

## Deficiencies and Limitations on Current Household Employment in Spain

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**KEYWORDS** Domestic Labour. Gender. Precariousness. Communication at Work

**ABSTRACT** In some labor sectors precariousness, vulnerability and abusive behavior have been a constant throughout employment history. The circumstances and reasons why this phenomenon persists are so many and varied that these unfair practices often seem impermeable to improvement and progress. Although governments throughout the world are currently adopting regulations to improve the working conditions of household employment, this is still a working context characterised by considerable informality in all countries at different levels of development. However, close analysis of what happens in these working environments might help to highlight the fundamental underlying problems, point out specific areas of feasible and effective improvement and work towards developing international labor standards in this sector. With this aim, the present work analyses a corpus of interviews and meetings with domestic employers, intermediaries and employees recorded in Spain. The results bring to light some key communicative and labor-related factors which lay down most precarious and informal situations affecting these workers, such as unclear contracts and contributions, normalized precariousness and vulnerability, intercultural unawareness and degrading stereotypes, confusion in roles and communicative registers, and psychological and ethical threads. The study will also point out that, although the new legislation seeks to include improvements across the board, its implementation is bringing more heterogeneity, informality and precariousness for this group of workers.

### INTRODUCTION

Despite statistical deficiencies, the *International Labour Office* states that there are more than 60 million domestic workers worldwide (International Labour Organization 2011). The rising demand for household workers internationally is generating the progressive mercantilism of reproductive labour. The motives behind this evolution may be attributed to multiple factors: (a) increasing global socio-economic inequalities reinforced by migration trends, (b) progressive participation of women in the formal labour market (together with the rise of the tertiary sector in the world's economic structure and the increase of young women's educational levels), (c) the persistent deficient co-responsibility of men in household tasks, (d) new family and private time management trends, (e) progressive geographical dispersion of family units, (f) the ageing process of developed countries' population, and (g) the lack of attention paid by inter-

national social and political institutions to care policies, which leaves their nationals with no choice but to find private solutions (Ruijter and Lippe 2007; Pla-Julián 2008; Treas and Drobnic 2010; Pérez and López 2011; Morel 2012).

The present research starts from the definition proposed in *The Text of the Convention Concerning Decent Work for Domestic Workers* from the 100<sup>th</sup> Session of *International Labour Conference* which defines the term "domestic work" as "work performed in or for a household or households" and a "domestic worker" as "any person engaged in domestic work within an employment relationship" (International Labour Organization 2011: 4). Domestic workers worldwide share common characteristics, in spite of the current diversity in their working and legal situation. The most notable factors are their isolation, invisibility and lack of recognition of worker rights. Household work falls between the labour market and the private or 'domestic' arena since it is a paid activity which it mostly carried out in homes. As employer/employee's interaction shows, these services have to be carried out in highly person-

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alised relationships which go beyond mere household services and often become informal encounters. This labour field is also highly feminised (Razavi and Staab 2010; Mencarini and Sironi 2012), as the great majority of these relationships are established between women: the absence of masculine participation has traditionally transferred to women the household duties to other women maintaining the gendered division of housework (Rollins 1985; García et al. 2011; Pérez and López 2011).

In recent history, the only meaningful change is that this transfer happens between women whose origins are increasingly more distant geographically (Agrela-Romero and Pla-Julián 2011; George 2005; Pla-Julián 2009). Demand for domestic work has been one of the main reasons for the mass migration of women (Anderson 2000; Ehtreich and Hochschild 2003). Female migration, to take up domestic employment abroad, creates a form of “global care chain” (Hochschild 2004; Pérez and López 2011) between workers with domestic and family responsibilities requiring household services and migrants who can provide them – albeit at the cost of leaving their own families behind (Salazar-Parreñas 2005; Lutz 2008).

In addition to the above characteristics, household employment has always been influenced by informal employment condition which concerns the fact that most domestic services are contracted and carried out alongside and outside the existing regulations. This informality has, to some extent, been favoured in many countries by their labour regulations. For example, in Spain, until June 2012, the contract for household service did not require any written contract and it did not need to be formalised through the Official Employment Offices. The last 100th International Labour Conference celebrated in Geneva (June 2011) approved a new international Convention (n° 189) and a Recommendation (n° 201) introducing important improvements for labour regulation in domestic employment (International Labour Organization 2011).

The 27 articles of the convention contain the following advances: (1) terms and conditions of employment have to be included in written contracts in accordance with national laws, regulations or collective agreements, (2) freedom to become member of associations and trade unions, (3) regulation of the right of repatriation

following the expiry or termination of said contract, (4) any form of abuse, harassment or violence will have the same right of defence and protection as the rest of the working population, (5) measures designed to protect workers in the face of danger or risk related to work, (6) establishment of a system of inspection and sanctioning regarding the infringement of labour legislation related to health and safety in the workplace. From the 26 recommendations it is worth highlighting: (1) the establishment of guidelines for a contract, (2) specific protection for immigrant workers through bilateral agreements, regional and global, for the development of labour and migratory policies which encourage equality and the protection of rights, testing visits emergency assistance and cost-free repatriation, (3) labour inspections, (4) competencies’ training, professionalisation of the sector and work-life balance.

In addition, in Spain, the new Royal Decree (“*Proyecto de Real Decreto por el que se regula la relación laboral de carácter especial del servicio de hogar familiar*”) was published on the 30th June 2011 with the aim to equip these labour activities to the general or common in order to “dignify the working conditions of the people who lend their services in a family home” (op.cit., p. 2) and progressively integrate the *Régimen Especial de Empleados de Hogar* (Real Decreto 1424, 1985) with the *Régimen General de la Seguridad Social*. This decree came into practice on 1st January 2012. Eventually, the most recent legislation (“*Ley 27/2001, Sobre Actualización, Adecuación y Modernización del Sistema de Seguridad Social*”) was published on the 1st August 2011.

## Objectives

Within this context of legal and social change, the present research aims to shed light upon the employment and working deficiencies derived from the persistence of five characteristics which seem to have always defined this employment sector: domestic, informal, feminised, ethnic and vulnerable. Secondly, the article will analyze the main changes which entail the recent labour policies in Spain in order to assess their application in daily labour practices and to establish a certain set of recommendations, considering the ambiguous effects of formal labour regulations on informal employment.

This article intends to contribute to the current literature on this feminised and ethnicity-sensitive working sector which articulates both, the social reorganization of care, so vital to the sustainability of human life, and the sex-gender system. From a labour perspective, qualitative analysis of this sector's employment conditions emphasises its weaknesses, drawing attention to a certain set of communicative limitations which are becoming distinctive and increasingly influential. Furthermore, from an intersectional perspective, this research reinforces the different degrees of heterogeneity which affect informality in household employment, underlining the existing wide diversity of motivations for employers and employees. These working conditions will hinder the measures taken to improve this sector despite the significant legal advances that are taking place during 2012.

### METHODOLOGY

The methodology of the present study is based on open but in-depth interviews with domestic employees in order to compile their views on communicative deficiencies. The interviews were designed to have a flexible structure to encourage open interaction and natural expression so that they could become relaxed conversations from the interviewee's perspective. All interviewers used a set outline structured according to aspects such as the following: (a) employee's personal and professional profile, (b) means of labour access, and (c) working and employment conditions, and (d) types of relationship with employers.

The corpus was composed by 40 interviews to household employees. In line with the sector's own proportions, ten of the interviewees were Spanish and the other thirty were immigrants from South and Central America (mainly from Ecuador and Colombia), from Africa (mainly Morocco and Algeria) and from Eastern Europe (mainly Russia, Ukraine and Rumania). Their profiles covered most of the current variables within this sector in Spain, concerning nationalities, personal/family situations, educational background, working experience and types of contracts, tasks and services.

The interviews were recorded and transcribed to allow the interpretation of the content. Corpus analysis software programs provided concordance outputs and offered on-

screen the view of chosen items used for identification, comparison and illustration purposes. *Atlas.ti* was used to codify the interviews by items such as nationality, type of contract, health coverage, salary and holidays, among others. *WordSmith* and *Antconc* were also used to find language patterns (for example, register markers), specific key terms (for example, markers of discrimination and communicative deficiencies). In a first stage these tools helped to compile the transcripts and compare the information provided by the participants, and in a second stage, were very useful to examine and illustrate significant aspects related to informality, communicative deficiencies and precariousness.

### RESULTS AND DISCUSSION

As summarised in this section, the results confirm that within this labour market there are five main areas or dimensions which still show a high degree of informality and a significant number of deficiencies at various levels.

#### (a) Heterogeneity of Informal Contracts

In Spain, during the first quarter of 2012, the difference between the number of paid workers that have declared being employed in household services (*Instituto Nacional de Estadística* 2012) and the number of workers affiliated to the *Régimen Especial de Empleo de Hogar* (*Ministerio de Trabajo e Inmigración* 2012), shows that 54.8% of household services are carried out informally. This informality has, to some extent, been favoured in many countries by their labour regulations. As mentioned above, in Spain, the new Royal Decree published in June 2011 and particularly the *Additional Provision number 39* from the most recent legislation ("*Ley 27/2001, Sobre Actualización, Adecuación y Modernización del Sistema de Seguridad Social*") also published in 2011 are promoting the integration of domestic workers in the General System of Social Security since January 1st 2012. The principal changes which entail all these new labour regulations can be seen in the Table 1.

However, as our corpus illustrates, despite these positive legal developments, we should be cautious about the ambiguous effects of the new regulation on informal employment given the diversity of domestic spaces and workers. Especially considering that until 2012 the cur-

**Table 1: Legal changes concerning domestic employment in Spain**

|   | <i>Before 1st January 2012</i>  | <i>From 1st January 2012</i>   |
|---|---|--|
| <i>Contract</i>                                     | Spoken or written   | Spoken or written, but the worker can demand a written contract  |
| <i>Giving Notice</i>                                | Less than 1 year's employment: 7 days<br>More than 1 year's employment: 20 days   | Less than 1 year's employment: 7 days<br>More than 1 year's employment: 20 days                            |
| <i>Compensation for Dismissal</i>                   | Wrongful dismissal: 20 days p.a. max. 12 monthly payments.<br>Withdrawal: 7 days p.a. max 6 monthly payments  | Wrongful dismissal: 20 days p.a. max. 12 monthly payments. Withdrawal: 12 days p.a. max 6 monthly payments |
| <i>Working Days</i>                                 | 40 hours a week   | 40 hours a week  |
| <i>Hours of Rest between Working Days</i>           | 8 hours interns<br>10 hours external workers  | 12 hours all workers   |
| <i>Weekly Hours of Rest</i>                         | Workers might be resting 36 consecutive hours or not  | 36 consecutive hours   |
| <i>Holidays</i>                                     | 30 days   | 30 days (independent from the employer's family vacation)  |
| <i>Salary</i>                                       | Minimum wage with possibility of discount in interns (30 %)   | Minimum wage with possibility of discount of 30% respecting the annual MW                                  |
| <i>Additional Payments</i>                          | 2 annual additional payments corresponding to 15 working days   | 2 annual additional payments corresponding to 30 working days  |
| <i>Maternity</i>                                    | There is no special regulation. Equal Opportunities Law should be applicable  | Same conditions as other working employees   |
| <i>Common Contingencies</i>                         | Temporary sick leave paid from 29 <sup>th</sup> day   | Temporary sick leave paid from 4 <sup>th</sup> day   |
| <i>Professional Contingencies</i>                   | Not contemplated  | Recognised from 1 <sup>st</sup> January 2011   |
| <i>Social Security Contributions for the Worker</i> | Fixed tax rate/contribution (22%) from 72 working hours, only paid by the part-time worker; and paid by the full-time worker (3.7%) and by the employers (18.3 %) | Variable tax rate/contribution paid by the employer from the first working hour                            |

rent legal conditions are not the only cause of the high degree of informality found in this sector. The great unbalance between offer and demand, with an oversupply in this sector, reduced the space of this type of employees to negotiate better contracts, which still placed them in a very vulnerable working situation clearly favouring the employers who can easily find workers keen on accepting their conditions.

This informality and vulnerability increases because of the progressive ethnicity within this sector promoted by current gendered migration trajectories and policies which leave them unprotected with regard to their labour situations (Regt 2010: 254; Morel 2012). Although the household employment was an "easy-entry" sector, there is a divergence within informal domestic work between Spanish and migrant women. Informal domestic work is "voluntary" for Spanish workers with one member of his family is formally employed, for the migrant workers is "constrained voluntary nature" given the minimum choices available in another labour sectors

caused by restrictive migration policies (Kucera and Roncolato 2008). The analysis of the interviewees' labour conditions indicates that immigrants have strong incentives to be formally employed to be legal workers and citizens with rights. However, the Spanish workers prefer to remain informal as they consider this work as a secondary source of income and obtain their social protection from other family members working with formal contracts, usually their husbands. This situation has led to a paradoxical, contrary to what is usual in other working sectors: in household employment immigrant workers show a mayor degree of contractual formality in comparison with the national workers who prefer informal to formal work: in March 2012 the rate of foreign workers affiliated to the Spanish Social Security was 61.5%, in contrast with 38.5% of affiliated autochthonous workers (*Instituto Nacional de Estadística 2012; Ministerio de Trabajo e Inmigración 2012*).

On the other hand, the margin of formal negotiation within this sector is very limited since

the employer's will to formalise a contract often depends on subjective and interpersonal aspects concerning their relationship with the employee: whether there is a trusting relationship, they "understand" each other, the employee adapts to the family/household requirements, etc. In this sector, a good relationship and fluid communication with the employer seems to be the only open door to improve the employee's formal labour conditions. In fact, most employees do not understand contractual formalisation as a right but as a personal favour that an "understanding employer" might offer them: "*I didn't ask her for a contract because it was too early (...) she didn't know me well yet, and I didn't know her well enough either to mention something like this*" [Immigrant employee 11].

In short, the implication is that policy-makers need to bear in mind the large diversity of domestic situations, and also that the degree of mobility from informal to formal employment depends on specific factors (subjective and communicative) and policies (social and migratory) in order to improve the design and implementation of labour regulations within this sector. In fact, although currently Spanish legislation obliges the formalisation of a written contract from January 1st, the development of this formalisation of contracts is too slow: only increased by 0.5% between the last quarter of 2011 and first quarter of 2012 (*Instituto Nacional de Estadística, 2012, Ministerio de Trabajo e Inmigración, 2012*). According to our results, these little progress in the formalization of contracts is basically due to three reasons: (1) general resistance to legal changes fearing of administrative complications when making formal contracts and also of higher costs and responsibilities for the employers; (2) resistance to regularize contracts for a few working hours a week or a month, (3) reservation and reluctance about labor inspections within domestic spaces (especially in rural areas): "We are in crisis. I do not think a labor inspector come to ask where is the cleaning regime" (interview with Spanish employer). In this situation, the Spanish government has already warned that in 2012 the fulfillment of this labour legislation will be revised.

### **(b) Precarious Working Conditions in a Feminised Working Setting**

The analysis of the interviewees' labour conditions indicates a much higher and more generalised degree of precariousness in this field than

in the rest of the analysed aspects. This labour precariousness is present in their insufficient salaries, unpaid holidays, irregular working days (often with a clear excess of working hours a day), existent health risks with inexistent health cover and difficulties to conciliate their working and family lives.

Despite the effort made by intermediary and mediating institutions in this sector advising that the working conditions' standards should be raised, they are not just being maintained but even lowered due to the current international economic crisis. Although in Spain they seem to be still above the minimum established by the sector's current regulations they are precarious regarding the general standards and the demands made by trade unions, intermediary organisations and collective agreements which defend more fair salary rates for this sector (Pla-Julián 2008; García et al. 2011).

On the other hand, most salary conditions are marked *a priori* by customs and common practice. Both employers and employees seem to follow a general social trend which "indicates" which rates are "normal" for each type of household service, and they assume that "that is how it is". Finally, the corpus participants pointed out some special factors which intensify the acceptance of low salary rates. For example, some particular immigrant collectives (that is, from Maghreb and some Eastern Europe countries) tend to become more discriminated against and are in a worse situation on the employers' valuation scale; therefore, if their employer cannot afford their services, they prefer to reduce their salary and keep the job. In this latter case, workers are afraid to talk about their salary rates to other household workers because, as mentioned above, they might be accused of unfair competition; the gravity and magnitude of this precarious situation is therefore silenced and hidden socially. This depressing effect is creating, as our corpus illustrates, a certain conflict between immigrant and autochthonous workers, since the latter blame the immigrant employees of unfair competition: "*Workers from Eastern Europe accept nearly any labour conditions*" [Immigrant employee 3].

An essential factor which contributes to precarious remuneration concerns paid holidays: hardly any household employee is paid when asking for holiday time, nor are they paid when the family cancels their services because they are going away on their own paid holiday. The household workers' dissatisfaction about this

disadvantage when comparing themselves to other workers is often expressed through criticism about the employers' greed and lack of consideration: "*Sometimes the bosses are aware and say that they are going to pay us so much, but there are others that aren't (...), they say that we have to work more and want to pay us less*" [Immigrant employee 17].

Another factor which confirms the progressive degradation of this sector's employment conditions concerns the regularity of the concept of the working day. Most workers show a high level of tension between their need to work more hours a day to be able to pay for their living, and the disadvantages that this increase brings to them: more demanding tasks/services, more dependence on keeping a satisfactory relationship with their employer, and much less time for their own family and private life. The result of this tension is that their working time in a particular household can be very intensive: full-time jobs exceeding the usual eight hours a day, or it can be extremely sketchy: contracts of just one hour a day or three hours every two or several weeks. Nevertheless, the job's duration and regularity is not just the only parameter that highlights their working precariousness; also their working schedule: some of their services are required early in the morning and/or late at night, with irregular time schedules and with a flexible duration. An example that illustrates this lack of control on their own working time is the following: "*I start (...) at 9am which is when I get going and start counting the hours. From 9am I have to stay until 5pm. So instead of the five hours I have to do another three (...). Some days I've got two places and others I've only got one*" [Immigrant employee 44].

Finally, our interviewees show a great concern about their working health conditions and physical problems, since most contracts do not cover their health problems and, when they have to convalesce following illness, they stop being paid and risk losing their job. Consequently, in the workers' own words, "*We cannot afford to be ill, not just for our own benefit but our employers' too*" [Immigrant employee 6]. All these degrading conditions are far from the labour market standards.

### (c) Confusion in Roles and Registers within the Domestic Environment

The wide range of relationships established around household activity makes these workers

deal with communicative contexts which are beyond the usual labour context. The observation of communicative deficiencies and contextual constrictions in domestic interaction has been the aim of anthropologists from the 1970s (that is, Harding 1975), and also of register and genre analysts from the 1980s (that is, Halliday 1980; Swales 1990).

Language registers are considered as verbal repertoires which depend essentially on the specific communicative roles adopted by the speakers and on the particular contextual conventions required by the situation (Giménez-Moreno 1997, 2006). According to these two parameters – roles and setting – two macro-registers can be distinguished: personal/private life registers and public/professional registers. Professional registers have their own language usages and restrictions, politeness norms and communicative conventions which help workers communicate while maintaining their private life and status aside from the working environment, if they so wish.

The analysis of the corpus shows that within the domestic labour context this professional register (expressed through, for example, indirect questions, objective and respectful expressions, modal constructions and polite vocabulary) is constantly alternated with private life registers, appropriate in family and amicable contexts but not in professional settings (expressed through for example, direct questions and commands, informal expressions and address formula, subjective and emotional vocabulary, non uniform pitch patterns and idiosyncratic use of intonation).

On most occasions the use of private life registers in this work setting shows a clearly manipulative intention from the side of the employers who move from their roles as contractors to roles as "friends", "sisters", "mothers", "daughters", "patients", etc. Daily or periodical tasks within a particular household often generate a relaxation in the employer-employee relationship becoming similar to family encounters. These maternally-oriented relationships encourage ambiguity and the dependence of the worker on the contracting household (Rollins 1985). This shift in register is more frequent in the case of full-time workers. In this labour context, employees often feel they have to accept the type of role which seems more convenient for their employers. This phenomenon is also promoted by the fact that there is a frequent age difference

between both parties: *“They treated me like a daughter, because I started in their house when I was 17, I was very young and they treated me like a daughter”* [Autochthonous employee 34].

#### **(d) Ethnic Discrimination and Degrading Stereotypes**

The data analysis also shows that, added to and underlying most of the formal questions discussed in the previous sections, there are several procedural and behavioural factors which affect all levels of communication within this employment sector, increasing the precariousness to which these workers are exposed. Recent work carried out by the Language in the Workplace Project team (Holmes 2009) shows that social, educative and language differences at work are the source of miscommunication and affect the employees' communicative competence around the world. For example, in Brussels where there is a demand for domestic employment in two different languages (Dutch and French), immigrant workers who want to secure their work should be competent in both languages, which for most of them becomes a difficult target. On the other hand, Staab and Maher (2006) pointed out how class, race and nationality have an important effect in the interaction between Chilean domestic employers and Peruvian employees. According to this study employers feel superior considering their employees as uneducated inferior people and this attitude is noticeable through the language both use. In our corpus, intercultural unawareness is especially distressing between Spanish employers and South American employees: *“It's like I was cave woman, like we just came down from the trees, like we didn't know anything”* [Immigrant employee 3].

In this working environment there are particularly complex and face-threatening communicative acts (FTA) such as complaints, disagreements and refusals (Brown and Levinson 1987; Gass and Neu 1996). Custom and politeness requirements that are taken for granted in one culture do not necessarily apply in another and a simple speech act such a compliment or a request may become the catalyst for conflict. Politeness theory argues that the weight of a FTA can be measured bearing in mind three variables: (a) the power relationship between the interlocutors, (b) their social distance and (c) the degree of imposition represented by the speech act

(Brown and Levinson 1987). In the case of domestic employment these three measuring factors predict a high risk of FTA since there is usually a considerable social and power distance between employer and employee and, in the current informal conditions that most employees work, the degree of imposition tends to be high and unidirectional. Negotiations and face-saving techniques demand a good command of culturally-attached politeness strategies and also that those involved in the speech act work together to create some form of common understanding (Watts 2003: 255). However, the participants in our corpus expressed difficulties to distinguish between appropriate and inappropriate communicative behaviour in certain labour situations, and also a lack of awareness from their employers about the cultural and social parameters of their country of origin.

In this employment sector there are also race, class and gender stereotypes which interfere and trigger discrimination. As Barrett and Davidson (2006) point out, even in the 21st century there is a majority of professional cases where soft skills (for example, caring attitude) are not equally rewarded for male and female employees, being praised in the first instance and taken for granted in the second. In a classic study of heterosexual couples' domestic talk, Fishman (1983) described a very unequal distribution between women and men, not of rights so much as of responsibilities. According to her, women took responsibility for the 'menial' work of interaction but it is men who ultimately control its direction. This negative communicative stereotype is extrapolated to the domestic context since it is the employee who tends to take the female role taking the employer the controlling position.

These cases may end up in abusive practices where employees view themselves as objects to be controlled in their employers' homes as if their behaviour was continually judged. In fact, such discomfort and sense of vulnerability happens in the case of other asymmetrical working relationships (for example, court interaction), where the participants do not have equal power, status, responsibility or control, and consequently it is the dominant party who has the right to change roles or ask questions while the subordinate party has a restricted right to ask questions (Harris 1984:102). An illustrating example in this sense will be: *“As soon as I arrive she tells me all what I should do and I have to*

*remember it all very well. After that I cannot disturb her at all because if I ask anything she becomes very moody*" [Immigrant employee 21].

If most situations considered in our study had been tackled with adequate intercultural awareness parameters they might have been enriching and rewarding for both parties, which highlights the urgent consideration this factor needs.

### (e) Vulnerability and Ethical Threats

Confusion of roles and cultural values in the domestic arena not only creates communicative problems, but also linguistic gender misunderstandings. New family roles, diversification of family models and reconciliation mechanisms are changing the paradigms applied to domestic activity. As Barrett and Davidson (2006) predict in some domestic contexts women are dominant professionally and economically, and men are more frequently in charge of the domestic dynamics which might put the employee in a quite delicate and distressing position: "*He [the husband] is the cook of the family, so before he leaves I have to hurry and ask him what they want for lunch and how he wants me to cook it*" [Autochthonous employee 34]. These communicative deficiencies are distinctive features related to the fact that most of these household services are provided within a domestic environment. In particular those influenced by the lack of trust between employers and employees, on occasions result in labour vulnerability, which in an extreme version can turn into ethical and psychological threats. In the corpus there are three factors which involve these cases:

- (a) The employer's personality and her socio-cultural understanding of servitude.
- (b) The employer-employee's personal relationship, which may become very intimate, particularly in the case of full-time workers, as highlighted previously.
- (c) The employer-employee's trust parameters. On occasions employees understand a labour right (that is, a formal contract) as a personal favour, triggering a dependence with the employer which often leads to tension between them; even pressure and blackmail from both sides when the work agreement is breached.

Insufficient regulation and lack of formal means of conflict resolution in this sector im-

plies that these situations of mistreatment reach unethical limits. Distrust can make employers devise tricks or tests to check the employee's honesty; making them feel a deep sensation of rejection which often forces them to leave the job: "*I used to drink a coffee and one day I opened the cupboard and on the decaffeinated coffee pot there was a note saying: 'Do not touch'. That's too tough. You feel you mean nothing to them*" [Autochthonous employee 26].

Unfortunately these degrading situations can derive in extreme vulnerability. In our corpus there are two employees who mentioned situations of sexual harassment. These cases may happen by the intrinsic characteristics of this sector's activities: (a) in this working environment there are men who can easily use their dominant position, (b) the job is carried out in a home, (c) the job implies co-habitation and trust, (d) the work is carried out by women who have are highly vulnerable both socially and economically, and (e) the general social perception of "servitude" means that some employers identify this concept with "submission".

### CONCLUSION

The circumstances and reasons why informality in labour conditions perpetuate in most societies are so many and varied that these unfair practises often seem impermeable to improvement and progress. Since 2008 the International Labour Organization is working towards a domestic work convention and recommendation internationally applicable, which establish minimum standards of protection for those people who work in paid household services.

Nevertheless, the peculiar characteristics of this sector determine the applicability of all these new regulations in daily labour practices considering the ambiguous effects of formal labour regulations on informal employment a priori. This applicability is much more complex and questionable when considering the significant degree of informality, communicative deficiencies and precariousness still present in this working sector, which to a great extent are derived from the confluence of several complex factors that coexist within this domestic workplace: heterogeneity of informal contracts, precarious working conditions in a feminised working setting, confusion in communicative roles and registers, ethnic discrimination, degrading stereotypes, vulnerability and ethical threats.



Studies such as the present contribute to casting light on these improvement targets are not only complex but very difficult to deal with exclusively from a legal perspective. Concerning informality, one of the main issues is to implement current laws on formal contracts which seem to produce a slight reduction of informality at the expense of increased precariousness. For example, in Spain despite the recent improvements in the general standards, since January 2012 there is some pressure from employers to lower wages to compensate for the taxes on formal contracts employers have to pay and, to some extent due to the economic crisis, the fear to be dismissed has also aggravated the workers' state of precariousness and insecurity.

Furthermore, from a pragmatic and communicative perspective, as this study underlines, household work interaction is a complex communicative activity. The main concerns point to the fact that this sector is caught between private and professional worlds where different cultures are forced to co-habit and different communicative patterns have to mix. This implies the use of a varied range of language registers and communication parameters, unusual in other labour sectors. Also, the dynamics of these services usually take for granted a mono-directional and uncontrolled use of power/authority which can damage employees' professional and personal dignity (for example, abusive practices and emotional blackmail), making communication a very delicate and difficult task and constituting a priority in the progression towards the attainment of fair terms of employment as well as decent working conditions and the professionalisation of this sector.

### RECOMMENDATIONS

As for the recommendations, in the light of the results, we can establish that to ensure that domestic workers enjoy conditions that are not less favourable than those applicable to workers in general, it is necessary, on the one hand, to wait until the norms included in the International Labour Organization Conventions become formally implemented by each country. At the same time, policy-makers need to bear in mind the large diversity of domestic situations, and also that the degree of mobility from informal to formal employment depends on specific factors (subjective and communicative) and policies (so-

cial and migratory) in order to improve the design and implementation of labour regulations within this sector. This implementation process needs to ensure adequate supervision from the official inspection and monitoring agencies to guarantee the effective execution of the new legislation and prevent the abuse of domestic workers.

On the other hand, both household employers and employees might benefit from an interaction based on a good command, from both sides, of negotiating skills, intercultural knowledge, politeness strategies, language registers and other professional communication related competences. Although the International Labour Organization establishes that each member should take measures to ensure that domestic workers enjoy effective protection against all forms of abuse, harassment and violence, recent legal and social advances do not appear to be targeting the complex communicative and linguistic deficiencies which, as this research shows, should also be considered with regard to future developments in this sector.

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