



MENTOR | The Journal of Business Studies

Faculty of Commerce and Management, Eastern University, Sri Lanka

JBS

Federation of Informal Workers' Organisation of Nigeria (FIWON) and the Challenges of Organising Domestic Workers in Nigeria

Francis C. ANYIM^{a,*} and Justice Chidi Ngwama^b

^a Department of Employment Relations and Human Resource Management, Faculty of Management Sciences, University of Lagos, Nigeria.

^b Department of Administration and Management, Crawford University, College of Business and Social Sciences, Igbesa, Ogun State, Nigeria.

ABSTRACT

Domestic workers are located in the informal sector of the economy of any nation. Many unions and other workers' organisations indubitably are mugged with challenges in organising the informal workforce, irrespective of sector or country. The challenges of organising domestic workers are premised on the assumption that domestic workers are unorganisable because of the inherent nature of domestic work. This study examines the Federation of Informal Workers Organisation of Nigeria (FIWON) and the challenges of organising domestic workers in Nigeria. This study adopted qualitative research method; data were gathered through interviews, reports, documentary evidence and focus group discussions. The study employed the narrative or discourse analyses for the data interpretations. The findings of the study indicate that FIWON has made a substantial effort towards organising of the domestic workers in Nigeria hence the study concludes that FIWON's efforts have been overwhelmed with so many barriers which include absence of government support, work environment, absence of labour contract and domestic workers' poor financial capacity to finance FIWON's organising efforts due to low level of income generated by FIWON from its affiliating members. The study thus recommends among others that the labour legislative framework in Nigeria should be expanded to accommodate informal workers not only in terms of their labour rights but also for the benefit of the entire society.

Keywords: Trade union, organising, challenge, labour rights, domestic workers, informal economy.

*Corresponding Author: address:fanyim@unilag.edu.ng

© Faculty of Commerce and Management, Eastern University Sri Lanka. All rights reserved.

1. Introduction

Domestic work appears to be critical to the growth of other sectors in the modern economy because they provide essential services such as cleaning, looking after the elderly people or children, guarding the apartments, gardening or cooking among others services that enable others work outside home. Domestic work therefore, comes under the classification of informal economy because it is performed outside the realm of labour regulations and social protections and consequently, domestic workers suffer significant decent work deficits and absence of collective actions to organise themselves for their rights (Bonner & Spooner, 2010).

Extant studies (D'Sousa, 2010; Albin, 2012; Mactaggart, 2011; Cock, 1989; Flint, 1988) documented that inadequate social protection and decent work deficits have characterised domestic workers, in spite of the critical services they provide. In other words, domestic workers appear to suffer significant "decent work deficits, including deficits in employment opportunities, legal rights, and social protections leading to exploitations. Equally, abuses, poor employment relationship and substandard labour contract are synonymous with domestic work. The rights of workers which are enshrined in the Nigerian Labour Act make little or no sense to the employers, since they lack enforcement either by the trade unions or the government (Fajana, 2010; D'Sousa, 2010; Butlender & Bosch, 2002).

There is therefore an urgent need to provide for domestic workers the basic elements of protection which would assure them of a minimum standard of living compatible with the self-respect and human dignity which are essential to social justice (ILC, 1965). Trade union organising appears to be essential in moving the domestic workers from invisibility (which makes them vulnerable to exploitation) to visibility towards obtaining fortification through legislation, to inform the public of their conditions, and to provide them with an appreciation of their rights as workers and a sagacity of dignity in their occupation (Tokman, 2010).

Unions and other workers' organisations indubitably are confronted with challenges in organising the informal workforce, irrespective of sector or country. The challenges are premised on the fact that domestic workers had long been viewed as unorganisable because of the inherent nature of domestic work (Schneider & David, 2010; Smith, 2000). The challenge of organising domestic workers may be attributed to complex employment relationship in the domestic work environment. The undefined employment/labour contract seems to underpin all forms of many-sided behavioural brashness on the part of the domestic employers and domestic workers. Inadequate labour protection seems to allow employment agents and employers to act with latitude leading to taking advantage of domestic workers on negative plane. The inadequate legal framework and policies especially towards the informal work sector seem to exasperate the trade union's efforts in organising domestic workers (Komolafe, 2015). Also, the work environment of domestic workers which includes the structure, spatial location of domestic work, location in the informal economy constitute serious problems in organising (Kapinga, 2008). These factors seem to impose constraints on trade union membership. The registered trade unions appear not to be eager to incorporate domestic workers as members because of union's limited resources and the perception that it

might be difficult for them to subscribe to their unions in terms of check-off dues and contributions.

The Federation of Informal Workers' Organisation of Nigeria (FIWON) and its affiliates are not recognised in Nigeria but it appears to be the only Union Federation that has been playing a major role in organising domestic workers with the goal of defining and establishing domestic workers' rights as well as that of the employers for the mutual benefits of both parties and the State. This tripartite partnership no doubt is crucial to social and economic lives of the citizens. Consequently, there is need to organise and regulate the domestic workers employment. In a bid to achieve this objective, FIWON seems to be contending with many hurdles that tend to undermine its efforts in organising domestic workers.

Organising and regulating of domestic work is in the interest of both workers and employers. Spelling out the rights and duties of each party may eliminate many of the difficulties the employers of domestic workers sometimes face, ranging from frequent absence, poor quality services, quitting without notice, etc, to crimes such as theft, kidnapping for ransom and even murder (D'Sousa, 2010). It is against this background that this study examines the challenges facing the Federation of Informal Workers' Organisation of Nigeria (FIWON) in their quest of organising domestic workers in Nigeria.

2. Literature Review

Federation of Informal Workers' Organisation of Nigeria: History and the Formation

Many of the organised informal workers' organisations in Nigeria came together on the 18th of June, 2010 to form FIWON which is a common platform based on shared problems and aspirations of millions of their members and to provide an important democratic space for the articulation of common challenges and advocacy for necessary changes. At the first Delegates' Conference of FIWON, key issues that affect most informal workers were identified. FIWON seeks to empower informal workers and their organisations with capacities for representation and advocacy, through training, being able to engage public authorities more proactively. This in turn would enable them to participate more effectively in decision making on issues that affect informal workers, relate more productively with democratic institutions such as the judiciary and the National Assembly for needed policy changes with the overall goal of boosting productivity and reducing human suffering and poverty in the informal economy. FIWON currently has branches in 17 States in Nigeria with 150 informal workers' organisations as affiliates (Komolafe, 2015).

FIWON's mandates for domestic workers include:

- i. Facilitate participation, member recruitment and support domestic workers' organisations in registering as a formal union.
- ii. Conduct mass media campaign to inform domestic workers of their 'rights complaints mechanism' and the benefit of collective organising.

- iii. To organise all informal workers in Nigeria into formidable unions and associations sector by sector in order to address the specific needs and challenges of each sector of the Nigerian informal economy.

Federation of Informal Workers Organisation of Nigeria operates through two channels to meet the challenges of protecting workers in the informal sector. Firstly, FIWON operates as federation of union, which has responsibility of organising informal workers, secondly, as a Non-Governmental Organisation (NGO) - Community Building and Development Initiative. The Community Building and Development Initiative is a human rights and development oriented. The Organisation's mandate seems among others to ensure fair development relations for vulnerable workers. The NGO is founded by FIWON to tackle concrete issues that have to do with domestic workers because of inadequate legislation to protect these vulnerable groups. NGOs look like a viable platform for community development and make services available to the people, it can be used to provide training, literacy, entrepreneurial skill, empower and organise workers for collective actions (David, 2005; De Beer, 1997 & Swanepoel, 1997; Alwwod, 1992; MacRoberts, 1992). Due to the fact that domestic workers' organisation is not recognised by law; it lacks legal backing to defend its members' cases in the law court. However, with registration of Community Building and Development Initiative as an NGO with the Corporate Affairs Commission (CAC), it affords FIWON the platform to take cases of domestic workers with an individual employer to the court of law, the Citizens' Mediation Centre of the Lagos Ministry of Justice, (Dispute Resolution Mechanism) and beyond. FIWON is currently mobilising domestic workers and other informal workers for cooperative association to enable the workers have access to fund to start up small businesses, access welfare scheme, and improve their standard of living by having access to household facilities. FIWON in attempting to organise domestic workers collaborate with other Stakeholders; Industrial Unions in Nigeria and the Nigeria Labour Congress (NLC).

FIWON Organising Strategies: To achieve its objectives, FIWON has adopted the following approaches (FIWON's Handbook, 2015).

Public Advocacy: FIWON advocacy programme is targeted at raising consciousness among the stakeholders, decision makers and general public about the abuses, societal neglect and degradation that the domestic workers are subjected to in spite of their effort to free others to work. The public advocacy is targeted at influencing the government towards making policies that would guarantee domestic workers of their labour rights and improve the conditions of domestic work.

Leadership Education: FIWON targets the leaders of domestic workers and other informal workers' organisations with focus on their basic human and constitutional rights. The training includes among others, how to conduct democratic and participatory meetings, establish group rules, ensure financial sufficiency and conduct regular elections. Currently, the issue of union dues has not been fixed in order not to discourage domestic workers from attending meetings during these formative years.

Sectoral Organising: The sectoral organising is targeted at the unorganised domestic workers which are directly employed by individual employers. Some categories of domestic workers such as drivers and gardeners employed by corporate organisations are excluded.

Meetings: Regular meetings are held with the domestic workers in specific neighbourhoods; schools, parks, restaurants, and few compounds where the domestic workers live. During these meetings, the workers state their challenges at work and discuss strategies used in coping with them.

Conflict Resolutions: FIWON has recently devised means of taking up issues with employers through Conflict Mediation Centres set up by the Lagos State Government and remarkable degree of successes have been recorded. This may have helped to boost the organising efforts of FIWON. FIWON's organising of domestic workers has helped to alleviate the suffering and abuses of domestic workers as several cases have been satisfactorily resolved and this has led to the attraction of new members.

Mass Meetings: FIWON conducts mass meetings on Social Protection. The campaigns for social protection in Nigeria may have gained a new impetus recently as FIWON Secretariat in collaboration with Friedrich Ebert Stiftung (FES) organised mass meetings in Kaduna, Abuja, Rivers and Lagos States.

Seminar/ Programmes: FIWON engages in programmes towards building up on the social protection of domestic workers; an example is the Social Protection Stakeholders' Workshop which brought together representatives of organised labour, civil society groups as well as FIWON leaders. The workshop focused on forging a common ground for the agitation of a statutory provision for social protection for those qualified for the scheme in Nigeria. Several stakeholders meetings in Lagos as well as the mass meetings in the four States across the country may have witnessed the formal presentation of the FIWON Bill on Social Protection tagged "A Bill for an Act to Provide Social Assistance for Vulnerable Persons, the Agency for Delivering the Social Assistance and for Purposes Connected Therewith."

Building Alliances that Strengthen the Movement: This includes alliances built through the campaign work and long-term strategic alliances that build power and leadership capacity for low-wage workers. FIWON is also in alliance with many stakeholders for effective organising of domestic workers. Domestic workers cut across other unions that have acceded FIWON the role of providing leadership in the organising of domestic workers since it is located within the jurisdiction of informal sector of the economy.

Conceptual/Empirical Review

Union Effectiveness in Organising

International Labour Organisation (ILO, 2002) posits that the principal subject in organising is the active fortification of the legitimacy of entire workers to organise. However, the responsibility falls on the workers to take collective actions to form their own trade unions or other organisations or join existing unions. So the onus does not fall on the trade unions to organise but workers themselves. Amir and Amitava (2012) observe that one of the distinguishing characteristics of the workforce in the unorganised sector as against the organised sector is the incapability to organise themselves in unions and hence there is need to make them conscious of the laws. The peculiar nature of domestic work poses a great challenge in organising. Many are aware of the right and are conscious of the law but crossing the hurdles and difficulties in organising in informal sector demands courage on the part of the workers who may mobilise others for collective action. This seems to be where the trade union input may be desirable to assist or propel the unorganised domestic worker towards collective actions.

Paterson (2010) notes how difficult it is to organise the unorganised worker because of a variety of reasons, lack of understanding of the workers' need, ineffective institutional support mechanism, lack of organising capabilities among the organisers, non-availability of ready demands which can be realised easily. The nature of domestic work in the private homes involves taking care of children and elderly which creates a form of emotional attachment to the family of the employers (Paterson, 2010). This seems to complicate the employment relationship and pushes the domestic workers into paternalistic relationship position where they find it difficult to discuss terms and conditions of their works with employers and even when they do, it is treated casually by the employers.

Charlwood (2001) suggests that union organising effectiveness should be based on a union's ability to recruit workers in workplaces where they have an established presence; this is a measure of the internal organising effectiveness. The second is external organising effectiveness which is based on a union's ability to organise non-union work places. This is dependent on two factors; union's ability to get recognition agreements in workplaces currently without a union presence which is external organising (Kelly & Heery, 1989). Another measure of union capacity may be the union's ability to recruit and retain members in workplaces where it already has a bargaining presence. Internal organising activity may be further divided between close consolidatory recruitment and distant consolidatory recruitment and close expansion which may involve recruiting non-members not covered by union recognition in workplaces where some workers are covered by recognition (Kelly & Heery, 1989).

Trade Unions' Organising Strategies: Trade unions adopt some of these strategies discussed below in organising domestic workers.

Visiting Work Locations of Domestic Workers

Visiting domestic workers location involves recruitment of volunteers or full time workers that will be dedicated to fieldwork to reach out to domestic workers, this is essential in trade union organising strategy. Workers need to do grassroots organising, which will involve visiting and personal contacts with various domestic workers in various locations, forming network, workplace mapping, organising meeting, educating the domestic workers on their rights and the need for collective actions on the part of domestic workers that will sensitise the community and government with their problems and also to build support for union representation.

Organising Meetings

Grassroots mobilisation/activism involves building support for union representation. Fiortio (2004) argues that external organising involves organising meeting. Effective organising may demand huge resources from the trade unions. These financial resources may be used to fund various seminars, and programmes, which may foster unity among domestic workers. Fletcher and Hurd (1998) believe that the organising model should be more focused on external rather than internal organising.

Financial Support

Finances also are required for effective organising of domestic workers. The organising demands commitment of resources and large membership of the union through proactive campaign which should be

targeted at specific challenges confronting the domestic workers (Heery, *et al.* 2000). Trade unions expend a lot of financial resources to assist domestic workers in times of need because many domestic workers have low wages that is hardly sufficient to take care of their responsibilities. These financial supports encourage the domestic workers to show willingness to join the unions.

Public Advocacy

This involves creation of awareness on the specific issues and problems confronting domestic workers. Public advocacy may be used to create awareness of domestic workers condition to the populace and persuade the government to include domestic workers in the framework of national legislations and labour laws in compliance with International Standard of ILO, 2011 Convention on the domestic workers ([Halperin-Kaddari](#), 2016; Flint, 1988).

Social Protection

Domestic work requires specific, effective laws and regulations. It means acknowledging the personal character of the work and the context in which it takes place, while reaffirming its compatibility with employment relationship. Domestic work should be treated both as work like any other and as work like no other (Blackett, 2005). Decent work is a component of social protection that may result from trade union organising. The major social protection issues include, health care delivery, creating unemployment benefit for massive unemployment and long term unemployment, occupational and health issues, workmen compensation, pension, national housing fund, etc. The fundamental objective of ILO is to promote and provide opportunities for workers to have access to decent and productive work that guarantees freedom, equity, security, and human dignity. According to Fajana (2010), decent work sum up the aspiration of people in their working lives. This includes opportunities for people to engage in productive work that will generate fair income, workplace security, and social protection, this involves freedom for workers to participate and organise for their legitimate rights without preference to gender. The freedom of association's rights allows workers to realise other rights. The only way to protect and promote domestic workers is to collectively organise (Smales, *et al.* 2010; Ratina, 2013).

3. Theoretical Framework

Union vs Association Model

Different approaches have been suggested for organising of domestic workers. This is contingent on the increasing difficulties and struggles to organise domestic workers and other workers in the informal economy. The two major models may be used, which will likely depend on the trade union leaders and their environment. The two approaches are the union model and association model. The tenet of union model is to dismantle the difficulties associated with inability of the labour unions to fully represent domestic workers (Ally, 2005). This model is established on the assumption that workers mobilise themselves on the basis of identity (Kapinga, 2008).

The association model principles are premised on the belief that domestic workers can organise themselves on the basis of under range or sheer injustice (Kapinga, 2008). There are factors that make it easier to

facilitate organising workers into association rather than union. This may relate to the strength of workers connecting around gender, on women relationship, identities and group orientation.

Raaphorst (1988) notes that domestic workers may have made unsuccessful attempts to establish long-lasting, powerful unions like other group of workers. The failed attempts at organising throughout the period of 1870-1940 seem to be attributed to the following factors, the psychology and nature of domestic work, union rejection of domestic labourers, employers' opposition to organisation, and the frequent disagreements among the domestics themselves.

Organising domestic workers who are inaccessible because of the environment of their work and who seem not to understand the need of belonging to workers organisation or working with other groups appears to be a challenging task, nonetheless, there has been efforts by many social groups, union federation and other women's associations to encourage and assist domestic workers to come together to form their own associations. On the other hand, many domestic workers appear to have mobilised themselves to form unions and associations to better their working conditions and to lend solidarity to their struggle. At the turn of the twentieth century, there were efforts to organise domestic workers into unions, though the early labour movement was generally hostile to female membership.

According to (Raaphorst, 1988), conscious efforts of domestic workers to form associations and unions date back to 1870 to 1940, when twenty domestic workers unions in different parts of United States of America (USA) allied with the American Federation of Labour (AFL) and also other domestic workers groups joined the Knights of Labour and the Industrial Workers of the World (IWW) (Raaphorst, 1988).

The first unionisation of domestic workers was that of the Domestic Workers Industrial Union; IWW Local in 1916 in Denver, Colorado spearheaded by Jane Street. This was regarded as one of the most successful efforts in organising domestic workers. Raaphorst (1988) and Smith (2000) note that the movement of Street's vision went beyond the traditional union approach of demanding for improved earnings and other conditions of services. Street was instrumental towards addressing the imbalance of power between the "dynamics of the mistress and servant. "With its ground-breaking tactics, as well as formation of an unusual placement agency, they appear to have succeeded in securing of wage increase and also brought about significant changes in terms and working conditions of domestic workers (Raaphorst, 1988).

Apart from the formation of formal unions, domestic workers also formed clubs and associations for common sustenance which appears to enable them take collective actions towards upgrading the terms and working conditions of domestic workers. Raaphorst (1988) notes that many of these clubs and associations delivered a platform for domestic workers to gather together and often ran an employment agency. Also, Smith (2000) notes that these groups seem to focus on professionalising the industry, including skills training for domestic workers and those similar organising approaches are presently being adopted by domestic workers organisations as a platform for raising their leaders.

This theory is significant because it has provided understanding that enabled many domestic workers to agitate for their rights, take collective actions, form unions or join the existing federation of their choice.

4. Methodology

This research adopted qualitative analysis using in-depth interview and focus group discussions. This research relied on primary and secondary data sources to generate data towards achieving the objectives of the study. Primary data sources include structured interviews and focus group discussions. Secondary data sources include the literature, documentary evidence and reports supplied by FIWON. Other useful published materials; journals; textbooks and internet materials were also used as sources of data for the study. Interviews and focus group discussions were critical to the conduct of this study and interview schedule was designed to obtain responses pertinent to the purpose of the research problem. Focus group discussions were conducted in the different zones within Lagos State, Nigeria. The number of respondents in each focus group ranged from four to five respondents who were majorly the domestic workers and the issues discussed covered the challenges emanating from work in their zones.

A total number of eleven (11) respondents constituting the sample size purposively selected were interviewed in line with the objectives of the study. These include 10 domestic workers and one staff of FIWON. The qualitative data gathered from reports, documents, interview and focus group discussions were presented and analysed using the narrative or discourse analysis following the traditions of Reissman (1993); Labov and Waletzky (2003); Greertz (1973&1983); Denzin and Lincoln (1998). The theme and issues that were reoccurring within them that reflect some of the major hurdles of FIWON in organising of domestic workers were indicated and interpreted.

Presentation of Interview Responses and Findings on the Challenges encountered by FIWON on Organising Domestic Workers

<p>Box1: Summary of Interview with FIWON's Secretary General on the Conditions and Challenges of Organising Domestic Workers in Nigeria</p>

<p>Domestic workers are not helpers, maids or servants and should not be treated as slaves. They are 'workers.' Yes, the place where they work is the household, and that is a different type of workplace from a factory, a farm or an office. They take care of people's most important valuables; their children and elderly, their property and their welfare! Whether they work full time as live-in domestic worker performing many tasks as nannies, cooks, dry cleaners, housekeepers, gardeners, cleaners, security guards, drivers, cooks, etc, the issues that domestic workers face in Nigeria are enormous.</p>

<p>A domestic worker may be asked to leave work at any time on flimsy excuse without any prior notice or because she fell ill, she is paid a very low wage, her salary may be cut for no just cause, she may not even get paid at all, the hours of work may be 12 hours or even 24 hours a day, she may be forced to sleep with Oga or Oga's children against her will, they may be beaten, verbally abused, falsely accused of</p>

theft, the ladies raped or even killed, the workload can be too heavy because it is not regulated, she may not go on leave or holidays, she may suffer diseases, she does not enjoy most of the benefits a worker should enjoy!

The remuneration is low and some below minimum wage depending on the location where they work. According to FIWON's Secretary General, this may reflect the status of the employer and sometimes not. In theory companies pay but in practice the Oga pays, the companies don't know because these managers are entitled to some domestic workers and the domestic workers themselves don't know what they are entitled to from the companies except what their employers pay them. They have no labour contract, no letter of appointment and that makes it difficult in handling their cases.

The immigrant domestic workers brought from neighbouring countries like Togo, Republic of Benin, and Niger, etc, are mostly under aged children. They are paid through the agents directly and the agents pay the parents at their home countries. This is where we have most of the abuses, the agents don't pay the money to the parents and at the end the child suffers double tragedy; working without enjoying the financial gain and being deprived of basic education. Most importantly, the employers of domestic workers have a disregard for trade union institutions because of the absence of regulation and enforcement of basic workers' rights for domestic and other informal workers in Nigeria.

Summary of the Interview with the Secretary General of FIWON on 10th January, 2020.

Box 2: Summary of Interview with the Secretary General of FIWON on the Challenge of Finances (collecting check off dues from informal workers) in organising informal workers in the various locations.

FIWON focuses on certain clusters in Lagos; Festac, Ilupeju, Ikeja, Apapa, and Victoria Island. Domestic workers' salaries in these different clusters differ, they are estimated; Ilupeju (N13, 000 - N65, 000), Ikoyi (N15, 000-65,000), Apapa N35, 000, Ikeja N30, 000. FIWON has about 150 affiliates including domestic and allied workers union. For the informal workers administration, the areas are divided into zones; Local Governments, States, and National (FIWON).

Financial Challenges: the meagre dues paid by informal workers which should transcend through the zones; local government, state and national does not get to the national body because of lack of accountability by the union leaders. Most officials collect this money and spend it within the zone for fictitious reasons and before it is sent to local government and state the money would have disappeared completely.

January 10th 2020

Box 3. Focus Group Discussion: Patience Robert, Blessing Boniface, Gift Eyo and Blessing Raymond: The challenges of immigrant domestic workers and the discrimination against Nigerian domestic workers by European employers and the preference for foreign domestic workers.

This discussion was focused on finding out the challenges confronting domestic workers, one of the major challenges they mentioned is the issue of discrimination against Nigerian domestic workers and the preference for foreign domestic workers by many Europeans in Nigeria. This of course is another important subject, which they feel is frustrating organising effort because of the spate of foreign domestic workers employed in highbrow areas like Ikoyi, Victoria Island, and Banana Island. Most of the Europeans who live in these areas do not hire Nigerian domestic workers but prefer domestic workers from neighboring countries like Ghana, Cameroon, Togo, etc, for reasons that seem unjustifiable.

Blessing Raymond discussed how she attempted getting a job from an agent in this area who collected employment charge of N10,000 from her and later told her that they only engage foreign domestic workers in that area. The discrimination against Nigeria domestic workers and preference for foreigners in these areas where domestic workers are highly paid is a veritable source of concern to FIWON. The Indian employers have once told some domestic workers that they like Nigeria because the freedom they enjoy here they do not enjoy it in any other country and that if the domestic workers report them, they will give Police money and the police will jail those domestic workers that reported them.

The influence of foreigners in this sector has gotten to the level where they have parallel meeting and as such would not cooperate with Nigerian domestic workers towards organising into any form of union or association. Also many places where these Europeans are located; they are averse to Nigerians and as such do not seem to allow Nigerians to pass the gate freely into their estates. An example is Eleganza Estate in Ikoyi that has over 200 domestic workers but a greater percentage of the domestic workers appear to be foreigners and most of them entered Nigeria through illegal routes. This calls for government intervention and regulation of domestic work sector in Nigeria. Appropriate action will curtail this affront from foreigners, provide more employment opportunities for Nigerians and also check the influx of illegal immigrants into the country.

Focus Group Discussion: February 15th, 2020

Box 4: The Recruiting Agents and their Influence in Domestic Workers' Employment Relationship and Organising (Focus group discussion with 5 Domestic Workers)

In Ikoyi, Victoria and Banana Island, (Focus group discussion with some domestic workers, 17th December, 2019), the domestic workers complained about the double standards of the agents, they collect money from both sides, (the employers and domestic workers).The agents harass the domestic workers sexually to assist them get jobs, sort out issues with their employers, and some agents attempt to rape domestic workers who might be resistant. Agents collect N5, 000.00 from the domestic workers

for employment forms and still collect their employment charge from the employers.

Other complaints are that, they are paired in rooms. The kitchen is turned into a small room for drivers. The domestic workers do not have anywhere to cook their meals, they have to beg their Oga to cook in their kitchen or be eating outside with their meagre salary.

(Report from Park View, Agogo, Banana Island 19th December, 2019)

*** Interview with Ada Ihentike, 20th December, 2019**

She was employed through an agent on fee of N10, 000. The agent does not care the way they are treated or paid after they have collected employment fees. These agents take over the bargaining and decide how much they are paid. They can discharge the domestic workers at will because the same agents are beckoning to bring workers to the employers at a lower wage. The employers especially the Indians change workers' wages almost every month because the agents are ready to supply workers at any fees. The role of the agent appears to demean the value of domestic workers, by lowering the salaries, and conditions and terms of service.

(Report from Ikoyi (Ada Ihentike), 20th December 2019).

5. Discussion of the Research Findings

FIWON is the leading labour union attempting to organise domestic workers in Nigeria because the informal workers' groups fall into their trade unions' jurisdiction. Although its efforts have been overwhelmed with so many barriers which include; absence of government support, lack of financial support, work environment of domestic workers and low level of income.

Despite these obstacles, FIWON has been able to kick start the organising of domestic workers by establishing a structure in Lagos State that will facilitate organising activities. The awareness of the conditions and activities within domestic work sector has come to public glare through FIWON public advocacy, seminars and mass meetings with other stakeholders in the labour movement.

However, attempt by FIWON to bring the plight of domestic workers through public advocacy and initiating of public policy for the protection of the informal workers has not been seen to demand urgent attention by the State. Another seeming set back towards organising according to FIWON's Secretary General is the government's refusal to grant legal recognition to FIWON as a national body of informal workers union despite its huge number of 27 affiliates. This is premised on the ground that the affiliates (informal workers' organisations) are not recognised by the Ministry of Labour and Employment. Secondly, informal workers do not have formal employment relationship with recognised employers. The Corporate Affairs Commission (CAC) also refused to register FIWON on the excuse that it has too many affiliates and the Commission is not empowered by law to register federations of unions.

Inadequate finance also imposes serious constraints on FIWON's organising efforts (see Box 2). There is no fund to finance legal cost, therefore, FIWON resorts to using mediation centres to obtain redress for domestic workers. One of the greatest challenges is that the employers of domestic workers take advantage of the existing deficient legislative gaps to exploit domestic workers.

The provision of the Nigeria Labour Act and Article 7 of Convention 189 on Decent Work of Domestic Workers of the International Labour Organisation (ILO), 2011; Section 17 (3) under Section 2 of the Nigerian Constitution provides among others, for just and humane conditions of work, minimum standards for health, safety and welfare of all persons in employment, equal pay for equal work without discrimination on any ground whatsoever.

Many observers (Komolafe, 2015; Ojenagnon, 2015; Adewumi, 2010) are of the view that the Federal Government should recognise the importance of organising informal workers not only in the workers' interests but also for strengthening the national economy. The domestic workers have the right to come together to form and/or join a union and association of their choice to protect their rights according to Section 40 of the Nigerian Constitution. The domestic work sector is deregulated and has not been accorded the necessary recognition although there are basic provisions of law in the Constitution, and recently Employee Compensation Act 2010. The Secretary General of FIWON revealed in an interview that *"the employers of domestic workers have a disregard for trade union institutions because of the absence of regulation and enforcement of basic workers' rights for domestic and other informal workers in Nigeria."* The abuse of domestic workers seems to emanate from inadequate policy and legal framework to monitor the sector. When it comes to protecting vulnerable workers, the key question is enforcement (Mactaggart, 2011). Lack of enforcement has led to the abuse of court processes and negligence of constituted authority. FIWON with its limited resources is confronted with these challenges. Some of the employers seem to be patronising the law enforcement agents (the Police) to eject domestic workers from their residence; this has become a source of threat and intimidation to domestic workers. In focus group discussions with domestic workers in 2019 (see Box 3), they reported that an Indian employer was quoted to have said *"if you report, I give Police money and they will jail you."* The Indian employers have once told them, that they like Nigeria because the freedom they enjoy here they do not enjoy it in any other country. FIWON is mugged with legitimacy in contending with domestic workers cases due to unregulated recruitment system that characterise domestic works.

Interview report shows that the workers do not have letter of contract, as a result, many of the domestic employers deny domestic workers if any conflict arises in the course of their employment as they deliberately do not give them employment letter. Even when there is an agreement, they are not written, leading to arbitrary dismissal. This also seems to affect FIWON's efforts in dealing with the issues of domestic workers dismissal and maltreatment in the court of law.

On the issue of social protection and decent work deficit, many employers deny the employment status of domestic workers after several years of service; therefore they are not entitled to payment in lieu of notice or any compensation. Many domestic workers suffer unfair termination of employment (see Boxes 1, 2, 3 and 4), verbal abuse, lack of job specification, inadequate compensation packages, and low wage (hardly enough to take care of their households).

Many domestic workers appear to be short changed when it comes to remunerations because their salaries are not paid directly to them by the various organisations and companies but through their direct employers

(Agents). This observation was made by the Secretary General of FIWON in an interview where he pointed out that *“In theory, companies pay wages but in practice the “Oga pays.”The companies do not know the amount Oga pays because these managers are entitled to some domestic workers and the domestic workers themselves do not know what they are entitled to from companies where their bosses work except the one their employers pay to them.”*The foreign illegal domestic workers seem to be forming a parallel domestic workers’ association. The attempt to form parallel union by foreign domestic workers is a great affront against the trade union in Nigeria and this is also a discouraging factor for domestic workers who want to participate in FIWON’s organising activities as it is found to frustrate collective actions of the domestic workers and as such would not cooperate with Nigerian domestic workers towards organising into any form of union or association. This calls for government intervention and regulation of domestic work sector in Nigeria. Appropriate action will curtail this affront from foreigners, provide more employment opportunities for Nigerians and also check the influx of illegal immigrants into the country. All these factors combine to frustrate FIWON’s effort in realising their objectives of organising the domestic workers.

6. Conclusion

The government needs to revisit the inadequate legal framework that de-facilitate trade union organizing of informal sector and recognise the fact that informal sector of the economy accommodates about 65 per cent of the labour force in Nigeria. This large number of army of workers’ demands social protection and security as their contributions are significant to the national economy. They deserve their inalienable rights to work and get fair wages, and right to join any organisation, trade union, and association of their choice. The study therefore, concludes that although FIWON has made tremendous efforts at organising the domestic workers in Nigeria, it however faces the challenges which include absence of government support, work environment, absence of labour contract and domestic workers’ poor financial capacity to contribute towards FIWON’s organising efforts due to low level of income, poor financial management by FIWON officials and discrimination that militate against the success of FIWON in organising domestic workers.

The study therefore recommends that:

- i. Government as of necessity should accord FIWON the necessary legal backing to enable it organise domestic workers not only to secure their labour rights but to enhance their services to the employers and also for the socio-economic benefits their improved status will accord them in the wider society.
- ii. There is the need for Nigeria to join other nations in taking measures to address the decent work deficit and exploitation of domestic workers in line with the ILO Convention.
- iii. FIWON should be granted unequivocal support in their undertakings toward organising domestic workers for collective action and to reduce poverty and inhuman conditions among the vulnerable segment of the society.

References

- Adewumi, F. (2010). The state of workers' rights in Nigeria: An examination of the banking and oil and gas and telecommunication sectors. Abuja: Friedrich Ebert Stiftung
- Albin, E. (2012). The ILO Convention on domestic workers: From the shadows to the light, *Industrial Law Journal*, 41(1), 67-78.
- Allwood, I. & MacRoberts, O. (1992). The development role of non-government organization: The South Africa paradigm. *Africanus* 22 (1&2). Pretoria: UNISA
- Ally, S. (2004). Domestic labour pains. *South African Labour Bulletin*, 28(5), 50-51.
- Blackett, A. (2000). Making domestic work visible: The case for specific regulation international labour standards. Geneva: International Labour Office.
- Bonner, C. & Spooner, D. (2010). Work in progress: Organising labour in the informal economy – Forms of organisation and relationships. Presented at XVII World Congress of Sociology, Gothenberg, Sweden, July 11-17.
- Budlender, D. & Bosch, D. (2002). South African child domestic workers: A national report. Geneva: International Labour Office/International Programme on Elimination of Child Labour (PEC).
- Charlwood, A. (2004). Influences on trade union organizing effectiveness in Britain, *British Journal of Industrial Relations*, 42(1), 69-93.
- Cock, J. (1989). Maids and madams domestic workers under apartheid. Great Britain: Hazell, Watson & Vinely Ltd.
- D'Souza, A. (2010). Moving towards decent work for domestic workers: An overview of the ILO's work International Labour Organization, ILO Office, Geneva.
- David, I. (2005). Development theories: Past and present. In David I, Theron, F & Mpyne, K.J. (eds). *Participatory development of South Africa*. Pretoria: Van & Schaik, Publishers
- DeBeer, F. (1997). Participation and community capacity building. In Liebenbery, S. & Steward, P. (eds). *Participatory development and management and the RDP*. Keriwyn: Juta.
- DeBeer, F. & Swemepoel, H. (1998). *Community development and beyond: Issues, structures*
- Denzin, N. & Lincoln, Y. (1998). Entering the field of qualitative research. In Denzin, N. & D'Souza, A. (2010). *Moving towards decent work for domestic workers: An overview of the ILO's work*. Geneva: International Labour Office.
- Fajana, S. (2010). *Decent work deficits in Nigeria: A constituents' consensus*. Lagos: University of Lagos.
- Federation of Informal Workers' Organisation of Nigeria. (2015). *Handbook for domestic workers' rights*. Acme Lagos: FIWON publications.
- Federal Republic of Nigeria (1990). *Labour Act, Chapter 198, Laws of the Federation of Nigeria 1990*. Abuja: Federal Ministry of Justice
- Fiorito, J. (2004). Union renewal and the organising model in the United Kingdom. *Labour Studies Journal*, 29 (2), 21-53.

- Fletcher, B. J. & Hurd, R. W. (1998). Beyond the organising model: The transformation process in local unions. In K. Bronfenbrenner K; Friedman,S; Hurd,W; Oswald, R. & Seeber, R (Eds.) Organising to win: New research on union strategies. Ithaca, NY: ILR Press. pp. 37- 53.
- Flint, S. (1988). The protection of domestic workers in South Africa: A comparative study. *International Labour Journal*, 15, 187-201.
- Geertz, C. (1983). *Local knowledge: Further essays in interpretive anthropology*. New York: Basic Books.
- Heery, E., Simms, M., Simpson, D. & Delbridge, R. & Salmon, J. (2000). Organising unionism comes to the UK. *Employee Relations*, 22(1), 38-57.
- International Labour Organisation. (2002). Promoting gender equality: A resource kit for trade union. Booklet for organising the Unorganised: Informal economy and other unprotected workers. Geneva: International Labour Office.
- International Labour Organisation. (2011). Remuneration in domestic work. Domestic Work Policy Brief No.1. Geneva: International Labour Office.
- International Labour Organisation (2011). Decent work for domestic worker. Geneva: International Labour Office.
- Kapinga, S. (2008). From enclosed domestic labour to training centres: Challenges of union and NGO organising paid child domestic workers in Tanzania. Unpublished Dissertation, Department of Arts in Labour and Development. University Witwatersrand, Johannesburg.
- Kelly, J. and Heery, E. (1989). Full-time officers and trade union recruitment, *British Journal of Industrial Relations*, 27(2): 196–213.
- Kerlinger, F. N. (1964). *Foundations of behavioral research*. New York: Holt, Rinehart and Winston, Inc.
- Komolafe, G.(2015). Domestic/household workers in Nigeria in organising: Join to build uniform power to solve workplace problems. Lagos: Federation of Informal Workers Organisation's of Nigeria (FIWON).
- Labov, W. & Waletzky, J. (2003). Narrative analysis: Oral versions of personal experience. In C.B. Paulston & G.R. Tucker. *Sociolinguistics: The essential readings*. San Francisco: Wiley Blackwell. pp.74-104.
- Mactaggart, F. & Lawrence, M. (2011). Service not servitude: Protecting the rights of domestic workers. Retrieved August 8, 2016 from www.fionamactaggart.org.uk/uploads/d1b4992ce69e-3784-b9c2-8c43818fbd3d.pdf
- Mercado A.C. & Ai-jen, P. (2008). Domestic workers' organizing in the United States. In Batliwala, S. (ed). *Changing their world*. Retrieved August 8, 2016 from http://www.awid.org/sites/default/files/atoms/files/changing_their_world_-_domestic_workers_organizing_in_the_united_states.pdf
- Nworgu, B. G. (1988). Survey research methods. In S.O. Olaitan & G.I. Nwoke (eds.). *Practical research methods in education*. Onitsha: Summer Educational Publishers. pp.55-86.

- Ojenagnon, S. (2011). Child kidnapping in Nigeria: A worrisome trend. Retrieved August 8, 2016 from <http://www.nigeriavillagesquare.com/articles/child-kidnapping-in-nigeria-a-worrisome-trend.html>
- Paterson, D. A. & Gardner, C. (2010). Feasibility of domestic collective bargaining organizing New York: NYS Department of Labour.
- Raaphorst, D. (1988). Union maids not wanted: A summary of the history of domestic work in the United States. The psychology and nature of housework: Organizing domestic workers, 1870-1940. New York: Praeger.
- Riessman, C. (1993). Narrative analysis. Newbury Park, CA: SAGE Publishing Inc
- Schindler, S.P & Corper, D. R. (2001). Business research method (7thed). New York: McGraw-Hill
- Smale, P., et al. (2012). Trade union organizing in the informal economy: A review of the literature on organizing in Africa, Asia, Latin America, North America and Western, Central and Eastern Europe. Report to the Solidarity Center, Rutgers University.
- Smith, P. R. (2000). Organizing the unorganisable: Private paid household workers and approaches to employee representation. North Carolina Law Review, 79;45-110.
- Swamepoel, H. (1997). Community development: Putting plan into action (3rd edition). Kenya: Juta.
- Tokman, V. (2010). Domestic workers in Latin America: Statistics for new policies. Report prepared for IUF and WIEGO. FIWON is mugged with legitimacy in contending with domestic workers cases due to unregulated recruitment system that characterise domestic works.