



Ogbechie & Oyetunde, 2019

Volume 5 Issue 3, pp. 99-119

Date of Publication: 21<sup>st</sup> November 2019

DOI- <https://dx.doi.org/10.20319/pijss.2019.53.99119>

This paper can be cited as: Ogbechie, R., & Oyetunde, K. (2019). *Beyond Legislations: Ethical Issues in Domestic Work in Nigeria*. PEOPLE: International Journal of Social Sciences, 5(3), 99-119.

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## BEYOND LEGISLATIONS: ETHICAL ISSUES IN DOMESTIC WORK IN NIGERIA

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### Abstract

*Recent studies show that domestic work, which cut across age and gender, can have adverse and exploitative consequences for workers, particularly in an unregulated environment. Due to these concerns, international organizations have enacted legislation for a regulated legal environment for domestic work for member nations to domesticate. Nigeria, as a member nation and signatory to the conventions and recommendations, has failed to enact legislation that will regulate the domestic work contractual terms. This article reviews the experiences of domestic workers in Nigeria concerning the abuses and exploitations they suffer in the hands of their employers. The ethical implications of the employers' attitude towards domestic workers are considered. Drawing on the qualitative methodological approach, primary data were collected from 26 interviews with domestic workers in Lagos, Nigeria. Also, secondary data from newspaper and magazine reports were analyzed. Germane ethical issues such as long hours of work, workload, lack of voice, abuses and ill-treatment, health and safety, maternity protection, are explored from the reported experiences of the workers and policy recommendations are made on the urgent need for the state to enact stringent legislation to stop unethical practices in the domestic work industry.*

## Keywords

Domestic Work, Ethical Issues, Domestic Workers, Regulation, Legislation, Privacy, Abuses

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## 1. Introduction

Domestic workers, fondly referred to as "house-helpers", are ubiquitous in almost every part of the globe. Their dominance is apparent in many households engaging the services of domestic workers to cope majorly with neglected and/or increased responsibilities within the family structure. Domestic work is regarded as any form of work performed in or for a household(s), and any individual in such an employment relationship is referred to as a domestic worker (International Convention on Domestic Workers, 2011, No.189). Current labor market trends have indicated a paradigm shift in the composition of work resulting in increased casual, insecure and precarious employment (Zimmerman, Litt & Bose, 2006). As more women continued to cope with paid employment and unpaid household responsibilities and the unwitting attitude of men to partake in household chores, the need to manage both work and household demands continue to emerge (Dyer, McDowell & Batnitzky, 2011). Hence, work intensification (Zimmerman et al, 2006), work-family conflict (Dyer et al, 2011), increased female labor market participation (Afolabi, n.d.; Dyer et al, 2011), poverty (Okafor, 2009) have led to the commoditization of household work (see Hochschild, 2000) occasioning continued increase in domestic work and workers and their roles (Gowda & Rao, 2018).

Data on the domestic workforce are hard to get due to inadequate and insufficient records, and many undeclared domestic works. Recent reports have shown that not less than 67 million persons are employed in private homes as domestic workers across the globe with over 5.2 million domiciled in the African continent (see ILO, 2016). In Nigeria, accurate statistical figures are difficult to access and are regarded as estimates. According to the National Bureau of Statistics (Q3, 2018), 69.54 million Nigerians are gainfully employed, out of which 0.36% are domestic workers. Nesbitt-Ahmed (2016) previously faulted data from this quarter arguing that some domestic workers are not captured in the figures due to non-declaration, and the false notion that most domestic workers are related to the employer and not paid for their services. Despite the reported figures, it should be stated that the lowest estimate of domestic workers in Nigeria, as the most populous Black Country, may equal the population of some smaller nations.

Participants in domestic work have been reported to be highly racialized, gendered and classed (Nesbitt-Ahmed, 2016). Indigenous and migrant women, children, and increasing men



have been reported to be highly active in the domestic work industry. Previous studies (see Van Nederveen Meerkerk, Neunsinger & Hoerder, 2015) and reports from the ILO, other international organizations and national statistical agencies have evidence that most domestic workers are women from the bottom ladder of the social stratification. 83% of the domestic workers' population are women representing 7.5% of the global female workforce (ILO, 2011). However, recent studies (e.g. Gallo & Scrinzi, 2015; Kilkey, 2010) have shown that domestic work cuts across age and gender as there is an increased participation of men and children in the sector as occasioned by the elimination of gender-based occupational segregation (see James M. T., James O. & Oyetunde, 2015). Also, in Nigeria, more men and children now participate in domestic work doing the traditionally masculine categorized household chores such as driving, gardening, cleaning, repairs, etc. (Afolabi, n.d.; Nesbitt-Ahmed, 2016). Domestic work is beneficial in offering gainful employment, and contributing to global economic growth, with its substantial effects on global wage employment (ILO, 2013).

Despite the benefits, several ethical issues still abound on the part of the employers in the domestic work employment relationship. This is due to the established and unequal power relationship between employers and domestic servants in the employment relationship (see Nesbitt-Ahmed, 2016). The diverse forms of abuses and maltreatments of maids and house-helpers depict one of the ethical angles related to domestic work. Also, domestic workers, unlike other employees, are hardly in control of their work activities and context (Okafor, 2009). The unique attribute of their work environment (the employer's home) exposes them to a greater chance of being abused, exploited and their rights infringed. Employers dictate working terms and conditions, and the pace of work. Their rights to decent work and living are often contravened. And the state seems to be highly handicapped in regulation as they find it hard to consider a home as a workplace.

## 2. Research Issues

This article explores the different ethical issues that are connected to domestic work within the Nigerian context. A thorough review of extant literature about the ethical issues in domestic work from the employer's angles and effects on the domestic workers was done. Specific ethical issues include – long hours of work, unpaid overtime, abuses (sexual, physical or verbal) and maltreatment of workers, absence of long-term employment benefits, privacy/monitoring, violence, and trafficking.

### 3. Theory-building and Methods

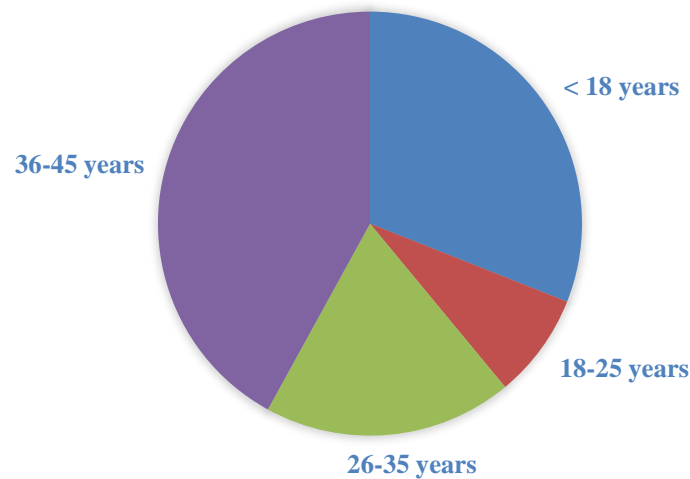
Previous studies on domestic work have traditionally been done using an interpretive approach. Similarly, this study will also adopt the same method with an addition of thematic analysis using secondary data in the form of news and reports from bulletins and magazines within the Nigerian context. We aimed at exploring the experiences of domestic workers concerning the unethical practices they experience from their employers. Using an exploratory research design, data were collected using an unstructured interview. This was done to probe the participants of their experience and clarify accordingly with further questions.

We conducted interviews with 26 domestic workers in 20 different households (see table 1 below). The participants for this study are spread across different locations in Lagos, Nigeria. The interviews were done after careful consideration of all ethical concerns related to a study of this nature.

**Table 1:** *Overview of Domestic Workers used for the Study*

S/N	Gender	Live in	Age Range	Employment Type
1	Female	Yes	< 18	Direct
2	Female	Yes	36-45	Direct
3	Female	Yes	< 18	Agency
4	Male	No	36-45	Direct
5	Female	No	36-45	Agency
6	Female	Yes	< 18	Agency
7	Male	Yes	36-45	Direct
8	Female	Yes	< 18	Agency
9	Female	Yes	< 18	Agency
10	Female	Yes	< 18	Agency
11	Female	Yes	18-25	Agency
12	Male	No	36-45	Agency
13	Female	Yes	<18	Direct
14	Female	Yes	<18	Direct
15	Female	Yes	36-45	Agency
16	Female	No	36-45	Agency

17	Female	No	36-45	Agency
18	Female	Yes	26-35	Agency
19	Female	No	26-35	Agency
20	Female	Yes	36-45	Agency
21	Female	Yes	26-35	Agency
22	Female	Yes	18-25	Direct
23	Male	Yes	26-35	Agency
24	Female	Yes	26-35	Direct
25	Female	Yes	36-45	Agency
26	Male	Yes	36-45	Agency



**Figure 1:** Age Distribution of Respondents

Participants were interviewed and each interview lasted for 20 to 30 min and was conducted at convenient locations for participants. The interview language was pidgin which is the most suitable language participants can easily relate with. The interviews were recorded and transcribed into the English Language. Data collected were analyzed using a thematic analysis. The transcripts were reviewed to dig out themes relating to the identified potential abuses or unethical practices domestic workers could face at work and other themes not captured in previous literature.

#### 4. Unethical Practices: Evidence, Findings and Special Concerns

Academic scholars and news reportage in Nigeria have brought to light many of the ethical concerns in domestic work. Albeit, the ethical issues on the part of the employers have been

acknowledged in the earlier discourses within this paper, a comprehensive account of how those issues are of special concern and interest to the employers and workers in the domestic work employment contract is pertinent. Findings from our analysis and extant literature identified themes as the major unethical practices exhibited by employers of domestic workers. Various employers' unethical practices in the domestic work employment relationship can be seen under issues concerning long hours of work, workload, poor remuneration, lack of voice, absence of pensions scheme and gratuity arrangements (life after work), privacy issues, abuses (sexual, physical and verbal).

#### **4.1 Long Hours of Work**

Albeit many employers in Nigeria employ workers to work for 40 hours a week as provided for in the ILO standards and recommendations as domesticated, some workers especially those on essential services such as banking, health and emergency services are still made to work above the 40-hour/week limit cum strong control and regulations from the government or the employees union. However, the situation of a typical domestic worker is different. According to the Labour Act (1990), section 13(1) stipulates that the normal work hours for any form of employment shall be fixed by mutual agreement between parties to the employment contract, or by industrial or organizational bargaining, or industrial wage boards. For domestic work which is non-organizational and non-institutional, it is expected that hours of work should be mutually agreed by the employer and domestic servant. However, studies (such as Afolabi, n.d.; Odeku, 2014) have shown that full-time domestic workers who live with their employers mostly have the terms of employment, including hours of work, unilaterally decided by the employer leaving the servants exposed to long hours of work cum high-stress levels and exploitation.

The ILO convention 189, article 10.1 provided for normal work hours, overtime compensation, periods of daily and weekly rest, and paid annual leave for domestic workers with consideration for their special work status. Although, sections 13, 18, and 28(1) of the Nigeria Labour Act provided for regular work hours, annual holidays with pay, and rest after six hours stretch of work; the experiences of a typical domestic worker is not in tandem with the laws. Past studies (e.g. Akinrimisi, 2003; Nesbitt-Ahmed, 2016; Odeku, 2014; Okafor, 2009) have found that domestic workers, especially the live-in workers, in Nigeria are subjected to work long hours. Nesbitt-Ahmed (2016) particularly found that employers control the daily work rituals and routines of domestic workers (especially the female live-ins) thereby making them susceptible to working round-the-clock without rest or break except as deemed fit by the employer. Workers who are

solely working in the household of the employer, at most times, wake up as early as 5 am and go to bed as late as 1 am the next day. In extreme cases, employers with babies make their servants work round the clock caring for the babies while they are asleep. They labor endlessly and have no time for self-development (see Guardian Editorial, 2018).

These workers labor endlessly and have no time for self-development (see Guardian Editorial, 2018). In a report by This Day newspaper, a popular tabloid in Nigeria, a 12-year-old domestic worker lamented that “I was told I will further my education, I will eat well and have a room to myself, now the dream of getting further education has been shattered because I work from 5 am to 1 am” (see IDWFED, 2013).

**Findings:** Our study lends credence to the secondary data reports above as the interviewees lamented how their employers made them spent long hours of work with little or no rest. Many explained that they are not even allowed to do their upkeep and attend school due to the volume of household work they must do. Furthermore, they attributed their long hours of work to taking care of their employer's children, some of which are old enough to take care of themselves. Table 3 gives quotes from participants indicating their experience of long hours of work.

**Table 3: Quotes from Interviewees – Long Hours of Work**

Interviewee	Gender	Age Range	Quotes
IV1*	F	< 18	<i>“I work from morning till late into the night. At times, my boss comes late, and I will have to prepare what she and her husband will eat leaving me to sleep by 1am most times and I will still wake up by 4am.”</i>
IV5**	F	36-45	<i>“Working every day is very stressful for me. I resume as early as 6am and close at 8pm.”</i>

\*Live in

\*\* Do not live in

## 4.2 Workload

A related employer's unethical practice to subjecting domestic workers to long hours of work is work overload. Employment legislation in Nigeria spelled out provisions relating to work overload for all workers. Section 13 of the Labour Act has provided for rest and voluntary overtime work for all categories of workers across the nation. Section 13(7) specifically provides that in a



period of seven days, workers are entitled to a day rest which shall not be less than 24 consecutive hours. However, this is not the case with domestic workers. For instance, observers have pointed out that most domestic workers do not have a spelled-out job description and are made to perform any jobs as demanded by their employers.

In a comprehensive study of domestic workers in Nigeria, Nesbitt-Ahmed (2016) found that employers completely take over the daily routines of their domestic workers, especially the live-ins, and subject them to work strenuously making it extremely difficult to manage their personal lives. Those servants work day and night cooking, washing, cleaning, ironing, caring for the children, etc. Their routine is so exhausting that they are hardly conscious of their existence and purpose in life. Some workers are additionally required to work on the business premises of the employer besides the established household duties and responsibilities (Amnesty International, 2007).

**Findings:** From the study, we found that domestic workers are subject to a high volume of work that is beyond their capacity. The respondents explained that they are made to do all household chores and take care of the children of their masters at their instance or when they are not around. For respondents within the schooling age bracket, some stated that they are made to skip schools and were even absent from examinations due to household chores that are never finishing and to take care of their employer's children. Table 4 gives quotes from participants pointing to their workload experience.

**Table 4: Quotes from Interviewees - Workload**

Interviewee	Gender	Age Range	Quotes
IV3*	F	< 18	<i>“I am the one that does everything for my madam. At times she will not allow me to go to school because of work. During exams, she expects me to take care of her children even if I won’t go to school. If she needs my attention anytime, I have to be there.”</i>
IV6*	F	< 18	<i>“The work is stressful and tiring. Most times I will work up to the point that I will feel like I want to collapse.”</i>

\*Live in



### 4.3 Poor and Deceptive Remuneration

The rate at which domestic workers are rewarded in Nigeria is highly at the discretion of the employer except where the Minister of Labour intervenes. Although the Labour Act stipulates that no employer of labor should pay to any worker remuneration below the minimum wage, there are reported cases of domestic workers being paid far below the minimum wage requirement. This is due to the clear exclusion of the domestic workers from minimum wage coverage as stipulated in the Minimum Wage Act as amended (2011). Article 2a of the Act provides that the minimum wage as determined by the federal government shall not apply to establishments with less than fifty employees. This clearly shows the deliberate exclusion of domestic servants as no household can or would have fifty domestic workers. Buttressing this, Amnesty International (2007) submitted that most domestic workers are in employment without agreed terms thereby making them susceptible to being deceptively or poorly rewarded. In rare cases where there are oral agreements, such is respected by the employers. Justifying the low wage, studies (e.g. Akinrimisi, 2003) have reported several cases where domestic workers are argued to have been paid in kind through free accommodation, meal, sponsored education and other incentives, benefits, and allowances.

In cases of triangular employment, the recruiters or recruitment agencies prey the workers from neighboring countries, Benin Republic and Togo, to sponsor their trip to Nigeria and send them to work for their masters. The masters pay directly to the agencies that in return pay the workers after deducting their excessive fees. Before and during recruitment, workers are ensnared by their recruiters with the declaration of false attractive salaries and end up paying them despicable salaries despite what is collected from the employers (see Komolafe, 2015). In some instances, even the poor remuneration is not received by the workers but sent to their families, especially in the case of a child worker (see Tayo, 2017).

**Findings:** Table 5 illustrates responses from respondents about their pay. Many of the live-in workers are without pay, but their employers are expected to educate them as a form of remuneration for their services. Some explained that they are remunerated in kind through care. Those who were paid for their services also complained of low and irregular remuneration.

**Table 5: Quotes from Interviewees – Pay**

Interviewee	Gender	Age Range	Quotes
IV9*	F	< 18	<i>“My madam is not paying me and did not send me to school.”</i>
IV6*	F	< 18	<i>“Although I don’t collect a salary from my madam, she takes care of me, buys me clothes and other things that I need.”</i>
IV14*	F	<18	<i>“I don’t know how much I am paid, because it is my mum that they give the money to. I don’t know whether I am paid or not.”</i>
IV23*	M	26-35	<i>“It is through my brother I began work there. I don’t know if they are paying or not. I am just working.”</i>

\*Live in

#### 4.4 Lack of Voice

In terms of having the opportunity to organize themselves, join or form unions, and having voice mechanisms, domestic workers in most parts of the developing countries are still left in the dark. Although, Nigeria has ratified and domesticated the ILO convention 87 which provided for freedom of association and protection of the right to organize for all workers; domestic workers in the country do not have associations or belong to any union. Both the 1999 constitution as amended and the Trade Union Act, 1973 (as amended) provides for freedom to form and join union or associations for all categories of workers. Section 1(1) of the Act defines a union to be “a combination of workers or employers, whether temporary or permanent, the purpose of which is to regulate the terms and conditions of employment of workers ...” Despite the provisions allowing domestic workers to organize, their collective organization and voice continue to be a mirage.

Most employers of domestic workers contribute to the inability of domestic workers to organize themselves, as many of them are made to sign “yellow dog” contracts, contrary to section 9(6) of the labor act. This has hindered them from the opportunity to collectively bargain and have



a collective and representative voice in the determination of the terms and conditions of their employment. Goldsmith (2013) and Komolafe (2015) argued that organizing domestic workers is highly difficult due to the nature of their employment which is entrenched in isolation and vulnerability. Similarly, Kapinga (2009) and Ngwamma, Ogunlusi & Amuno (2018) posited that impediments associated with organizing domestic workers are inherent not only in the unique attributes of the job roles but also in the way employers recruit the workers and the type of contract they are made to sign. In a study conducted by Ngwama (2016) on the employment contracts of domestic workers in Nigeria, he found that 72.5% of domestic workers surveyed do not employment letters making their recruitment vulnerable to a high level of exploitation and lack of voice. In May 2019, a senator from Nigeria shades the Nigerian state for not caring for domestic workers and the need for them to have a collective voice (see The Nigerian Expression, 6th May 2019). He stated that many domestic workers in the country are subjected to distress with no one to speak on their behalf.

Besides collective voice through trade union mechanisms, most domestic workers also lack individual voice or non-union voice. Most domestic workers' employers in Nigeria are highly intolerant of workers' voice and their voice is privileged over the workers as they can hire and fire at will (see Komolafe, 2015; Nesbitt-Ahmed, 2016).

**Findings:** Our study supports the secondary reports above as the interviewees stated that they were not allowed to speak about their concerns and complaints. They explained that the employers shout at them when they air their opinion or issues, or they air their grievances. They have no input or suggestions on how they do their jobs. Furthermore, they explained that in some instances when they try to speak up, their employers become violent in some cases. Table 6 gives quotes from participants indicating their voice experience.

**Table 6: Quotes from Interviewees – Voice**

Interviewee	Gender	Age Range	Quotes
IV2*	F	36-45	<i>“..... any time I want to discuss something with my madam, she will shout at me to keep quiet saying I am lazy and don't want to work....”</i>
IV10*	F	< 18	<i>“.... my madam is wicked. She is not nice at all. You cannot even talk to her...”</i>

\*Live in

#### 4.5 Absence of Pension Schemes and Gratuity

The inability of employers to provide pension schemes and gratuity for domestic workers contributes to the unethical practice established in the Nigerian domestic work sector. It has been established earlier that domestic workers are poorly rewarded and remunerated culminating in the lack of concern from employers about the worker's life after work. After working for a long period with their masters, domestic workers do not have a structured pension scheme to fall on leaving them at whims and caprices of the employers to give them whatever they wish. The reasons for the absence of pensions and gratuity for domestic servants are not far-fetched. Ngwamma et al (2018) argued that the process through which domestic workers are recruited leaves them susceptible to being highly exploited, as it concerns reward and employment structures. Article 88(1) of the Labour provides that the Minister of Labour shall make regulations imposing on employers, who take domestic workers with the agreement of non-payment, to cater for their maintenance during sickness and old age. This provision, therefore, excludes domestic workers who are being paid wages of maintenance and care during sickness and old age.

The 2004 Pension Reforms Act also provided for a contributory scheme to cater for the retirement of employees. It allows individual employees to have retirement savings account with a third-party agency who will manage the contributions to the account till retirement of the employee. In 2014, the Act was amended to further the protection of employees and the pension funds. The 2014 Act makes it mandatory for all employers with a minimum of three employees and more to participate in the contributory pension scheme for their employees. The Act further provides the PenCom (Government agency in charge of pension administration) to institute criminal proceedings on employers who are covered by the act and failed to remit contributions.

However, employers of domestic workers in Nigerian who meet the requirement of 3 or more workers still illegally exempt themselves from the scheme and fail to contribute to employee gratuities and pension leaving them to a precarious life after work.

**Findings:** Responses from respondents about life after their current job. Many workers do not know what would be of them after their active service life. Find below in Table 7, quotes from interviewees, voicing their experiences.

**Table 7: Quotes from Interviewees – Absence of Pension Schemes and Gratuity**

Interviewee	Gender	Age Range	Quotes
IV2*	F	36-45	<i>“... if I leave this job I do not know where to go because my husband has died, and I am doing this to take care of my children. When I grow old, I believe my children should be able to take care of me.”</i>
IV19**	F	26-35	<i>“I don’t like the work, but because I don’t have any other alternative.”</i>

\*Live in

\*\* Do not live in

#### 4.6 Privacy Issues

Paramount among the fundamental human rights as provided by the United Nations is an individual's right to privacy, i.e. the right to one's personal and physical space. As stated elsewhere, women constitute most domestic workers in Nigeria and one of the major constraints they face in the course of work is the protection of their privacy rights. Article 6 of the ILO Domestic Work Convention 189 (2011) provides for decent and good living conditions that take full cognizance of the privacy of domestic workers who live in their employer's residence. In Nigeria, although citizens enjoy privacy rights with regards to their homes and personal properties, there are no specific statutory provisions that guarantee the privacy and its enforcement in the workplace. However, there are international conventions that can be applied in judgments by the National Industrial Court when the privacy rights of workers are violated.

Despite the international provisions, the Nigerian State has refused to domesticate and specifically provide for laws that will address the privacy of live-in domestic workers. Akinremi (2013) submits that most domestic workers rarely have their privacy and in situations where they

are provided a room, the privacy rights are not highly respected by the masters. In his report, he further gave an example of a worker who lamented that “...As a house-help, you rarely have your privacy. I slept in the living room for a whole year and most cases, I am confined to the kitchen during the day.” Gebre (2012) also argued that most of the abuses experienced by live-in domestic workers are a result of a lack of privacy or their privacy rights being infringed.

**Findings:** From the study, we found that some of the domestic workers, especially the live-ins, do not have a private room. They explained that they share rooms with their employers' children or are made to sleep on the couch in the living room. Those who have private rooms among the workers also complained of unapproved and unexpected entrance into the rooms by their employers and their children. Table 8 gives quotes from participants as regards their levels of privacy.

**Table 8:** *Quotes from Interviewees – Privacy Issues*

Interviewee	Gender	Age Range	Quotes
IV8*	F	< 18	<i>“... I don’t have a personal room. I stay with her children...”</i>
IV10*	F	< 18	<i>“The room I am asked to stay is not always and she and her children can come in at any time.”</i>

\*Live in

#### 4.7 Abuses and Ill Treatment

Article 5 of the ILO Domestic Workers Convention 189 provides for the absolute and unconditional protection of domestic workers from all forms of abuse, harassment, and violence. In the same vein, section 46 of the Labour Act 2005 as amended provides for stringent penalties for any employer who ill-treats or neglects any worker whom he has employed under the provisions of the Act. Besides the legal provisions, morality and ethics value the dignity of every human being and frown at the maltreatment or abuse of any form on anyone.

Despite the above provisions, criminal abuse of domestic workers is prevalent among employers in Nigeria. Most employers in Nigeria to look down on their domestic servants, see them as highly inferior, and maltreat them. Abuses suffered by these workers include psychological, physical, sexual, verbal, to mention a few. Gebre (2012) argued that the most prevalent among these abuses is verbal abuse. Its frequency and widespread among employers of



domestic workers is high among Nigerians (see Afolabi n. d.; IDWFED, 2013). Nagging, shouting, screaming, and the use of derogatory labels and jokes have been reported by domestic workers as the common forms of verbal abuse they suffer (see Gebre, 2012). For instance, IDWFED (2013) gave the testimonies of some domestic workers' experiences of verbal abuse. He quoted a female domestic worker in Lagos, Nigeria saying: "One is constantly a suspect for anything that goes wrong in the house with so much screaming that can make you empty your bowels unconsciously..." Some have also reported times when their employers call them "slaves" and see them as highly inferior to others in the household. They are also remembered often of their positions as occasion demands. Female employers have been reported to give outrageous orders at will and insult the domestic workers without caution, especially when they make mistakes.

Just like verbal abuse, physical abuse is also common among the violent experiences of domestic workers in Nigeria. Gebre (2012) found mistakes at work, negative response to employer's instructions, disagreements with members of the household, and sometimes wickedness as antecedents of physical violence and abuse of domestic workers. A large chunk of stories has been reported in the dailies on how employers physically abuse their domestic servants (see Egielewa, 2018). An official of the Federation of Informal Workers Organisations of Nigeria (FIWON) which caters to the rights and welfare of domestic workers in Nigeria also affirms the exploitation and abuse of domestic workers in the country. He succinctly stated that female domestic workers have told the federation how their employers physically hit them with belts, sticks and electric cords, knocked their heads on the wall, burn their skins with hot water, chemicals, and electric irons (see Komolafe, 2015). In a report on physical abuse of domestic workers in the Nigeria media space, Egielewa (2018) found that pouring hot water, pouring hot food, and burning parts of the body constitute the major and frequent abuses suffered by domestic workers. In a case reported by Lambo (2019), an employer lacerates a 10-year-old maid with a razor blade for stealing milk in Oyo State Nigeria. Similarly, Akindele (2018) reported a case of an employer who pours hot water on her 13-year old maid in Port Harcourt, Rivers state. The 13-year old recounted her experience:

I have been living with her for some time and have been sleeping on the bare floor. On that day, after working for a whole day, I was tired and slept off using the couch to support my body. I woke up from the shock of my boss pouring hot water on me. I ran for safety, but she pushed me to the ground and started beating me as well. (Akindele, 2018)

Sexual harassment and abuse from employers also constitute the worst unethical actions extended to domestic workers. The sexual harassment and abuse faced by domestic workers are



highly prevalent among female live-in servants (see Nesbitt-Ahmed, 2016). The reason is not far-fetched as they are mostly at the mercy of their employers and their spouses. These sexual assault and violence faced by these workers range from propositions and illegal sexual advances, rape threats, unapproved touching and kissing, groping, to continuous rape. According to *The Punch* Newspapers (5 April 2018), a popular news tabloid in Nigeria, a 48-year-old pastor was arrested for defiling a 12-year old housemaid in Lagos.

### Pastor in Police trouble for defiling 12-yr-old housemaid

ON APRIL 5, 2018 4:04 AM / IN NEWS / BY NWAFOR



By Ike Uchechukwu

CALABAR—A 48-year-old pastor, who allegedly defiled his 12-year-old housemaid, was among 78 suspects paraded by Cross River State Police Command for various crimes.

**Figure 2:** Newspaper Tabloid of *The Punch* on the Aforementioned Case of Rape (Retrieved from <https://punchng.com/pastor-defiles-12-year-old-housemaid/>.)

Also, the same news agency on 3rd November 2017 reported a 39-year old man defiled his 13-year housemaid in Lagos, Nigeria. Falayi (2017) also recounted the experience of a 13-year old who was raped her mistress' husband:

The first time he raped me, and I bled, I reported to madam when she got back home. She did not do anything about it. There was a time madam was in the sitting room, he came to where I was and carried me to his room. I tried to struggle but he held me down and said she would stab me if I made any noise. When she finished, he told me to get out of the room and to keep quiet because I was crying. I still went to report to his wife, and she did nothing about it. (Falayi, 2017)

**Findings:** Our study gives support to the secondary reports above as the interviewees reported different forms of abuse and ill-treatment from their employers. They explained that employers are always violent towards them especially when they make on-the-job mistakes. Some employers beat and torture them with all sorts of physical weapons. Some respondents also reported cases of attempts at sexual harassment and abuse from their madam's husbands and/or grown children. Furthermore, they complained of emotional and psychological trauma and torture resulting from the different forms of abuses they suffer from their employers. Table 9 gives quotes from participants indicating their voice experience.

**Table 9: Quotes from Interviewees – Abuses and Ill-Treatment**

Interviewee	Gender	Age Range	Quotes
IV3*	F	< 18	<i>“.... she often rains curses on me and will beat me mercilessly for any mistake. One day, I broke her plate, she beat me and did not give me food for the whole day...”</i>
IV23*	M	36-45	<i>“...every time she comes back from work, she will ask me to clean her room, and then, from there, she will start fondling me, and I don’t like it.”</i>
IV26*	M	36-45	<i>“...She is always asking me for sex. Sometimes, she would ask me to come and clean her bed, then start touching me inappropriately.”</i>

\*Live in

## 5. Limitations, Recommendations, and Conclusion

During the study, the following limitations were recorded. Firstly, although secondary data was also used to buffer the research, the sample size of 10 for the interview study carried out, is not adequate to discuss the significance of ethical issues that emerge in domestic work in Nigeria. More domestic workers need to be interviewed to arrive at better conclusions. The study is also limited in scope within parts of the Lagos metropolis, in Nigeria. It would be important to carry out comparative studies of domestic worker treatment in the Southern and Northern parts of the country.

Several studies have evidenced the increasing rate of women participation in the labor market occasioning the commoditization of household activities and growing participation in domestic work. This increased participation in domestic work has witnessed unethical practices mostly from the employers in the sector owing to the lacunae in legislation governing domestic work employment relationships in Nigeria. Are there new practices that make new legislations for regulating domestic work compelling? Is it ethical for employers of domestic workers to exhibit advantageous power status in the employment relationship leaving workers at their mercy? Are

unethical practices such as physical abuse, sexual abuse, long hours of work, work overload, privacy issues, etc. undermining the rights and dignity of domestic workers? Are there societal consequences of these unethical issues?

Our view is that the use of domestic workers is inevitable in many households, as most households have both spouses engaged in full-time employment to meet pressing economic challenges. Consequently, we argue that there is a strong sense of obligation to protect the domestic workers from the unethical actions and practices of their employers as occasioned by the unequal bargaining strength in the domestic work employment contract. Theoretically, it is submitted that both the employers and workers should voluntarily intensify efforts to upgrade their employment terms and conditions to accommodate reasonable workloads, sufficient rest times, privacy rights, clear and heard voices, and treatment devoid of abuses, to meet international standards and practices. However, this will be highly impossible or inadequate, for, in situations of unequal bargaining strength of two contractual parties, the provisions of the law must be available and adequate to protect the vulnerable parties.

Finally, acknowledging that unethical actions against domestic workers have significant human rights implications may compel the urgent need to embrace shielding legislation at both the federal and state levels, as has been done by the Lagos State Government in the South-Western part of Nigeria. Hence, it is submitted that the Nigerian government should come up with legislation that will sufficiently address the unethical practices identified in this article to protect the vulnerable domestic workers. The International Domestic Workers Convention 189, 2011 should be domesticated and other legislations that will offer the domestic worker dignity should be enacted. The Ministry of Labor and Productivity, Ministry of Women Affairs and other sister agencies should also integrate efforts to enhance the enforcement and implementation of current laws as to the dignity and rights of domestic workers is highly necessary. Also, it is apposite that legislations cover the issues of child labor in domestic work situations that wrongly expose young and inexperienced children to the hazards of unethical domestic work practice and prevent them from being in school at the times they are occupied with domestic work. With Nigeria having over 10.2 million children out of school, it becomes even more important to emphasize and enforce domestic work legislation and contracts on the exclusion of underage children.



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