convention 189

A person who performs work only occasionally or sporadically (and not on an occupational basis) is not a domestic worker, and therefore does not fall within the scope of this report.

ILO’s definition of “domestic worker” does not include those workers who provide care services in orphanages, kindergartens, hospitals and old-age retirement homes or those whose work should – in the opinion of some experts – be treated as part of a broader “care economy”.¹

In the ISCO ILO, “domestic work” falls under occupation groups 5 and 9.

1.2. Data sources

¹ S. Razavi; S. Staab, “Underpaid and overworked: A cross-national perspective on careworkers”, *International Labour Review*, Vol. 149, No. 4, pp. 407–422 (2010).

According to the estimates of the Ministry of Health and Social Protection of Russia, the number of DW in Russia amounts to 20 million people,² mostly women.

Both in Russia and Kazakhstan, information on DW is scarce. In Russia, statistics regarding labour patents do not provide accurate information on the numbers of DW.³ Despite the fact that the labour patents were targeted at domestic workers, other categories of labour migrants working illegally have used them as an instrument to legalize their own employment status. Very often, DW do not have any kind of permit at all.

At the end of 2013, Kazakhstan too started to develop mechanisms for monitoring the number of domestic workers. The inaccuracy of the current statistics on domestic workers both in Russia and Kazakhstan is explained by the numerous instances of unregistered domestic labour recruitment. Moreover, the term “domestic work” also falls within the category of general employment, which makes it difficult to distinguish one from the other.

Therefore, multi-purpose research into the working conditions and needs of DW in Russia and Kazakhstan serves as an important alternative source of data on domestic workers and aims to complement the scarce information available currently in both countries.

1.3 Research methods

Target groups of the research:

- migrants from CIS countries working in Russia and Kazakhstan providing domestic services (*mostly women*, including women with children – not more than 90 per cent;
- internal migrants within Russia and Kazakhstan working for private households (*mainly women*, including women with children) – not less than 10 per cent.

The research was performed simultaneously in Kazakhstan (the cities of Astana and Almaty) and in Russia (the cities of Moscow and St. Petersburg) between 10 April 2013 and 31 October 2013. The same fieldwork methodology was applied in both countries.

Several methods and techniques were used to collect the raw data:

² A Akhmetova, “Overview of the Legal Status of Domestic Workers in the Republic of Kazakhstan” (UN Women, Astana, 2012).

³ “Use of Patents as Work Permits for Foreign Workers in Russia (results of research)”, (International Organization for Migration, 2012), <http://moscow.iom.int/russian/publications/Practica_patent.pdf>.

1. Interviews with migrants using a questionnaire: Migrant domestic workers aged 18-80 from CIS countries were interviewed in Russia and Kazakhstan, 10 per cent of the sample being represented by internal migrants.

Quota sampling and targeted sampling were used. The majority of respondents were women (not less than 70-90 per cent of all respondents), none of whom were citizens of Russia (in Russia) or Kazakhstan (in Kazakhstan). Internal migrants were a reference group. Labour migrants were selected using the criteria of being employed by a private household and having work experience of not less than three months.

In Moscow and the Moscow region, 250 people were interviewed: internal migrants accounted for 10 per cent of the sample; women made up 90 per cent of the sample.

In Astana and in Almaty, 155 migrant domestic workers were interviewed: internal migrants accounted for 12 per cent of the sample; women made up 74 per cent of the sample.

2. In-depth interviews:

We conducted 15 in-depth interviews – 10 in Russia and five in Kazakhstan.

The respondents were: employers who had hired DW within the preceding six months and who had previously hired DW for various types of work; staff members of private employment agencies who had been engaged in DW recruitment for at least one year; and labour migrants who had worked for a private household for at least one year.

3. Focus group:

Focus group interviews were conducted in Moscow with eight female DW (including one internal migrant worker) who had worked for a private household for at least six months, including women with children (babysitters, caretakers and governesses from Tajikistan, Uzbekistan, Belarus, Moldova and Russia). Some of the respondents had also previously worked for a legal entity.

The findings of the in-depth interviews and focus group contribute to a better understanding of the essence of domestic work; at the same time, due to the limited number of cases, they serve mainly to illustrate the data derived from the questionnaires.

1.4 Research stages

In order to define the methodology and structure of the research, both international and Russian experiences were studied during the conduct of research devoted to migrant domestic workers. Also analysed were relevant research papers, discussions on DW Internet forums, and private households recruiting domestic workers. We then defined the methods of our research, decided on the strategy for finding respondents, determined the types of interviews to be conducted, and developed questionnaires accordingly.

Three migrant domestic workers were interviewed to test the questionnaire, and Kazakh and Russian expert groups (from Almaty and Moscow) held a joint working meeting via Skype to agree on the research instruments, sample size, and schedule for the research project.

During the fieldwork, 406 migrant DW were interviewed in Russia and Kazakhstan; 15 in-depth interviews and one focus group interview was conducted. The raw data were processed and analysed. Questionnaire data were analysed using SPSS software. The results were also enriched by the findings of the in-depth interviews and focus group.

The initial findings of the research were used to draft a report, which was finalized after discussions with UN Women and the expert group from Kazakhstan.

The “Recommendations” part of the report was composed on the basis of the results of round-table discussions in Russia and Kazakhstan that brought together: expert groups (from both countries); representatives of government migration agencies, civil society organizations, international organizations and the mass media; and key policy-makers in the executive and legislative branches of government.

II. Policies and regulations concerning domestic work in Russia and Kazakhstan compared with international practices

Migrant domestic workers in Russia and Kazakhstan are not covered the kind of legislation recommended in ILO Convention 189. Both countries have regulations concerning migrant workers in general. Certain steps to regulate domestic work under by migrants are being prepared. Therefore, we expect that within the next two or three years, both Russia and Kazakhstan will have the opportunity to ratify ILO Convention 189. The main obstacle for now is the discrepancy between the substance of the official regulations and actual judicial practice. Both countries should take measures to eliminate this discrepancy.

2.1. Regulations governing domestic work in the Russian Federation

2.1.1. Russian legislation on labour and employment

In Russia, domestic workers' employment is regulated by: the Constitution of the Russian Federation; the federal law "On the Employment of the Population in Russia"; the Labour Code of Russia; and the Civil Code. Chapter 48 of the Labour Code of Russia defines rules governing the employment of workers by an individual.

2.1.2. Russian legislation on labour migration

Currently, Russian legislation addresses the issue of labour migration through the following federal laws:

- "On the Legal Status of Foreign Citizens in the Russian Federation" (№115-FZ of 25 July 2002);
- "On the Registration of Migration of Foreign Citizens and Stateless Persons in the Russian Federation" (№109-FZ of 18 July 2006);
- "On the Procedure for Exiting and Entering the Russian Federation" (№114-FZ of 15 August 1996);
- "On Citizenship of the Russian Federation" (№62-FZ of 31 May 2002).

Amendments to the law “On the Legal Status of Foreign Citizens in the Russian Federation”, introduced on 1 July 2010, made the employment of domestic workers legal. Foreigners who have the right to enter Russia without a visa can now buy a labour patent which serves as an official individual work permit. However, the Russian Labour Code contains no definition of “domestic workers”, although it does refer to a category entitled “workers employed by individuals who are not entrepreneurs”.⁴

Under Article 13.3 of the federal law of July 25, 2002 “On the Legal Status of Foreign Citizens in the Russian Federation”, Russian citizens have right to seek foreign nationals for labour activities and to hire them on the basis of a labour agreement or a civil law contract for work performance (i.e. the provision of services) for personal, domestic or other similar needs not related to any business activities, on condition that such foreign nationals (i) are legally residing within the territory of the Russian Federation after having entered the Russian Federation under a procedure that does not require the securing of a visa, and (ii) have a labour patent permitting them to work for an individual.

A labour patent is issued for a period of one to three months. Its validity period can be repeatedly extended for a period not exceeding three months. Moreover, the total period of a labour patent (including extensions) cannot exceed 12 months from the day of the issuance of such labour patent.

After the end of such 12-month period, a foreign national can apply to the local branch of the Federal Migration Service for a new labour patent. The labour patent permits a foreigner to work within the territory of the region of the Russian Federation in which it was issued by a territorial office of the Federal Migration Service of the Russian Federation.

The process of obtaining a labour patent is rather simple. The cost of a one-month labour patent (the “advance payment”) is relatively low – 1,000 roubles – and more or less affordable for most labour migrants. Accordingly, the number of migrants working on the basis of a labour patent is steadily increasing. In 2010 (July-December), around 130,000 labour patents were issued; in 2011, 810,000 patents were issued; in the first eight months of 2012, 910,000 patents were issued. By

⁴ <http://www.consultant.ru/popular/tkrf/14_62.html>

September 2012, a total of over 1.8 million labour patents had been granted for work for a household in Russia.⁵ By October 2013, a total of about 3.5 million labour patents had been issued.

2.2. Regulations governing domestic work in the Republic of Kazakhstan

2.2.1. Kazakhstan legislation on labour and employment

Article 24 of the Constitution of the Republic of Kazakhstan says that “every person has the right to freedom of labour, freedom of choice of profession and occupation”. The word “every” applies to Kazakh nations, foreign nationals and stateless persons.

The rights and responsibilities of foreign citizens and stateless persons in Kazakhstan are defined in the law of 19 June 1995 “On the Legal Status of Foreigners”.

On 22 July 2011, the law “On the Migration of the Population” was adopted. In addition, several international agreements also address the issue of labour migrants’ work in Kazakhstan.

In 2008, Kazakhstan signed an agreement between CIS countries “On the Legal Status of Labour Migrants and Members of their Families”, which entered into force on 21 February 2010.

On June 27, 2011, Kazakhstan ratified the agreement “On the Legal Status of Labour Migrants and Members of their Families”, which had been signed on 19 November 2010 by the Republic of Belarus, the Republic of Kazakhstan and Russian Federation.

2.2.2. Kazakhstan legislation covering domestic work

A definition of the term “domestic workers” was included in the “Rules and Regulations of Domestic Workers’ Employment” chapter of the new Labour Code of Kazakhstan, which was approved on May 15 2007. Article 214 states that *domestic workers are people performing work (providing services) for a household and employed by an individual*. Domestic workers are covered by

⁵ Evidently, separate research is required to find out if migrants buy labour patents in order to be able to work for a household or they if simply use this permit to make their stay in Russia legitimate (even though they continue to work for a legal entity).

the regulations of the Labour Code of the Republic of Kazakhstan governing the rights and obligations of workers and employers.

The Majilis of Kazakhstan (the lower chamber of the parliament) has approved amendments to the draft law on labour migration under which immigrants entering Kazakhstan in line with a procedure that does not require a visa will have to pay a tax and become officially registered.⁶ The amendments will require labour immigrants intending to work in Kazakhstan to obtain a “migration patent” and pay a 3,400 tenge (707 roubles) tax. In addition to the obligation to pay the tax, migrant workers will have to become officially registered at a local branch of the Ministry of Internal Affairs. These requirements will not apply to citizens of Belarus and Russia.

An employer will be required to obtain a permit before hiring a foreign worker. The validity of such a permit will be between one and three months, with the possibility of extension. It will not be possible for a migrant in Kazakhstan to prolong an uninterrupted stay beyond one year. Having obtained the permit, an employer will then have to provide a worker with a labour contract for performing work in the household or for providing renovation services in respect of a private house.

On 10 December 10 2013, the law “On Introducing Amendments and Supplements to Several Legislative Acts of the Republic of Kazakhstan on Labour Migration” was adopted in Kazakhstan with the aim of legalizing labour migrants, improving the state regulation of the migration process, and granting work permits to labour migrants intending to work for individuals.⁷

* * *

Despite various approaches employed by Russia and Kazakhstan with regard to labour migration regulation, domestic workers remain largely uncovered by legislation, although the situation is slowly improving.

⁶ “Labour migrants in Kazakhstan to pay taxes”, Pro-Business (25 September 2013), <<http://pro-business.kz/novosti/2013/009/trudovykh-migrantov-v-kazakhstane-zastavyat-platit-nalogi.html>>.

⁷ “Nazarbaev signs amendments into labour migration law”, <<http://pravo.zakon.kz/4590939-nazarbaev-podpisal-popravki-v-zakon-o.html>>.

2.3 International experience of regulating domestic work

International experience shows a certain success regarding the implementation of basic minimum standards aimed at protecting the rights of domestic workers and regulating their relationships with employers. For instance, in Singapore, employers are obliged to provide “a reasonable degree of privacy” for their employees. In other countries (Ireland, France, Canada), there are even specific accommodation requirements: each domestic worker must have a separate room (furniture must be included, and hygiene standards must be respected).

DW commonly find themselves in labour conditions that might pose a threat to their well-being. This includes being forced to work for long periods of time (even without a break). There is also a shared perception that DW are able and prepared to be in constant “standby mode” – i.e. that they are available at all times to perform their duties. Accordingly, the governments of Israel, Austria, France and South Africa have introduced regulations governing domestic workers’ normal working hours and compensation for overtime (if applicable). Night work is also a common issue: Some employers believe that a worker is always accessible and always ready to perform his/her duties, regardless of the hour of day or night. However, despite the vulnerability of DW (the majority of whom are women), successful methods and strategies have been developed to enable them stand up for their working and human rights.

On the basis of regulations governing domestic work in other countries, the following recommendations can be suggested for both Russia and Kazakhstan.

- 1. Russia and Kazakhstan should focus on international cooperation in the form of providing technical assistance to and undertaking analytical work on the problems and needs of DW. Additionally, additional training could be provided to researchers by way of helping to increase their academic results, as is currently common practice in Brazil (for example, under federal programmes to help people find decent work in the state of Bahia.*
- 2. An effort should be made to address shortcomings in the legal system, such as certain gaps in the area of law enforcement. Such shortcomings can be addressed through, for example, informing and educating DW about their rights in the sphere of labour and social security. For example, a workers association in Costa Rica (ASTRODOMES) has*

already successfully employed such an approach, and migrant workers in Lebanon are well aware of their labour rights. (Moreover, the Lebanese government regulates the activities of employment agencies with regard to DW.)

- 3. There is a need to promote a different approach to the phenomenon of domestic labour that would take into account human rights and provide DW with the possibility to receive legal assistance and basic “legal literacy” training. In this regard, a project of the Greater Mekong Sub-region – under which DW from the Philippines and Thailand have benefited from legal aid and educational services – could serve as a model.*
- 4. In order to facilitate the transition from an informal system of remuneration to an official one, a “payment by bank cheque” system could be introduced. This system is efficient in terms of ensuring the payment of mandatory social contributions, as well as ensuring that domestic workers are paid properly when they work for several employers or provide services only from time to time. Such system has already been successfully implemented in France (since 1993), Quebec, Canada (since 1998), and the Canton of Geneva, Switzerland (since 2004).*
- 5. It is necessary to make certain legislative changes, such as:*
 - introducing restrictions on “in-kind” remuneration for work;*
 - introducing rules for the setting of normal working hours and for limiting the extension of working hours;*
 - adopting rules to regulate meals and accommodation arrangements for live-in domestic workers;*
 - introducing separate regulations regarding the recruitment of vulnerable categories of domestic workers (e.g. those who are vulnerable due to their age or unregulated status).*

III. Profiles of domestic workers in the Russian Federation and Kazakhstan

The general profile of domestic workers described below is based on the results of the research. This profile does not claim to be representative (as we used targeted sampling). However, it does provide general information about the people covered by the survey. An analysis of their living and working conditions is presented further down in the report.

3.1. Countries of origin

In Russia, an examination of the distribution of DW by countries of origin reveals a shift towards the European republics of the former USSR, and this is what differentiates DW from other labour migrants. The largest share of respondents came from Ukraine (21 per cent), Uzbekistan (16 per cent), Moldova (15 per cent) and Tajikistan (10 per cent).

In Kazakhstan, migrants from the Kyrgyz Republic and Uzbekistan made up 40 per cent and 39 per cent of respondents respectively. Urban areas supplied 65 per cent of domestic workers in Russia and 46 per cent in Kazakhstan. Internal migrants constituted 10 per cent of the sample in Russia and 12 per cent in Kazakhstan. In reality, internal migrants dominate among domestic workers in the cities covered by the survey.

3.2. Age, gender and family status of the respondents

Women made up the majority of the respondents: 90 per cent in Russia and 74 per cent in Kazakhstan. Migrants covered by the survey were rather evenly distributed by age, demonstrating an age structure similar to that of labour migrants, with young people (but not minors) and middle-aged people dominating. People aged between 30 and 49 years represented 66 per cent and 70 per cent of respondents in Russia and Kazakhstan, respectively. The average age of domestic workers was 40.2 years in Russia and 36.9 years in Kazakhstan. Usually, preference is given to middle-aged people as domestic workers because household-related work requires communication skills, professional experience and an easy-going character, rather than physical strength. Moreover, the older the person, the better he/she is likely to speak Russian, which is very important.

The ethnicity of respondents in Russia corresponded to the titular ethnicity of their country of origin. In Kazakhstan, respondents coming from Uzbekistan were both of Uzbek and Kazakh origin.

Less than half of the participants of the survey were married at the time of interview (table 3.1). However, married people are more frequent in the adult population of the corresponding origin countries.⁸ Both in Russia and Kazakhstan, many female DW are either divorced or widowed.

Table 3.1. Distribution of respondents by marital and parental status (%)

Indicator	Russia			Kazakhstan		
	All respondents	Men	Women	All respondents	Men	Women
MARITAL STATUS:						
Married (including “partnership”)	48.4	48.0	48.4	46.6	67.6	39.4
Married/with a partner, but living without spouse/partner	63.6	41.7	66.1	63.2	40.0	76.8
Single	26.8	40.0	25.3	24.7	16.2	27.5
widowed/divorced	24.8	12.0	26.3	28.7	16.2	33.0
PARENTAL STATUS:						
Parents	39.2	56.0	37.3	47.3	59.5	43.1
Parents who have children with them	35.7	14.3	39.3	39.1	13.6	51.1
Have no children	60.8	44.0	62.7	52.7	40.5	56.9

⁸ In Russia, according to the results of the census held in 2010, 61 per cent of men and 51 per cent of women over 16 years of age are married. In Kazakhstan, according to the results of the census held in 2009, 57 per cent of men and 52 per cent of women are married.

A significant share of female migrants either came to their destination country together with their husband or found a partner in the destination country. Compared to male workers, female migrants more often come with spouses. Single migration is more usual for men, while family migration is more traditional for women. Thus, women prefer family migration while men choose to migrate by themselves.

In some cases, family partners work for the same employer – 15 per cent in Russia and 26 per cent in Kazakhstan. All in all, family couples make up 7 per cent and 13 per cent of respondents in Russia and Kazakhstan respectively.

Many domestic workers have children who are minors – 39 per cent in Russia and 47 per cent in Kazakhstan. In both countries, male workers have children under 18 more often than female workers, which is quite a common feature of migration patterns: If there is a child in a family (with two parents), then it is the man who typically migrates. At the same time, in Russia, up to 40 per cent of female domestic workers bring their children with them, and in Kazakhstan, 51 per cent of female domestic workers bring their children with them. Men more often leave their children in the home country.

Very few domestic workers are capable of taking care of their own children due to the conditions of their work (table 3.1). Usually, the possibility to bring children is discussed with an employer when negotiating terms of work.

Many domestic workers who have children see them very rarely – only several times per year: 85 per cent of men and 63 per cent of women working in Russia, and 81 per cent of men and 39 per cent of women in Kazakhstan. The separation of children and parents is one of the main psychological challenges of labour migration in general. The plight of children who are left at home when their parents' migrate to work is a major social problem in the source countries, and other researchers have addressed this issue⁹. “It is sad to think that you take care of somebody's children and start treating them like your own, but your own children are meanwhile deprived of your love and care. It makes you feel depressed. Babysitters are so caring because they have a lot of motherly love and it just pours out.” (From a focus group discussion in Moscow.)

⁹ M. Buchuchanu-Vrabiye, “Labour Migrants from Moldova and Their Children”, *Demoscope Weekly*, (June 15-July 31 2012), <<http://demoscope.ru/weekly/2012/0515/tema01.php>>.

3.3. Educational level and Russian-language skills

The distribution of DW in Russia by level of education is roughly the same as for Russians (table 3.2). Moreover, DW are the most educated among labour migrants.¹⁰ In Kazakhstan, the educational level of DW is even higher than that of the Kazakhstan population.

Table 3.2. Distribution of respondents by educational level (%)

Educational level	Russia			Kazakhstan		
	All respondents	Men	Women	All respondents	Men	Women
Tertiary	26.0	12.0	27.6	25.3	5.0	32.5
Tertiary not completed	8.0	4.0	8.4	10.4	10.0	10.5
Vocational	43.2	52.0	42.3	35.1	45.0	31.6
Secondary	21.6	32.0	20.4	24.0	32.5	21.0
Non-completed secondary and lower level of education	1.2	0.0	1.3	5.2	7.5	4.4
Total	100.0	100.0	100.0	100.0	100.0	100.0

Working for a household requires good command of language, especially when one works with children. “We have two babysitters from Kyrgyzstan, they speak Russian well. It would be no good for a child if I hired a person with poor knowledge of Russian.” (From an interview with an employer, Russia.) Of the DW covered by the survey, almost no one said that his Russian was poor (1 per cent). Only 14 per cent admitted that their knowledge of Russian was not very good, and the rest considered that they spoke Russian well or said it was their mother tongue.

¹⁰ *Ibid.*, p.159.

3.4. Prior-migration experience

The dominant migration patterns in Russia and Kazakhstan differ. Over 50 per cent of migrants in Russia spend most of the year in the destination country and return to their home countries for short periods (for between one and three months per year), while 28 per cent of labour migrants work permanently and visit home very rarely. These findings are confirmed by our previous research. Short-term (three months in most cases) or seasonal workers (six months for Russia and six-ten months for Kazakhstan) made up only 16 per cent of the respondents. In Kazakhstan, 36 per cent of respondents worked for short periods, 31 per cent of migrants stayed all year round in the destination country, and 25 per cent regularly visited their home countries. Thus, no dominant migration pattern exists.

The average current duration of the migration period of domestic workers is two years, three months in Russia and one year, seven months in Kazakhstan. Many respondents are quite “experienced” migrants. The majority of workers in Russia (72 per cent) and Kazakhstan (55 per cent) have come to work in Russia more than once. Newcomers are especially rare among those who stay in a destination country almost all year (only visiting their home countries for short break periods between jobs).

Migration patterns depends on family composition. Short-term and seasonal migration to Russia is a preferred option for young workers who do not yet have families to support. Married men prefer migration for longer periods (in contrast to single and divorced men). The duration of the migration period for women is little affected by their family status. In both countries, domestic workers with children live and work at their employers’ residence almost permanently. Those who have left children in their home country usually go to visit them during breaks between jobs. “Our children are with my husband’s mother; we go to see them once a year. I haven’t been at home this year, so we see them even more rarely.” (Focus group.) Most respondents choose their respective migration patterns deliberately. Of those who stay in Russia and Kazakhstan almost all year long, 50 per cent say they would prefer to live permanently in the destination country.

3.5. Motivation and migration experience

Migration is mainly motivated by the desire to earn money. Other motives include family migration (13 per cent in Russia and 12 per cent in Kazakhstan), marriage (10 per cent in Russia and

21 per cent in Kazakhstan). Also, some migrants obtain an education while working (5 per cent in Russia and 3 per cent in Kazakhstan).

When setting off from home, almost half of domestic workers in Russia (49.2 per cent) and 28 per cent in Kazakhstan had had no idea about where they were going to work. Domestic work is not always the number one choice of a migrant. Quite often, the possibility arises unforeseen. “When I came here I wanted to teach in a school, I’m a teacher, but they all demanded Moscow registration and I didn’t have it. Besides, the salary was very low. One day I was offered work as a babysitter. I agreed and stayed with that family.” (Russian babysitter, 40 years old, from a focus group discussion.)

Migration patterns of DW depend on the duration of their stay in the host country. Despite the evident challenges of living in a foreign country (such as problems with residence and work permits), migrants mostly choose to migrate for long periods. There is no reason to consider that such a strategy is somehow peculiar— most likely, this is a conscious decision taken with a view to improving one’s well-being and supporting one’s family – even at the cost of separation. On the other hand, the duration of stay is obviously connected with the format of certain types of work: A caregiver usually remains by her patient until he recovers or dies, and this responsibility keeps her from returning home;¹¹ cleaning ladies are more flexible in choosing the length of time spent on visiting their home country; babysitters also depend on their “labour cycles”. Our research also confirmed that distance is another factor that impacts the duration of stay: The longer the distance between destination and origin countries, the higher the probability of long-term migration.

¹¹ See, for example, M.S. Savoskul, “Caregivers from provincial towns working in big cities”, *Public Opinion Monitoring*, № 7 (13) (January-February 2013); O. Tkach, “Cleaning Lady or Assistant? Variations of gender contract when domestic work becomes commercialized”, *Lifestyle in Modern Russia: Gender Research into Everyday Life*, (Works of the Faculty of Political Sciences and Sociology. p. 137-188, issue 17, 2009); E.V. Turukanova (ed.), Zh. A. Zaionchkovskaya, L.B. Karachurina, N.V. Mkrtyan, D.V. Poletaev, Y.F. Florinskaya, “Migrant Women from CIS Working in Russia” (MAKS Press, Moscow, 2011, p. 25).

IV. Documents and status of migrant domestic workers in the destination countries

4.1. Residence and work permits

Domestic workers in Russia and Kazakhstan – like all other foreign citizens – must follow certain procedures in order to become registered and eligible for work in the country. Although these procedures are obligatory for all foreigners, many respondents had no valid documents.

Only 61 per cent of domestic workers surveyed in Russia had valid migration cards – 82 per cent of those for whom this document was obligatory¹² (figure 4.1). Another 52 per cent of respondents held a “migration registration coupon” (a document confirming registration of residence). About the same share of domestic workers had some form of necessary work permit: 17 per cent had either a temporary residence permit or a long-term residence permit, 19 per cent had a labour patent and 17 per cent had a valid work permit.¹³ In fact, the availability of labour patents makes it easier for foreigners to work legally in Russia; plus, it is the only way for domestic workers to secure legal employment.

During interviews and focus group discussions, respondents gave positive feedback about the labour patents introduced in Russia in 2010. In September 2013, a similar type of work permit was introduced in Kazakhstan as a basis for a contractual agreement between a labour migrant and an individual seeking to hire him for domestic work.¹⁴

Migrants are quite well informed about the rules of registration in Russia and about work permits. However, having the necessary information and the desire to do everything legally is not enough to be able to fully comply with all the requirements: “I have a migration card and a registration card. But I do not live at my registered address.” (A housekeeper, 31 years old, focus group discussion.) Respondents said they would do anything to obtain the necessary documents, including

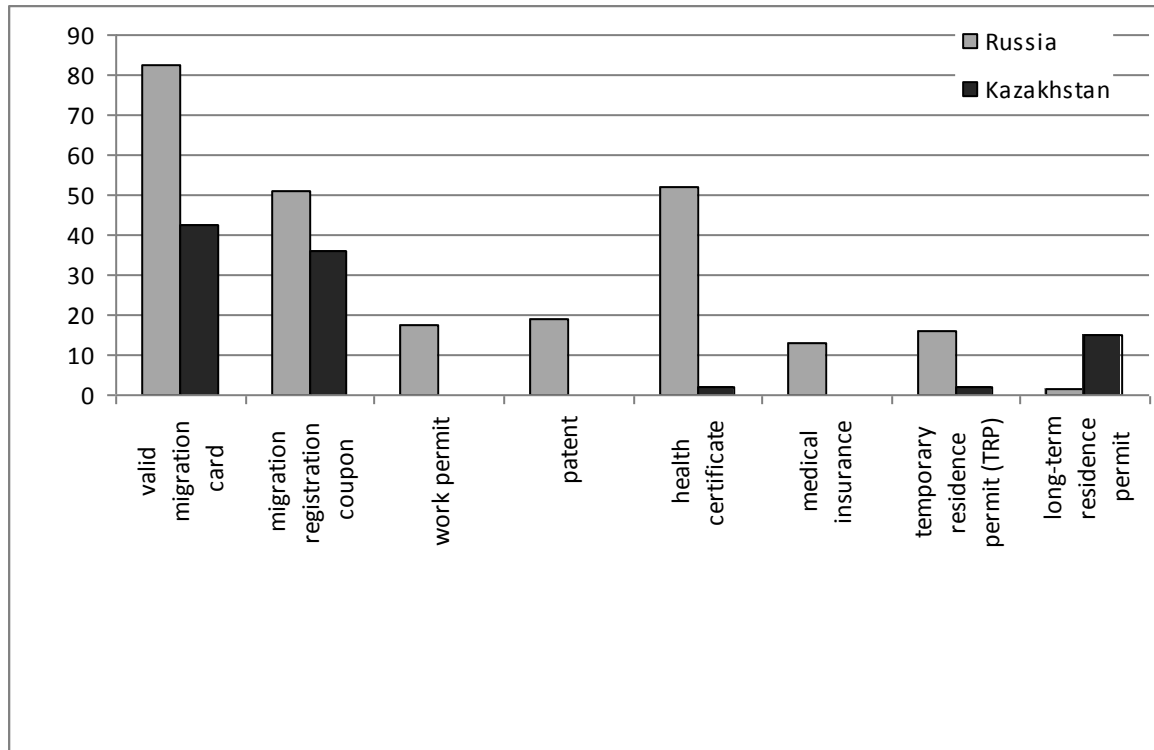
¹² A migration card is not obligatory for those who have a temporary residence permit or long-term residence permit. The labour rights of citizens of Belarus (and citizens of Kazakhstan) are equal in to those of Russians, so they do not need a migration card as well.

¹³ These are different documents; they were not used as synonyms in the questionnaires, but some respondents could have referred to a labour patent when confirming that they had a valid work permit.

¹⁴ U. Shushakova “Labour Migrants in Kazakhstan to Pay Taxes”, (*About Business* online journal, 25 September 2013), <<http://pro-business.kz/novosti/2013/009/trudovykh-migrantov-v-kazakhstane-zastavyat-platit-nalogi.html>>.

paying for them. Corruption is still widespread. “The girl who is now working with us has a patent. She is Kyrgyz. Every three months she used to go to the Ukraine, and when she came back she told me that it was that simple. Now she asks for a day off every six months and goes to Domodedovo, where she arranges her documents and pays for the patent.” (Interview with an employer, Moscow.)

Figure 4.1. “What documents do you have?” (%)



Note: All share indicators relate to those who are required to have the respective documents under the legislation in force

In Kazakhstan, 42 per cent of domestic workers had valid migration cards. Not all migrants had registration documents with them (even if they really had them): This situation is quite characteristic for migrant labour in general, and for migrant domestic labour in particular. “I get registration documents from the police through the husband of my mistress; he holds my passport, and I take it from him when I want to go home.” (Astana, a worker from Uzbekistan.) Also, 15 per cent of respondents had long-term residence permits. Both in Russia and in Kazakhstan, the share of legal

workers is higher among long-term residents than among short-term and seasonal workers. Those migrants who came with a husband (wife) and those who brought their children were more likely to have legal status.

4.2. Health certificates

More than half (52 per cent) of the respondents in Russia reported that they had a health certificate confirming the absence of dangerous infectious diseases. Such medical certificates are not mandatory if a migrant applies for a labour patent; however, for certain types of work (e.g. babysitting) a health certificate is desirable: “As a rule, employers don’t demand any medical records. But I had some employers who wanted me to have it and even paid for my medical examination. First of all, I had blood testing for sexually transmitted infections, HIV, hepatitis – that’s what interested them.” (Focus group discussion, a nurse, 45 years old.) Very few respondents in Kazakhstan had health certificates. At the same time, although optional (as in Russia), medical documents are highly desirable; accordingly, very often employers themselves oversee the completion of all the necessary procedures.

Very few DW had medical insurance: 13 per cent in Russia, and nobody in Kazakhstan. Health problems are solved as they arise, the basic solutions consisting of self-medication and paid medical services: “... all services are paid for. But we do not buy health insurance. We pay on the spot.” (Focus group discussion in Russia.) Respondents said their employers often provided help in the event of health problems: “When I’m sick, my hostess helps with medicine ... she took me to the doctor; now everything’s fine.” (Astana, a worker from Uzbekistan.)

Migrants also go to consult their “own” doctors, who provide medical services to their fellow countrymen.

4.3. Employment status

Legal residence and (more often) legal employment remain key challenges for all migrant workers in Russia and Kazakhstan, including migrants who work in households: For domestic workers these challenges may be even greater. Securing legitimate employment and remaining in a foreign country is problematic for domestic workers all over the world. In Russia and Kazakhstan, household

workers face an even more challenging situation due to such factors as corruption, long history of excluding domestic workers from national labour legislation, low transparency of laws (and frequent amendments thereto, which are hard to “keep up” with). Labour contracts aimed at regulating mutual the obligations of employer and employee (as well as at ensuring the legitimacy of the relevant work) remain rather unpopular among domestic workers. Responsibility for labour agreement arrangements should be taken both by migrants and their employers. A number of important factors to be taken into consideration in this regard include the low level of “legal literacy” of labour migrants and the fact that DW are not formally (e.g. by a trade union) or informally represented. These factors account for low capacity of migrants to stand collectively for their rights.

V. Employment relations and working conditions of domestic workers

5.1. Areas of employment and job search

Babysitters and maids are the most frequent occupations among the respondents in Russia and Kazakhstan – they made up slightly more than 30 per cent of respondents. Housekeepers accounted for 24 per cent, and caregivers and cleaning personnel for 10 per cent, respectively. The prevalence of “female” jobs appears to be a result of the sampling process – the proportion of female respondents in the sample is significantly higher. Men employed as domestic workers are mainly drivers (about 3 per cent), security guards (3 per cent), and gardeners/other workers at the country house (5 per cent). Both men and women work as cooks (6 per cent).

The process of searching for domestic employment is even less formalized than looking for a job within a legal entity. In a study of female migrants conducted in 2010 by the MRC, 64 per cent of respondents found jobs in legal entities through relatives or friends. Two thirds of those respondents who were employed as domestic workers found a job through friends or family networks (table 5.1).

- The owners were having their house being rebuilt and they were looking for people they could trust – not anyone chosen at random. My husband had a good connection with them. I was back in my homeland at the time, and he called me and suggested my working as housekeeper.

- I started asking people I knew, and they found me a job here.

- My brother got me this job. I had been working for a former neighbour – he was looking for a nanny, someone who could help to keep the house in good condition.

(In-depth interviews with migrants;
focus group discussion with female migrants)

Table 5.1. “How did you find this job?”

Answer	Frequency	%
With the help of relatives, friends, acquaintances	306	75.6
Through intermediaries or recruiters	26	6.4
Through a private recruitment agency	19	4.7
Through a newspaper advertisement, radio/TV ad	19	4.7
Via the Internet	28	6.9
Other	7	1.7
Total	405	100.0

Equally, DW and migrants who are employed by legal entities use job search services provided by intermediaries,¹⁵ recruiters and private employment agencies.

Job search strategies in Kazakhstan and Russia are very similar to each other. The proportion of people who use informal channels for their job search in Kazakhstan is even higher than in Russia: 79 per cent of respondents look for job through friends/family and 10 per cent use the help of a recruiter. (In Russia, these figures are 73 per cent and 4 per cent, respectively.) Of all respondents, the rate among those who work in Astana and Almaty who search for a job via the Internet is significantly lower – 1 per cent (in comparison to 10 per cent in Moscow).

Domestic labour appears to be the conscious choice of the migrant employee in less than half of cases: 40 per cent of respondents wanted to work for a private employer, while for 57 per cent of respondents, such employment was accidental. In Kazakhstan, these two groups are almost equal – 45 per cent and 49 per cent respectively; in Russia the rate of such “accidental” employment is significantly higher – 65 per cent of respondents “accidentally” obtained domestic service jobs (compared to the 38 per cent of respondents who were actually looking for such work). Generally speaking, such domination of “accidental” employment reaffirms the findings of earlier MRC studies: The vast majority of migrants are looking for any kind of employment, without any particular preferences.

¹⁵ Results of previous polls and focus groups show that the notion of “an acquaintance” is commonly ascribed to an intermediary who once has already helped a respondent to find a job (or who had helped the respondent’s friends). Thus, the category “intermediaries or recruiters” appears to be much broader than the table suggests.

Those respondents who knew he/she would be looking for a job in the sphere of domestic service made such a choice because they trusted individuals as employers more than heads of legal entities, enterprises and companies. Moreover, respondents pointed out that it was easier for them to establish relationships with a single employer or a family than with a new team of workers. One more important factor appears to be the impression that wages for migrants employed by a household are higher than for migrants working for legal entities.

The average duration of employment in a private household is slightly more than three years; about 4 per cent of respondents have been engaged in domestic labour for more than 10 years. The average duration of employment with the previous employer is 1.8 years; 10 per cent of respondents have worked for the same household for five or more years.

Thus, informal methods of job search prevail in the field of domestic labour, especially in Kazakhstan. Moreover, the decision to work for a private household in vast majority of cases can be defined as “accidental”, even though such jobs require specific legal and psychological training in addition to an understanding of the essence of domestic work.

5.2. Contract with an employer (and its content)

The domestic labour market almost fully functions on the basis of oral agreements – only 13 per cent of respondents claimed they had signed a written labour contract with their employer (table 5.2). This figure is four times lower than the indicator for the group of migrant women who are employed in legal entities (56 per cent of women had a labour contract; MRC, 2010).

Table 5.2. “Have you signed a labour contract with your employer?”

Answer	Total (%)	Russia (%)	Kazakhstan (%)
Yes	13.3	15.6	9.7
No	86.7	84.4	90.3

In Kazakhstan, written labour contracts are even rarer than in Russia. This situation can partially be explained by the following legal circumstances: in Kazakhstan there is no way of

employing a migrant legally (and Kazakhstan only plans to make the employment of migrants by private households legal). Therefore, written contracts for DWs are rare.

The absence of a written labour contract in the majority of cases reflects an informed choice made by a migrant engaged in domestic work. More than 60 per cent of respondents said that they didn't need any contract (table 5.3). The second most popular reason for not having a labour contract differs for Russia and Kazakhstan: in Russia it is commonly the employer who does not want to have a contract (18 per cent); in Kazakhstan the reason is the illegal status of the immigrant in question (36 per cent).

Table 5.3. “Why don't you have an official labour contract with your employer?”

Answer	Total (%)	Russia (%)	Kazakhstan (%)
Employer refuses to sign a contract	12.9	17.8	5.3
I don't need a contract	61.5	67.8	51.5
I cannot sign a contract – I'm an illegal immigrant	16.2	3.8	35.6
Other	9.4	10.6	7.6
Total	100.0	100.0	100.0

Almost one in ten respondents had never even thought about the necessity of an official labour contract or had never known about such a possibility (option “other”).

The majority of employers also don't see the necessity of concluding an official contract with a migrant employee. Employers commonly don't see the point in the contract, claiming that the contract is not going to protect them in the event of any conflict (in claiming this, they cite their own or someone else's experience of an official labour contract failing to help resolve an earlier instance of employer/employee conflict).

- Oral – definitely; written – no ... because they cannot write in Russian. We simply made an agreement, so everyone knew their responsibilities and so there wouldn't be any omissions and misunderstandings.

- No, I have no contract with her, and why should I have one? No one has a contract. She worked for my friend and I had known her for a long time. Gulia came to me; we talked about everything – I mean about all her duties – and she started working.

(Interviews with employers)

Even the hypothetical opportunity to sign a contract doesn't interest domestic workers – only 18 per cent of respondents who don't have a contract claimed they would like to have one; 37 per cent of such respondents said they definitely wouldn't want any contract; 45 per cent said they didn't care. In Kazakhstan, the proportion of workers who would like to have a contract is slightly higher – 24 per cent of respondents claimed they wanted an official contract.

Only 15 respondents (all of whom reside in Moscow) have a legally-registered labour contract (22 per cent of all respondents have a legal contract; 6 per cent of all respondents with a legal contract are from Moscow); only two workers in Kazakhstan are in the same situation (7 per cent and 1 per cent respectively).

The Labour Code of the Russian Federation requires that such contracts be registered with the local authorities in the area of residence (the Labour Code of Kazakhstan stipulates no such requirement, so this issue, apparently, remains at the discretion of the employer). After the contract is signed, the employer has an obligation to pay all the social contributions for his/her employee (including pension contributions).

Thus, the existence of an official labour contract does not constitute a fully legitimate document and it does not eliminate the risks – neither for the employee, nor for the employer. Very few employers – only those who have properly registered the contract – can refer to it in the event of any conflict. On the other hand, even having an official contract without its further registration might help to regulate a conflict and somehow “normalize” the situation, especially in the case that someone else (a third party) is involved – e.g. a recruitment agency.

- The company provides [a contract]. And we sign it in the company's office. We need to know our duties, what our nursing duties are, details regarding, doctor's prescriptions, and the patient's

personal hygiene needs. My wage is listed there, but not my working hours. I keep one copy, the employer gets another, and one more remains with the company.

(Interview with a domestic worker working as a nurse in a private household)

It appears that not many issues are covered in the average contract; most are simply negotiated between an employer and an employee. The majority negotiate their own remuneration (however, even this issue is not discussed by 17 per cent of respondents!), payment schedule and employee duties (table 5.4). Daily working hours and working conditions were negotiated by less than half of respondents; and only 6-15 per cent of respondents talk to their employers about such things as leave of absence, sick leave, and overtime.

Table 5.4. Contents of a written contract or oral agreement with an employer/share of those who had certain points specified in their contract/agreement

Contract/agreement item	Which of the listed conditions of work (discussed) are in your contract/oral agreement? (%)	If it were up to you, which issues would you include into the contract? (%)
Salary (per month/per day)	83	81
Payment schedule	62	78
Duties/obligations	74	75
Daily working hours	44	64
Working conditions	43	50
Leave of absence payments	10	33
Sick leave payments	6	30
Overtime payments	15	49
Conditions regarding contract	14	19

termination		
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It is interesting that workers' responses regarding their personal preferences in relation to the content of the contract/oral agreement (the question was: "If it was up to you, which points from the following you would include in your contract?") did not diverge significantly from their existing working conditions. The vast majority of respondents (although not 100 per cent) would choose to specify their wage, payment schedule, and a list of their responsibilities. More than a half of respondents would also choose to specify their daily working hours and working conditions. Only 20-30 per cent of respondents appear to show interest in other issues. This rate is definitely higher than the number of people, who actually discussed these issues in their contracts/oral agreements; however, it is confusing that respondents do not pay much attention to the questions of leaves of absence, sick leave, and conditions regarding the termination of their contract. The only exception is the question of the overtime payments – this is important for almost half of all respondents, even though only 15 per cent of them have actually discussed it with their employers. Apparently, respondents' experience suggests that overtime is a common thing, even though workers do not get paid for it.

More than 90 per cent of respondents in Russia pointed out that the content of their contract was drafted by their employer (in Kazakhstan the rate is higher than 80 per cent); moreover, in 40 per cent of cases the employer didn't discuss anything with the employee beforehand (more than 50 per cent of domestic workers found themselves in such a situation) (table 5.5).

Table 5.5. "Who proposed to you the content of your contract (oral agreement)?" (% of respondents)

Who defined the contents of the contract	Total (%)t	Russia (%)	Kazakhstan (%)
Employer, without any negotiations with me	40.6	35.6	51.3
Employer, after negotiating every point in the contract with	50.6	59.5	31.0

me			
Employment Agency	3.6	2.0	7.1
Intermediary	2.5	1.6	4.4
Other	2.8	1.2	6.2
Total	100.0	100.0	100.0

Due to the fact that most of contracts/agreements between the employer and the employee have no legal authority, there is no guarantee that contract will be honoured – this means that all relations between the employer and the employee are based on trust. Sixty two per cent of respondents claimed that only the “good will of the employer” can guarantee any compliance with the terms of the contract; 24 per cent of respondents said that they had “no guarantee at all” that the contract would be executed in the agreed manner (table 5.6).

Table 5.6. “What are your guarantees that the terms of contract will be honoured?” (% of respondents)

Security of employment	Total (%)	Russia (%)	Kazakhstan (%)
I have no guarantees	23.8	20.5	29.7
Honesty and trustworthiness of my employer (I trust my employer)	61.5	63.9	57.2
Officially signed contract	10.7	14.8	3.6
I can rely on my the possibility of appealing in court in the event of any incompliance	0.8	0.4	1.4
Other	3.1	0.4	8.0
Total	100.0	100.0	100.0

Sometimes, in order to protect themselves from any problems with employees, employers break the law – for example, they often take passports away from their DW. One out of five of our respondents gave his/her passport to the employer (19 per cent). In Moscow, such cases occur less frequently – in 9 per cent of all cases, while in Kazakhstan this happens more frequently – in 36 per cent of cases. Such rates are relatively high compared to the situation among migrants who work in legal entities. In Russia, the practice of taking away the passports employees who work for legal entities flourished at the beginning of the 2000s; however, it is now fading away. In the study of female migrants conducted in 2010 by the Migration Research Center, only 3 per cent of respondents acknowledged that their passports had been taken away by the employers.

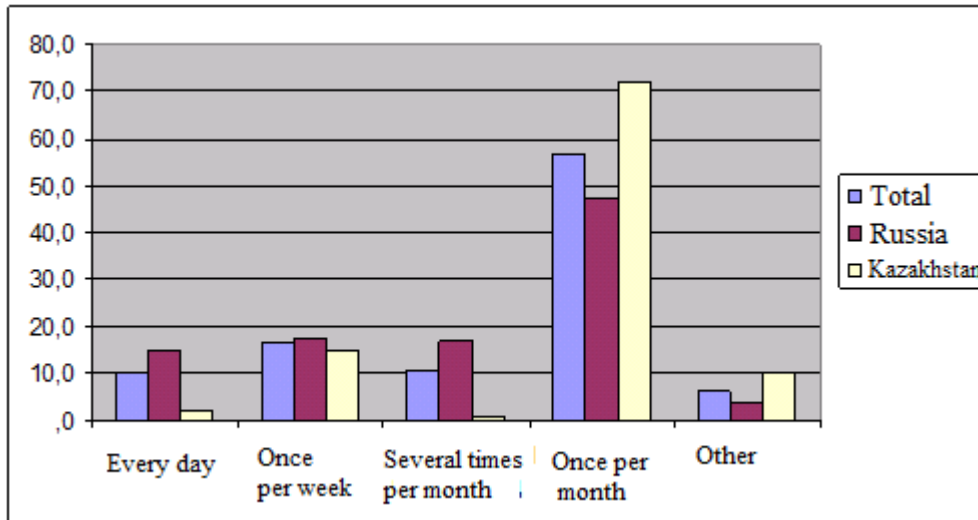
The domestic labour market almost fully functions on the basis of oral agreements between the employer and the employee. As a result, there are almost no opportunities for any legal regulation of conflicts between them. The findings of the research show that it is commonly the employee who does not want to sign an official contract. Moreover, it is almost always the employer who proposes to negotiate the terms and conditions of the contract; however, very often, the contract (including an oral agreement) is arranged without any participation on the part of the employee.

5.3. Wages of domestic workers and social benefits provided by the employer

The existing patterns of remuneration of DW are much more convenient for an employee in Russia than in Kazakhstan (it is better for an employee when the salary is paid more often).

Almost one half (49 per cent) of the respondents in Moscow are paid more than once a month; the other half of Moscow respondents are paid once a month. In Kazakhstan, only 18 per cent of respondents get paid more than once a month, while the majority (72 per cent) of respondents receive their salary once a month (fig.5.1).

Figure 5.1. “How often are you paid?” (%)



- *I'd prefer to be paid every day. Such payment would in itself serve as a guarantee. However, it depends on whether your employer agrees to pay you in such a way. Usually they still pay you every month.*

- *Such workers as nannies, cooks, drivers, guards – they receive their wages on a monthly basis. Nurses may receive their paychecks every week, and also overtime payments, in the case that she can provide nursing services.*

(Interview with staff of personnel agency;
focus group discussion with female migrants)

The size of the average hourly pay in Moscow is about 180 roubles (the median is 200 roubles); the minimum hourly pay is 100 roubles and the maximum is 300 roubles. Workers in Moscow receive on average 1,503 roubles per day (the median is 1,500 roubles); the minimum daily wage is 500 roubles and the maximum is 5,000 roubles (this is the amount a domestic worker can make for

cleaning several apartments). The average weekly pay is about 6,000 roubles; the minimum weekly pay is 3,000 roubles and the maximum is 9,100 roubles. Workers who receive a monthly wage earn about 27,250 roubles¹⁶ (the median is 25,000 roubles); the minimum monthly wage is 10,000 roubles and the maximum is 60,000 roubles (which is what one nanny from Ukraine earns).

According to the recruitment agency that were interviewed, the average amount of money that DW in Moscow earn ranges from 15,000 to 60,000 roubles per month. The lowest end of this range commonly signifies that a worker is under-employed – a Russian citizen who is looking for a part-time job in addition to his/her full time one will commonly be earning around this amount. Such a wage also generally indicates that the employee doesn't live at the employer's house. A monthly wage of 35,000 roubles and higher implies full-time employment, which commonly includes accommodation in the employer's house. Commonly, migrants from Central Asia, Ukraine, Belarus, Moldova (and sometimes Russian citizens too) are involved in such types of labour. Such jobs may or may not include accommodation; for such a wage Russian citizens are usually employed (less frequently this happens in the case of Ukrainian and Belorussian citizens). Wages of domestic personnel in Saint Petersburg are 20 per cent lower than in Moscow.¹⁷

The results of this research show that salaries of domestic personnel constitute a hierarchy in accordance with personnel's citizenship. Russian, Ukrainian and Belorussian citizens are better paid in comparison with workers from Central Asia, whose wages are significantly lower. For instance, the average monthly salary for Russian citizen is 28,867 roubles, for Belarus citizens it is 28,727 roubles, and for Ukrainians it is 28,719 roubles. The average monthly salary for an Uzbek citizen is 22,857 roubles, for a Tajik citizen it is 23,083 roubles, and for a Kyrgyz citizen it is 20,200 roubles.

- A Russian maid receives 25,000 roubles for three days of work if she comes at noon and leaves at 4-5 pm. Workers at a country house (Uzbeks, working a full day with one day off per week) receive 25,000 (the woman) and 30,000 (the male worker). They don't pay anything for accommodation, but they pay for their own food themselves.

¹⁶ According to the MRC survey of female migrants in 2010, the average monthly wage was about 15,172 roubles. Thus, our hypothesis that migrants are looking for jobs within legal entities (because of the bigger salaries) can be confirmed.

¹⁷ For additional information see: <<http://rabotniki-dom.ru/assistant.php?anctype=1>> and <<http://www.rabotajob.ru/articles/104/>>.

- *If a nurse is Russian, her salary coefficient is 1; if she is Ukrainian – 0.8; if she is from Tajikistan, I'd say the coefficient is 0.7.*

(Interview with employer;
interviews at an employment agency)

The average level of the hourly wage in Almay and Astana is 375 tinges (the median is 375 tenge); the minimum hourly wage is 250 tenge and maximum is 500 tenge.¹⁸ DW in Kazakhstan earn an average daily wage of 3,750 tenge (the median is 3,750 tenge); the minimum daily wage is 500 tenge and the maximum is 7,000 tenge. The average weekly wage for DW is 10,354 tenge; the minimum weekly wage is 2,500 tenge and the maximum is 20,000 tenge. Workers from Kazakhstan who receive a wage once a month earn on average 53,807 tenge (the median is 50,000 tenge). The minimum monthly wage is 15,000 tenge (received by a maid who is a Kazakh citizen) and the maximum is 100,000 tenge (received by a maid who is a Kyrgyz citizen). The average monthly wage of DW of Kazakh origin (63,611 tenge) appears to be higher than the average wage for the whole sample (53,807 tenge).

Such relatively high wages allow migrants (who work for households) to transfer a substantial portion of their wages to their families back home: 66 per cent of DW in Moscow and 52 per cent of domestic employees in Kazakhstan transfer money to their families. The average amount of money that migrants transfer to their families from Moscow is USD 448 per month (the minimum is USD 40 and the maximum is USD 1,000). The average amount of money that migrants from Astana and Almaty transfer to their families is USD 168 (the minimum is USD 20 and the maximum is USD 400).

Of all the possible benefits that could be provided by an employer to his/her employees, most domestic workers – 73 per cent of respondents – receive meals at the workplace (table 5.7).

¹⁸ According to the currency exchange rate on 27 September 2013, USD 1 = 153.67 tenge; 1 rouble = 4.78 tenge.

Table 5.7 “What kind of benefits do you receive from your employer apart from your salary?”

Employers' obligations	Total (%)	Russia (%)	Kazakhstan (%)
Provides accommodation	50	46	56
Provides interim registration	33	24	49
Buys medical insurance	0	0	0
Pays for regular medical checkups	3	3	2
Pays for treatment in the event of illness	7	3	13
Covers the cost of the labour patent	1	1	-*
Provides uniforms	16	17	14
Provides food	73	71	76
Provides paid sick leave	2	3	1
Allows leaves of absence	4	4	2
Pays for overtime work	15	16	12

More than half of respondents pointed out that their employer provided them with accommodation. Almost all other possible payments (payments for leave of absence, sick leave, checkups, labour patents) are quite rare; none of the employers provided voluntary medical insurance. Only 15 per cent of employers pay for overtime work and only 16 per cent of domestic workers receive some sort of a uniform.

Thus, domestic workers are generally much better paid than workers employed by a legal entity. However, domestic workers have no social benefits (such as paid leave of absence or sick leave).

5.4. Competition in the domestic labour market

This study shows that competition in the domestic labour market occurs between migrant workers and local workers. Local workers (workers from different regions of Russia and Kazakhstan) are eager to work in this sphere, mostly because the wages are relatively high.

In a study of female migrants employed mostly within legal entities (MRC, 2010), 17 per cent of respondents pointed out that “local workers also applied for this position”. Among domestic workers, this situation is applicable to 27 per cent of respondents in Moscow and 22 per cent in Kazakhstan.

The deciding factor in choosing between a local worker and a migrant worker is not always the differing level of wages that the two groups command. Sometimes a local employee is preferable because the employer feels more secure with a compatriot (whose background is easier to verify) in the house.

- Personnel from St. Petersburg can be verified through police information or through other available sources, but we do employ newcomers who only have recommendations – or who have relatives in St. Petersburg who can provide their passport information or any kind of written confirmation or guarantee.

- One third of all our clients are those who actually register personnel in their houses – they ask for personnel with Russian citizenship.

(Interviews with the staff of employment agencies)

Moreover, employers prefer to employ only local citizens to fill in certain positions, because of possible language barriers and differences in mentality and culture. This mostly applies to babysitters for both toddlers (who need someone to read to them, etc.) and older children (who may need help with homework, etc.); however, sometimes such standards are applied also to maids.

Occasionally, employers choose not even between employees with different citizenship, but between employees of urban and rural origin. On the other hand, under certain circumstances migrants’ “other” mentality is more attractive to employers – it is easier to find common ground with them, they are not so demanding in everyday life, and they are comfortable with additional requests and sometimes even with extra work.

- *Non-local nannies ... often they are kinder, more open, they not spoiled by their sense of “fabulousness”, which is the case for nannies from St. Petersburg.*

- *A lot of my friends used to employ rural migrants – they thought this way their kids would be able to learn the Kazakh language, and also that rural residents are more obedient ... especially Uzbeks.*

(Interviews with employers from Kazakhstan and Russia)

The presence of both local and foreign workers in the domestic labour market and the competition for work positions that occurs between them should be considered from two angles. On the one hand, migrant workers reduce the level of wages in the sphere of domestic labour; as a result they occupy positions which would otherwise have been occupied by local citizens (originating from various regions, both urban and rural). On the other hand, such competition renders domestic services affordable to more people; this gives employers the opportunity to choose an employee who meets their needs exactly.

In conclusion, we must acknowledge the competition between migrants and local employees for the working positions in the sphere of domestic service. However, this competition creates additional opportunities for various social groups to employ DW.

5.5. Working conditions and working schedule

On average, the length of a working day for a domestic employee reaches 10 hours; in Moscow it is a little longer – 10.4 hours, while in Kazakhstan it is a little shorter – 9.9 hours. On the other hand, in Moscow, a little more time during the week is spent on recreation than in Kazakhstan: on average, respondents work six days a week days (in Moscow – 5.5 days; in Kazakhstan – 6.1 days).

The working day appears to be longer for live-in workers. The average duration of a working day for such respondents is 12.2 hours; for live-out workers, the working day is shorter – 8.4 hours. Eight per cent of live-in workers claimed they worked for 24 hours a day without any days off (table 5.8).

Table 5.8. “How long is your working day?” (% of live-in DW)

As much time as we discussed when I started my job	35
I work all the time, except for the night-time	34
I work all the time, except for my days off	12
I work 24 hours a day without any days off	8
Other	11
Total	100.0

Number of respondents: 208

I didn't talk to my employer about any days off; I actually didn't insist on it, because I had no place to stay; I wasn't renting an apartment. Even if I had a day off, I have no place to go. So I was with the child all day long – 24 hours a day. Only during the minutes that the parents wanted to play with their kid did I have time for myself. If I'm honest, those two years were real hell.

(Interview with a DW)

Eleven per cent of live-in DW don't have any specific meal breaks; they can only eat when they get some free time. One third of the respondents have one-two meal breaks a day, while half of the respondents have three-four breaks. However, as was pointed out earlier, the employer usually

provides food, and workers in most cases are not charged for it – only 2 per cent of employers deduct food expenses from their employees' salaries.

As was already mentioned, DW almost never have paid leaves of absence or sick leave. At best, an employee gets a vacation for two-three weeks per year so they can visit their homes. It is often the case that employers combine their vacation with their employees' leave of absence. However, if an employer leaves, but an employee does not, the employee does not get paid at all for such downtime (sometimes a worker gets 50 per cent of his/her wage during such periods).

Almost half of DW perform extra work, in addition to the services which were negotiated with the employer – 42 per cent of all respondents. In Kazakhstan the rate is almost twice as high as it is in Russia – 60 per cent and 31 per cent respectively.

Extra duties are more common for live-in workers. Of all respondents more than a half (51 per cent) pointed out that they had to perform some extra work that was not discussed during the hiring process. Only 32 per cent of live-out workers claimed they had extra work to do.

- On Sunday you want to take some rest, to lie down, but the employers see you, see that you're at home – so they can ask you to cook some soup, or to look after their child while they are out shopping. And if you say no – there is conflict. So it is better to have your own place. Because even after duties are discussed, you get extra work all the same. It depends on the employer.

(Focus group discussion
with female migrant domestic workers)

Thus, our research shows that the working day of domestic workers both in Russia and Kazakhstan appears to have no standard duration; on average, it lasts 10 hours. Live-in DW have much longer working hours.

VI. Living conditions and health status

6.1. Living conditions of domestic workers

The most popular type of accommodation among domestic workers is their employer's place of residence. Forty three per cent of respondents in Moscow and 56 per cent of respondents in Astana and Almaty live with their employers (table 6.1).

Table 6.1. "What kind of accommodation do you have in this city?" (% of respondents)

Answer	Total	Russia	Kazakhstan
Live at my employer's place	47.8	42.8	55.8
Rent a separate flat/house just for myself	8.7	5.6	13.6
Rent a separate room in a flat/house	11.4	12.0	10.4
Rent a flat with my friends/workmates	13.4	17.2	7.1
Live at my relatives'/friends' house	12.6	14.0	10.4
Live in a dormitory	5.0	7.6	0.6
Other	1.2	0.8	1.9
Total	100.0	100.0	100.,0

On average, rental payment (including utility costs) for those DW who have their own place to stay amounts to about 7,312 roubles (in Russia) or 21,671 tenge (in Kazakhstan). Live-in domestic workers usually do not have any accommodation-related expenses – only 3 per cent of respondents said that their employer deducted rental costs from their wages.

In Kazakhstan and in Russia, living conditions for live-in DW are largely the same; however, there are certain notable differences. Only 39 per cent of such respondents in Kazakhstan (in comparison with 85 per cent in Moscow) have a key to the house/apartment; moreover, only 23 per cent of respondents in Kazakhstan (and 43 per cent in Moscow) have Internet access (allowing the possibility to Skype with relatives, check e-mail and access information online) (table 6.2).

Table 6.2. Living conditions at your employer’s accommodation (% of respondents)

Living conditions	Total	Russia	Kazakhstan
I have apartment/house keys, so I can come and go any time I need to	65	85	39
I have free Internet access	37	43	28
I can use kitchen any time I want, so I can cook for myself	85	85	86
I have my own private room	57	58	56
I share a room with a person I’m taking care of	19	18	20
I live in a shared space, with other people	24	24	24

On the whole, migrant DW more often prefer to stay in their employer’s accommodation compared with labour migrants working for a legal entity. This option is even considered an advantage, since such accommodation is provided free of charge. On the other hand, such a way of life makes it difficult for a DW to find people to talk to outside the family circle. Sometimes a worker becomes literally trapped – being unable to leave the house (many live-in DW in Kazakhstan don’t have the keys to the entrance door).

6.2. Domestic workers’ health and access to medical services

The majority of DW report themselves to be healthy (56 per cent); only 2 per cent said they had poor health (table 6.3). In the 2010 MRC survey, 64 per cent of female migrants said they were in good health.

Table 6.3. “How do you find your health?” (% of respondents)

Health condition	Total	Russia	Kazakhstan
Good	55.6	57.8	51.9
Satisfactory	42.4	40.6	45.5
Bad	2.0	1.6	2.6
Total	100.0	100.0	100.0

Domestic workers (similar to migrants who work for legal entities) try to almost never seek medical attention: Over one third of respondents claimed they were never in need of professional medical help (according to the study of female migrants in 2010, 37 per cent of respondents made the same statement). On the other hand, the proportion of respondents who administer self-treatment (as they cannot afford to seek professional medical help) has increased – 22 per cent of respondents (compared to 12 per cent in 2010). Moreover, fewer respondents now choose to pay for medical help – 30 per cent of respondents in this study (compared to 39 per cent in the 2010 study). It is possible that costs of medical services have increased, and that this is why migrants do not seek medical help nowadays. Employers rarely subsidize medical treatment for their employees; mostly, they give their workers drugs, but they don't provide them with any medical insurance.

Thus, migrants who are employed in the domestic labour market (and also those who are employed by legal entities) prefer not to seek medical assistance; however, if they seek medical assistance, they prefer to use medicine/medical services that must be paid for.

VII. Protection of the rights of domestic workers, conflicts and security

7.1. Protection of rights

In the vast majority of cases, the restrictive working conditions of DW are offset by high wages and free accommodation and nutrition. Many domestic workers consciously compromise their labour rights in exchange for certain benefits. The study shows *that DW in Kazakhstan and Russia are mostly satisfied with their work* (table 7.1) – *two thirds of all respondents claimed they are satisfied*. One third of all respondents claimed they are fairly dissatisfied with their job; three per cent of respondents in Kazakhstan and two per cent in Russia said they are dissatisfied with their job.

Table 7.1. Job satisfaction

Answer	Russia	Kazakhstan	Total
I am satisfied with my work	64.4	67.3	65.5
I am fairly satisfied with my work	34.0	29.4	32.3
I am not satisfied with my work	1.6	3.3	2.2
Total	100.0	100.0	100.0

In Russia and Kazakhstan, the main reason for being dissatisfied with one’s job is the low wage (table 7.2) – 17 per cent of respondents cited their low wage as a reason for dissatisfaction. *The other two reasons for being dissatisfied are the following: a tough employment regime* (a long workday, with few days off – 13 per cent of respondents in both of the countries) and the *physicality of the work* (14 per cent of respondents in Russia, 7 per cent of respondents in Kazakhstan).

Some domestic workers pointed out that their dissatisfaction arises from poor working conditions (“they can force me to do extra work any time”; “I almost never have days off”; “the patient I’m taking care of smells bad”).

Table 7.2. Reasons for lack of job satisfaction

Reason	Russia	Kazakhstan	Total
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Low salary	16.8	16.8	16.8
My workday is too long, I don't have enough days off	13.2	13.5	13.3
Physically exhausting labour	14.0	6.5	11.1
Poor working conditions*	0.4	1.3	0.6
I don't like my employer, but I'm satisfied with the salary and working conditions	1.2	3.2	2.0
Other	6.4	5.8	6.2

Table 7.3. The possibility to resign

Answer	Russia	Kazakhstan	Total
I can	87.2	71.3	81.2
I cannot	8.0	7.8	7.9
I find it difficult to answer	4.8	20.9	10.9
Total	100.0	100.0	100.0

One in ten respondents in Russia cannot resign from his/her current job; in Kazakhstan the same situation applies to one in five respondents (see table 7.3.).

As regards employee/employer relationships, we can say that such relations are quite similar for Russian and for Kazakh DW – nine out of ten employers enjoy good relationships with their employer (table 7.4). Experts believe that being on good terms with the employer is important (especially in respect of such occupations as babysitters, caregivers and housekeepers). If such employment doesn't satisfy a domestic worker, psychological discomfort grows and it is better for the employer to hire another employee.

At employment agencies that specialize in domestic personnel employment, the possibility to replace a worker is “part of the package”. This is a sort of insurance contract: If a DW doesn’t meet the needs of an employer, the DW may be replaced by another one, free of charge. Personnel rights are not taken into account at all – it is the employer who is always right. The agency also tries to find a new job for the worker too; however, there are no guarantees for him/her.

Table 7.4. Relations with the employer

Answer	Russia	Kazakhstan	Total
Good	90.4	89.0	89.9
Fair	9.6	11.0	10.1
Bad	0.0	0.0	0.0
Total	100.0	100.0	100.0

Table 7.5. Violation of labour rights by the employer

Answer	Russia	Kazakhstan	Total
Yes, my labour rights have been violated by my employer	13.6	4.6	10.2
No, my employer has never violated my labour rights	78.4	45.8	66.0
Difficult to answer	8.0	49.7	23.8
Total	100.0	100.0	100.0

The findings of our research show that violations of DW labour rights are almost never acknowledged as actual violations. However, every tenth respondent has experienced rights violation. In Russia the rate is a little higher than in Kazakhstan (14 per cent and 5 per cent, respectively). This difference appears to be the result of the unstable position of DW in Kazakhstan. Even the question

about labour rights posed a serious difficulty for respondents, because they have no knowledge about the rights they actually have.

It should be noted that there is another group of DW who appear to be in the most vulnerable position: live-in workers (those who reside in their employer's house/flat). Such employees work only for one employer/household; thus, this household is both their workplace and their place of residence. This fact raises an important question about the integrity of private life.

Table 7.6. Cases of fraud committed by individual employers

Answer	Russia	Kazakhstan	Total
They promised to pay, but they didn't	2.8	5.3	3.7
The size of the wage was smaller than promised	5.6	11.9	8.0
The work appeared to be completely different from that which was agreed	7.2	14.6	10.0
Other	4.4	7.3	5.5
Fraud has never happened to me	80.0	60.9	72.8

In 20 per cent of cases in Russia (40 per cent of cases in Kazakhstan) domestic workers have been victims of fraud committed by their employers (see table 7.6). This happens because domestic personnel's rights are not protected by the Labour Code; thus, the observation of their rights depends on the good will of the employer.

The most frequent employment fraud scenarios include poor working conditions (15 per cent of cases in Kazakhstan and 7 per cent in Russia) and lower wages than those agreed (12 per cent and 6 per cent, respectively). Sometimes, employers do not pay DW at all – this has been experienced by 5 per cent of respondents in Russia and 3 per cent of respondents in Kazakhstan.

Table 7.7. Sexual harassment at the workplace

Answer	Russia	Kazakhstan	Total
Yes, I have experienced sexual harassment in the workplace from my employer	2.0	2.6	2.2
Yes, I have experienced sexual harassment in the workplace from members of my employer's family	2.8	11.1	6.0
Yes, I experienced sexual harassment in the workplace from other people	1.6	5.9	3.2
No, I have never experienced sexual harassment	93.6	80.4	88.6
Total	100.0	100.0	100.0

Work for a household drastically differs from work for a legal entity: Domestic employment commonly implies personal one-on-one contact with the employer. In such situations, the risk of being harassed is high.

One nanny told us that her employer hung around the home, sexually harassed her, and asked for sex. That was the reason she left her job. We also had a nanny who was told she would be paid for sex with her employer.

(Interview with staff of an employment agency in Russia)

According to the findings of this research, the risk of sexual harassment for domestic workers in Russia is lower than in Kazakhstan – 94 per cent of respondents in Russia have never experienced sexual harassment in comparison with 80 per cent of respondents in Kazakhstan (see table 7.7.). In Kazakhstan, DW experience sexual harassment most commonly not from their employer (only 3 per cent of respondents) but from members of the employer's family or the employer's friends (11 per cent of respondents) or from other people at workplace (6 per cent). The risk of sexual

harassment is higher for workers who are employed in legal entities than for those who work for private households.

7.2. Conflicts

It is rare for DW, especially for employees such as nannies and housekeepers, to have conflicts with their employers.

Domestic workers usually try to resolve a conflict with their employer at the personal level. They don't usually involve any institutions of state protection (such as the police or the courts), non-governmental organizations (such as human rights NGOs) or any other intermediary structures that could serve as agencies of conflict resolution.

Table 7.8. Domestic workers' strategies in the event of a conflict or fraud committed by the employer

Answer	Russia	Kazakhstan	Total
I do nothing; I'm afraid to lose my job	33.5	24.3	30.0
I try to negotiate with my employer	26.4	27.0	26.7
I appeal to non-governmental human rights organizations	0.0	2.7	1.0
I appeal to the court/police	0.4	0.7	0.5
I ask intermediaries for help	0.8	6.8	3.1
I resign	14.9	15.5	17.9
Other*	24.0	23.0	20.8
Total	100.0	100.0	100.0

* - the majority of respondents (80 per cent) in this category either say that there are no conflicts between them and their employers or say that they have never thought of a certain kind of difficult situation as constituting a conflict. There were also such responses as "I tell my husband about it", "I

talk to my relatives about it”, “my employer is related to me, so I listen to her”, and “I resolve conflicts by myself”.

The most popular strategy for respondents in both Russia and Kazakhstan (34 per cent and 24 per cent of respondents) is to keep silent and to wait until the conflict is over. Fewer respondents (26 per cent of respondents in Russia and 27 per cent in Kazakhstan) try to negotiate with their employer; for 15 per cent of respondents in Russia and 16 per cent of respondents in Kazakhstan, the optimum strategy is to switch workplace (see table 7.8.). Only 2 and 4 per cent of respondents in Russia and Kazakhstan, respectively, managed to actually successfully defend their rights; in general, a “take it or leave it” approach constitutes the “resolution” of such problems.

Table 7.9. “Have you ever succeeded in defending your rights in a conflict with your employer?” (%)

Answer	Russia	Kazakhstan	Total
Yes, I have managed to defend my rights in a conflict with my employer	1.8	4.0	2.7
No, I have never succeeded in defending my rights in a conflict with my employer	88.7	87.9	88.4
I never experienced any conflict with my employer	9.5	8.1	8.9
Total	100.0	100.0	100.0

Table 7.10. Dismissal and change of job due to a conflict with an employer (%)

Answer	Russia	Kazakhstan	Total
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Yes, I have been dismissed or changed my job because of a conflict with my employer	6.9	9.3	7.8
No, I have never been dismissed and never had to change my job because of a conflict with my employer	93.1	90.7	92.2
Total	100.0	100.0	100.0

Both Russia and Kazakhstan have an equal rate of DW who have had to change their workplace due to conflict. Apparently, such conflicts emerge as a result of the psychological incompatibility of some employers with their employees – occasionally, such incompatibility becomes so serious that it leads to the rupture of the employment relationship. But generally, DW try not to add to such conflict; rather, they try to maintain a good relationship with the employer (see tables 7.4, 7.8).

.. *There may arise “emotional conflicts”, and you have to quit. I have had a lot of it.*

(Focus group discussion with female domestic workers)

According to the interviewed experts from employment agencies, during the process of recruiting domestic labour personnel, certain groups are excluded at the stage of a telephone interview because of their unsatisfactory language skills. Also, before DW are actually invited to interviews, recruitment agencies’ staff try to exclude candidates whose behavioural standards appear to be inadequate.

Moreover, as employment agencies’ staff pointed out during interviews, preference is given to local workers when choosing domestic workers.

Table 7.11. Knowledge of the laws concerning domestic workers' rights in Russia/Kazakhstan (%)

Answer	Russia	Kazakhstan	Total
Yes, I know about such laws	9.6	2.6	7.0
No, I don't know about such laws	80.0	63.8	73.8
Difficult to answer	10.4	33.6	19.2
Total	100.0	100.0	100.0

The lack of effectively functioning mechanisms to protect domestic workers (and the lack of recognition of the institution of domestic labour itself) means that information about the legal status of DW is unavailable. *Thus, 80 per cent of DW in Russia and 64 per cent of DW in Kazakhstan confessed that they know nothing about any laws protecting the rights of domestic workers. Moreover, 10 per cent of respondents in Russia and 34 per cent of respondents in Kazakhstan had difficulties in answering this question.* Only 3 per cent of respondents in Kazakhstan and 10 per cent of respondents in Russia claimed they knew about legislation that aims to protect the rights of domestic workers in Russia/Kazakhstan.

Table 7.12. Interest in knowing about legislation aimed at protecting domestic workers' rights in Russia/Kazakhstan (%)

	Russia	Kazakhstan	Total
Yes, I'd like to find out about such legislation	49.2	37.3	44.7
No, I don't want to know	31.2	19.6	26.8
Difficult to answer	19.6	43.1	28.5
Total	100.0	100.0	100.0

Half of all respondents in Russia and one third of respondents in Kazakhstan would like to find out more about the legislation regulating domestic labour (table 7.12). This can be explained by the overall low level of legal awareness and the absence of conditions for the effective protection of domestic workers' rights. As mentioned above, only a few workers have managed to defend their rights in a dispute with an employer (see table 7.9).

7.3. Security

Risks which are inherent in the process of hiring DW have an influence on both employers and employees – neither side has any legal protection in such circumstances. The customary relationship between a domestic workers and his/her employer almost fully ignores such practices as concluding official labour contracts (only 16 per cent of DW in Russia and 10 per cent of DW in Kazakhstan have an official contract). Many DW who are already in a vulnerable position (i.e. they do not have an official contract and have no means of influencing their working conditions) see no point in concluding a contract. Employers too commonly do not see any need for a contract – for them, a contract simply outlines the “rules of the game”;; however, it cannot protect them and help them when legal steps much be taken. The potential costs of violating any oral/written agreement are great for both sides.

Any violations on the side of the employee might result in fines or reduced wages, dismissal, and/or inclusion in the “black lists” compiled by various employment agencies.

Violations on the part of the employer can lead to a decline in the quality of the work that an unmotivated DW performs or even to the necessity of searching for a replacement domestic worker. An unmotivated DW may disclose personal information regarding his/her employer to third parties; in general, an unmotivated DW is likely to feel a low sense of loyalty towards his/her employer (which could, for example, result in him/her refusing to take appropriate action in any health- or life-threatening situation).

In Russia, labour patents have become a universal tool with which to legalize DW's status; labour patents may be viewed not only as a fiscal tool, but also as a step towards the overall legalization of domestic work. It also constitutes a step towards the removal of domestic work from the

zone of illegal employment, and, ultimately, the promotion of higher standards and norms of employment for DW.

Possession of a labour patent has helped many domestic workers to become legally employed and to avoid problems during police raids.

A labour patent is also extremely important as a document that enables full freedom of movement – both in meeting a potential employer and in transporting equipment or goods:

... When something has been ordered and bought, and you need someone to deliver it ... they cannot issue anything to a person who is a citizen of another state and has no official documents.

(Interview with staff of an employment agency in Russia)

Representatives of the Federal Migration Service of Russia always note that labour patents bring income to the treasury. It is possible that when the legal situation regarding the employment of non-citizens is clarified, the quantity of labour patents sold will decrease, because only DW will buy such patents. Unfortunately, not many DW currently do buy labour patents. For instance, labour patents are considered necessary by female DW who have a “slavic” appearance, who are not routinely interrogated in the street by the police or who spend most of their time at their employer’s house outside of the city. DW who don’t have an indoor lifestyle have a greater incentive to buy a labour patent; however, the biggest motivation for buying a labour patent arises when an employer insists on it.

If a DW is trying to obtain a job in Russia through a respectable employment agency and he/she is looking for a well-paid job, then he/she has a great incentive to buy a labour patent. However, the domestic labour market remains largely “spontaneous” and employment agencies do not play a significant role.

Labour patents (which make DW legal in Russia) and official work permits for private households (introduced in 2013 in Kazakhstan) are only now at the stage of formation and perfection (prior to their actual implementation).

Table 7.13. Kazakh respondents' opinion on buying a labour patent (if introduced in Kazakhstan)

Attitude to the labour patent	Kazakhstan
Yes, I'd buy such a patent	36.2
No, I wouldn't buy a labour patent	16.8
I find it difficult to answer	47.0
Total	100.0

The government of Kazakhstan will most likely take into account the Russian experience of introducing the labour patent system and will choose another way of dealing with the problem: They will tie the legalization of a domestic worker to his/her contract with the employer. Given the results of this study (only 10 per cent of workers in Kazakhstan have official contracts and they themselves do not actually see the point in having a contract), the practice of introducing a system of official contracts has potential; however, this innovation will be difficult to implement (at least, in the early stages). Moreover, 36 per cent of respondents in Kazakhstan said their very presence in the country was illegal and that this makes it impossible for them to conclude a contract with an employer. The process of hiring DW occurs mainly on terms that are dictated by the employer and not through an employment agency. However, even the employment agencies try to adjust to the requirements of the employer. Under these conditions it is difficult to expect that employers will begin a mass legalization of their relations with DW. So the prospects for the legalization of DW in Kazakhstan are still very uncertain. But the introduction of official work permits can be considered as positive progress.

Security issues for DW, as for all other migrants, are currently a huge problem – especially for migrants from Central Asia.

I am young; I would like to go out, to take a walk, but sometimes I see on the television news how [migrants] are being killed and I become so afraid, don't leave my place for weeks, even during the daytime. Even though I myself have experienced none of it ...

For men it is harder; they are constantly being detained by the police, having their documents checked, and so on ...

Focus group discussion with domestic workers (Moscow, August 2013)

It is obvious that with the development of the domestic labour market, private employment agencies will play a more significant role and will enforce security for domestic workers and employers.

The main risks for employers are mostly connected with employees' inability to take decisions at the right moment, and not with the risk of thefts, as one could assume:

... Theft is not a big issue. We are more concerned about those moments when people walk away from responsibility. At such times, when things should have been the other way around, a person should be on the spot, at his/her post and say, "I am responsible for the situation, and here is such-and-such solution: You need to follow this scenario, or the other scenario." People tend not to take responsibility.

(Interviews with staff from employment agencies in Russia)

Decision-making ability and the ability to act logically – these are qualities which are extremely valuable (according to experts from private employment agencies) and which also can ensure domestic employees' safety at work.

In cases when a problem arises through the fault of a domestic worker, the employment agency usually does not bear any responsibility for it.

Many risks associated with hiring domestic personnel could have been avoided if private employment agencies' hiring practices were more professional. Because there is no requirement to hold any kind of licence, there are firms that do not think about their responsibilities to the client for his/her safety. They also do not foresee the kind of pitfalls that only professionals can appreciate.

The introduction of labour patents was the first step towards better, safer conditions on the domestic labour market. The enforcement of the private employment agencies' role and the possible return to the licensing of their work (until 2003, employment agencies and recruitment agencies were required to hold an official licence) could be a logical continuation towards improving the safety of the domestic labour market.

VIII. Integration challenges and plans for the future

Most labour migrants working for a household have an indoor lifestyle, which makes their integration into society rather challenging. Less than one third of them (29 per cent of all respondents; 33 per cent of respondents in Russia, 21 per cent of respondents in Kazakhstan) communicate with the local population as much as they do with other migrants. Over half of the respondents communicate only with their compatriots (or other migrants) and members of the family that they work for. In Kazakhstan, domestic workers are even more reserved.

Table 8.1. Communication circle of domestic workers (%)

<i>“Who do you communicate with?”</i>	Russia	Kazakhstan	Total
Mostly with members of the family I work for	28.2	34.2	30.5
Mostly with migrants like me	25.0	16.8	21.9
Mostly with local people	9.7	21.5	14.1
With migrants and locals equally	33.1	20.8	28.5
Other	4.0	6.7	5.0
Total	100.0	100.0	100.0

Communicating only within an employer’s household can be oppressive.

Those years were like hell – honestly – because it is really hard when you are in someone else’s family. No socializing, because we lived in the countryside. There was nowhere to go out. I had a child to look after. I was bound to him; we never left the house. The house was big, with a big yard. It was a comfortable, cozy prison. You are always under surveillance, with all those security cameras ...

(Interview with DW in Russia)

DW are far from being always welcomed by local residents. Sometimes they themselves choose to keep to one side, and sometimes it is the receiving society that segregates them.

In St. Petersburg, a private employment agency, “Monplezir”, set up a community club for DW, with free access for all domestic workers. The agency benefits from getting a chance to expand their database of DW, and the workers benefit from getting a chance to communicate with their peers and relax.

Table 8.2. Plans for the future (%)

Migration intentions	Russia	Kazakhstan	Total
To obtain permanent residence in the city/obtain citizenship (<i>for foreigners</i>)	23.4	41.6	30.3
To stay for some time (several years), and then return to the home country	43.2	14.9	32.4
To come regularly, earn money and go back home	28.2	31.2	29.4
To go to the home country and never come back	2.8	1.9	2.5
To move to another country (region, city)	0.4	3.9	1.7
Other	2.0	6.5	3.7

The most significant difference between DW in Russia and Kazakhstan is their migration strategies. *In Kazakhstan, workers plan on staying and settling in the country, while in Russia workers prefer to stay for some time but eventually return to their home country.* Among domestic workers in Kazakhstan, 42 per cent would prefer to settle permanently in the destination country, while only 23 per cent of workers in Russia have the same intentions. Among those working in Russia, 43 per cent want to stay in the country for a long period and then return to the home country, while in Kazakhstan only 15 per cent of respondents have the same intention. Most domestic workers consider their migration experience with households successful; very few of them want to quit their jobs. No one would change their destination country.

Such a point of view is largely explained by the relatively high wages. Another reason is that many also hope to educate their children either in Russia or in the home country.

The indoor lifestyle and limited contacts with people outside the household does not aid the integration of migrants. At the same time, it does not prevent the majority of the respondents from staying in Russia or in Kazakhstan for a long time.

Conclusions and recommendations

Main conclusions on the basis of the results of the research:

1. The job search methods of DW are even more informal than those of other labour migrants. In the case of respondents, 74 per cent of job placements occur through friends, relatives or independent agents, bypassing employment agencies, job announcements on the Internet, etc. In Kazakhstan, the proliferation of informal job placements is even greater than in Russia. Very few private employment agencies are involved in the recruitment and employment of DW; this shows that the provisions of Article 15 (paragraph a), of the ILO Convention 189, which concerns conditions governing the operation of private employment agencies recruiting or placing DW, are far from being implemented.
2. Entering domestic work was a matter of chance for more than half of the respondents. Most migrants look for any type of job, without expressing any preference. Migrants are not psychologically prepared for domestic work; they have no legal support and know little about the substance of domestic work. Therefore, it seems reasonable for Russia and Kazakhstan to implement Article 15 (paragraph d) of ILO Convention 189, which urges bilateral, regional or multilateral agreements to prevent abuses and fraudulent practices in recruitment, placement and employment.
3. Job contracts for domestic work are primarily based on oral agreements between an employee and an employer – only 13 per cent of respondents had a written agreement, and these were of doubtful legitimacy. Both in Russia and Kazakhstan, there is almost no legal possibility to settle labour disputes that arise while working for a household. In addition, DW are not interested in obtaining a legal contract: Only 18 per cent of domestic workers without a written contract said that they would like to have one. Therefore, it is evident that both Russia and Kazakhstan do not comply with the provisions of Article 7 (that domestic workers be well-informed of their terms and conditions of employment through written contracts) and Article 8 of ILO Convention 189 (which stipulates that migrant domestic workers who are recruited in one country for domestic work in another receive a written job offer or a contract of employment which is enforceable in the country in which the work is to be performed and which addresses the terms and conditions of employment referred to in Article 7, prior

to their crossing national borders for the purpose of taking up the domestic work to which the offer or contract applies).

4. Domestic workers rarely negotiate the terms of their contracts – in most cases, it is the employer who defines the terms and conditions of work, while an employee accepts what is offered. The findings of our research show that overtime work is never paid if not negotiated in advance. Meanwhile, many domestic workers would prefer to have backdated overtime pay included in their contracts – this is one of the most critical issues for them, along with vacation, sick leave, etc. Thus, the provisions of Article 7 (paragraphs c-h) of ILO Convention 189 are not implemented in Kazakhstan and Russia.

5. Despite the poor regulation of domestic labour, domestic workers face abuse at the workplace less often than migrants working for legal entities. At the same time, as a control measure, employers sometimes confiscate passports of their domestic workers, which is illegal and happens rarely in the case of other categories of workers. This constitutes a violation of the norms of Article 9 (paragraph c) of ILO Convention 189, which stipulates the right of domestic workers to keep in their possession their identity documents.

6. Earnings in domestic work are generally higher than the work for enterprises and legal entities, but domestic workers have no social security coverage: no paid vacation and sick leaves, no medical insurance provided by the employer, and no paid overtime work. The only benefit is meals, which most employers provide free of charge. This situation does not comply with the provisions of Article 14 of the ILO Convention 189, which stipulate that appropriate measures should be taken, in accordance with national laws and regulations and with due regard for the specific characteristics of domestic work, to ensure that domestic workers enjoy conditions that are not less favorable than those applicable to workers generally in respect of social security protection (in the area of medical care, pensions, etc.).

7. Domestic work is one of the most competitive types of employment: local workers (including people coming to Moscow and Astana from other regions of Russia and Kazakhstan) also find such work attractive because it is well paid. Meanwhile, international migration – notably immigration from Central Asia – has an evident dampening effect on the level of wages on the domestic work market. On the other hand, due to the increased competition and consequent decrease in wage levels, domestic services has become affordable for a wider section of the local population.

8. The working hours of DW are not fixed, so the average duration of a working day is 10 hours. Those who live at their employer's residence work even longer. They are also more likely to work overtime, as they are always "at hand". However, they benefit from free accommodation provided by the employer. Thus, the provisions of Article 10 of the ILO Convention 189 ensuring equal treatment of domestic workers and workers generally in relation to normal hours of work are not respected in Russia and Kazakhstan.
9. Those workers who understand the difference argue that domestic work is less physically demanding compared to work for an organization. On the other hand, the "social" circle of domestic workers is often limited to the members of the family they work for. Quite often, domestic workers (especially in Kazakhstan) are not given house keys, so their mobility is limited even at weekends. Such conditions of work contradict the provisions of Article 10 (paragraph 2) of ILO Convention 189 concerning periods during which domestic workers are not free to dispose of their time as they please.
10. Domestic workers in Russia and Kazakhstan are mostly satisfied with their work: Two-thirds of the respondents confirmed this. However, there are three reasons why workers may be disappointed with their job: low wage, over-long working hours (overtime work, infrequent holidays) and heavy physical work. It seems that the implementation of Article 7 of ILO Convention 189 concerning the clarification of conditions of work in a contract agreement could help to ameliorate these issues, if not completely eliminating them.
11. Domestic workers are often vulnerable to various forms of cheating due to their exclusion from national labour legislation and dependency on their employer: 20 per cent of respondents in Russia and 40 per cent of respondents in Kazakhstan reported that they had been cheated. Such issues are addressed in Article 5 of ILO Convention 189, which stipulates that the state should take measures to ensure that domestic workers enjoy effective protection against all forms of abuse, harassment and violence.
12. According to the findings of the survey, domestic workers in Russia are less exposed to the risk of sexual harassment than in Kazakhstan: 94 per cent of respondents in Russia and 80 per cent of workers in Kazakhstan said they had never been harassed at work. Therefore, both in Russia and Kazakhstan, certain measures should still be taken to ensure the full protection of domestic workers from violence

and harassment, as recommended by Article 5 of ILO Convention 189, even though the current situation is quite under control.

13. In the event that a conflict arises, DW have no proper legal protection. DW would not trust government institutions (such as a court or the police) or a non-government organizations (such as human rights organizations) to act as a mediator in resolving any conflict with their employer. Keeping silent is the most common strategy of DW in conflict situations: It is chosen by 34 per cent of respondents in Russia and by 24 per cent of respondents in Kazakhstan. When asked about laws protecting the rights of DW, the majority of respondents in Russia (80 per cent) and Kazakhstan (64 per cent) admitted they knew nothing about it. Therefore, the situation in both countries is far from being in compliance with the provisions of the ILO Convention 189 (Article 17) concerning the establishment of effective and accessible complaint mechanisms and means of ensuring compliance with national laws and regulations for the protection of DW.

Recommendations:

The following measures could be implemented in order to support the promotion of international standards for the protection of the rights of domestic workers and the ratification of ILO Convention 189 in the Russian Federation and in the Republic of Kazakhstan:

- support the work of information centres and consultation services for migrant domestic workers, in order to help them obtain access to mechanisms for making complaints and to equip them with instruments with which to protect their rights;
- develop effective means of investigating and prosecuting cases of abuse, harassment and violence against domestic workers (including migrant domestic workers), and to provide victims with temporary accommodation, medical care and rehabilitation services;
- define and ban dangerous types of domestic work being undertaken by children, including migrant children;
- eliminate legislative and administrative obstacles that prevent domestic workers and their employers from establishing and joining associations, federations and confederations of their own free will,

- strengthen the capacity of associations of workers and employers, including in terms of the protection of women and the children of migrants;
- promote the use of “template” contracts of employment for domestic workers, in order to ensure minimum standards regarding household work with regard to working hours, wages, free time, access to social services, etc.;
- regulate payment of remuneration in kind, a payroll system, the timely payment to workers, and the protection of workers’ rights in the event of death or the insolvency of employers;
- ensure the protection of the health and safety of domestic workers, including limiting working hours, a prohibition on night work, and the oversight of the living and working conditions of under-aged domestic workers;
- encourage international cooperation on monitoring the work of private employment agencies.

Recommendations for improving the regulation of domestic work in Russia

1. Insert definitions of “domestic worker” and “household work” into Chapter 48 of the Russian Federation Labour Code.
2. Make it possible to extend the period of the validity of labour patents for up to three years through introducing relevant amendments into the Federal Law “On the Legal Status of Foreign Citizens in the Russian Federation”.
3. Federal law 323 “On Health Care Services for Citizens of Russia” should be revised to include migrant DW’s right to access medical services on equal terms with Russian citizens after they have worked one year in Russia. Migrant DW working less than one year should get mandatory medical insurance or affordable voluntary medical insurance that also covers unemployed family members. Medical insurance should include access to medical services for pregnant women working for households.
4. Public councils operating under the embassies of countries that send migrants should be engaged in the promotion of DW rights and the protection of children from the worst forms of child labour in households.

5. The Federal Law “On Pensions” should be revised to include rules governing pension contributions made by Russian citizens who employ domestic workers”.
6. The Ministry of Labour and Social Protection of Russia should be responsible for monitoring the employment of DW.
7. The Federal Statistical Service of Russia should be responsible for collecting data on the number, gender and age characteristics of DW.

Recommendations for improving the regulation of domestic work in Kazakhstan:

1. Chapter 22 of the Labour Code of Kazakhstan – “Regulation of Employment of Domestic Workers” – should be revised and expanded; reference to employment contracts should be eliminated. The addition of regulations regarding employment to the Labour Code will make it unlikely that any type of discriminating conditions could exist under a DW’s contract, because such conditions will be invalid under the Civil Code of the Republic of Kazakhstan.
2. The definition of “tax agent” in article 12 of the Kazakhstan Labour Code should be revised to include an employer as an individual who employs a domestic worker under a labour contract.
3. Paragraph 6 of article 24 of Kazakhstan’s law “On Pensions” should be revised to include subparagraph 6: “individuals who employ a domestic worker with a labour contract”.
4. A new law “On Employment” covering the social category “domestic workers” should be adopted in Kazakhstan.
5. Kazakhstan should become a party to ILO Convention 189.
6. The Ministry of Labour and Social Protection of Kazakhstan should be responsible for monitoring the employment of domestic workers.
7. The Statistical Agency of Kazakhstan should be responsible for collecting data on the number, gender and age characteristics of domestic workers.

The results of the research reveal that unfortunately, most recommendations contained in ILO Convention 189 concerning migrant domestic workers are not yet covered by the legislation of Kazakhstan, and government agencies of Kazakhstan do not address them in their work. At the same

time, research shows that the standards stipulated by the ILO Convention 189 can be implemented in both countries. Russia and Kazakhstan have both developed solid legislation that addresses labour migration in general; moreover, some steps have been taken toward better the regulation of the work and residence arrangements of migrant domestic workers. This leads us to believe that Russia and Kazakhstan will be ready to ratify ILO Convention 189 within the next two-three years.

Below, we propose concrete measures (including legislative initiatives and implementation efforts) which could be undertaken by the governments of Russia and Kazakhstan, as well as non-government organizations, trade unions and international organizations, in order to promote ILO Convention 189.

Government	NGOs	International Organizations	Trade Unions
Improving legislative framework			
Define and introduce into practice core standards regulating employment relations between DW and employers, using a gender-sensitive approach –including a description in the contract of the type of work, the level of salary, the method of calculating the salary, a schedule of salary payment, normal working hours, overtime payment, paid annual leave, the duration of daily or weekly rest, the provision (if applicable) of meals and accommodation, the probation period (if applicable), arrangements concerning potential repatriation (if	1.Support the development of institutional mechanisms for protecting the rights of DW, using a gender-sensitive approach. 2. Defend the labour rights of DW: - provide legal advice to DW (both local and foreign) - provide legal advice to employers of DW	1. Develop a roadmap for the ratification of ILO Convention 189 in Russia and Kazakhstan 2. Provide consultation services for governments in both countries with regard to the possibility of ratifying ILO Convention 189. 3. Share examples of best practices regarding to domestic work market in developed countries.	1. Establish DW professional units (devoted to both locals and migrants) within existing trade unions. 2. In the mid-term, create a separate trade union for DW. 3. Study the best practices in other countries of DW unions that function as representatives of DW interests and protect DW’s interests during the process of formulating and implementing

<p>applicable), contract termination guidelines (including details of advance notice to be provided by the employer or employee).</p> <p>2. Target the elimination of the worst forms of child labour in households.</p> <p>3. Simplify procedures for making social security contributions for employers of DW.</p> <p>4. Introduce tax incentives for employers who inform tax agencies that they have hired a DW and who make all necessary contributions to social security funds.</p> <p>5. Adopt a law “On Private Employment Agencies” the licensing of agencies specializing in placing DW in employment.</p>			labour migration policies.
Strengthening enforcement of actions to address domestic workers’ needs			
<p>1. Develop cooperative efforts aimed at the professional training of domestic workers.</p> <p>2. Intensify the work of labour inspectors, keep an eye on employers of domestic workers.</p> <p>3. Make consular offices of Russia and Kazakhstan responsible for creating a database of licensed employment agencies that recruit domestic workers,</p>	<p>1. Support both Russia’s and Kazakhstan’s efforts in preparing to ratify ILO Convention 189.</p> <p>2. Provide more informational support to migrants who plan to work for a household (provide legal</p>	<p>1. Facilitate activities aimed at the ratification of ILO Convention 189 in Russia and Kazakhstan (organize conferences, round-table discussions, workshops, support more research on the field of domestic</p>	<p>1. Collaborate with other trade unions (including those in migrants’ home and destination countries.</p> <p>2. Assist in reaching out-of-court settlements of labour disputes.</p> <p>3. Share good practices with</p>

<p>and for creating a black list of unsatisfactory employers of domestic workers. Provide migrant workers with copies of a “template” labour contract, translated into a language they understand.</p> <p>4. Organize DW training sessions (free of charge or at low cost), with the support of private employment agencies.</p> <p>5. Organize information campaigns devoted to labour migrants’ rights.</p> <p>6. Monitor DW employment (both migrants and local workers) on a regular basis.</p> <p>7. Set up sustainable cooperative schemes with the countries of origin of migrant domestic workers.</p>	<p>advice on labour patents, a “template” of a written employment contract, help in negotiating contract terms with an employer, psychological support).</p> <p>3. Organize information campaigns devoted to the rights of DW and the risks associated with domestic work.</p> <p>4. Provide legal support to the most vulnerable groups of DW – women and under-aged children – in solving labour disputes with employers.</p> <p>5. Facilitate wide coverage of cases of employers (private households) confiscating workers’ passports in order to draw public attention to this issue and to eliminate the practice of the illegal confiscation of papers.</p>	<p>work).</p> <p>2. Share best international practices regarding organizing information campaigns devoted to the rights of DW.</p> <p>3. Design a series of standard employment contracts for different types of domestic work in accordance with national legislation and to distribute them through different information media</p> <p>4. Translate the latest relevant international reports into the official state languages of Russia and Kazakhstan.</p>	<p>NGOs</p>
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	<p>6. Assist in regular monitoring of DW (both migrants and local workers) employment and the protection of their labour rights.</p> <p>7. Develop mechanisms for resolving labour disputes between DW and their employers.</p> <p>8. Set up a “hot line” for DW.</p>		
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