



European Economic and Social Committee

The Rights of live- in care workers

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Who are live- in care workers?

- Many are migrant workers from outside the EU (regular or irregular).
- Many European citizens: mobile workers, or internal migrants (declared and undeclared).
 - One of the most mobile part of workforce in the EU.
- Majority are women and in terms of Central Eastern European, women of a particular age.
- Many have family obligations in their home countries (**global care chain**).
- Many possess qualifications or experience which are not recognized (**brain, workforce drain**).



Why the number of live- in carers is growing?

- Europe is ageing:
 - Since 1994 **care** was defined as a **strategic sector** by the European Commission;
 - In 2010, the European Commission warned that a supply shortage of **two million healthcare workers** would emerge by 2020.
- Lack of infrastructure and personnel, austerity measures or preferences for care at home.
 - Western, Southern and Central Eastern Europe equally affected by **labour shortages**.
- Live-in carers fill in the workforce gap in the long term care.



The exact number of live-in care workers is unknown due to a lack of data.

As well as their contribution to the European and Member States economies.

- Domestic work accounts for between 5% and 9% of all employment in industrialised countries (ILO, 2012).
- 7.3 million workers in Personal and Household Services in the EU (2014).
- Domestic workers according to Eurostat includes: cooks, waiters, valets, laundresses, gardeners, caretakers, governesses, babysitters, tutors, secretaries, etc.



Working conditions

- Care work is highly demanding, both physically and emotionally.
- Conditions similar to modern slavery (24/7 work).
- Bogus self-employment (Austria and Germany), undocumented or undeclared work.
 - In some cases workers prefer to be undeclared.
- Labour and other state inspectorates or trade unions, have no access to care-givers in private homes.



Situation of care recipients and their families

- Care recipients and their families face difficulties in employing care workers.
- Recruitment of care workers occurs through informal networks of family or friends or internet.
- No guidance on how to employ care workers and respect their working rights (time).
- No guarantee of the quality of care delivered by carers.
- No supervision of relevant health authorities.



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**In the ideal world they will not be live- in
care workers.**



We need to be realistic.



Solutions

1. Recognition of existence of live- in carers in the EU labour market.

2. Inclusion into the long term care sector.

3. EU data collection and research on working and living conditions.

4. Legal (protection) framework on the EU and Member States level.

5. Support for care recipients and families.

6. Long term and sustainable investments.



Recognition, inclusion and research

- A common **occupational definition** of "live-in" care work in Europe.
- Inclusion into the long care system.
 - Live-in care workers should be treated as a part of the **long-term care system**.
- EU data collection and research:
 - **Eurostat** should gather **adequate data** on live-in care workers.
 - The **European Commission** should conduct research on the situation of live-in care workers and **their actual and potential contribution to the European economy**.



Legal protection (framework)

- Live-in care workers should be treated in a **similar way** to other care workers.
 - That means they should enjoy similar protection, such as limits on working and stand-by time and protection against bogus self-employment.
- Live-in care workers must not be excluded from relevant EU and Member State employment-related regulations (as in case of domestic workers).
- Should have rights to: proper remuneration, **health and safety protection, social security** and the right to freedom of association and **collective bargaining**.



Support for care recipients and families

- Member States should be more active in delivering or supervising care at home:
 - **Short-term:** continuous support in matters regarding employment and welfare rights of live-in care workers.
 - **Long-term:** Member States should take steps to ensure supervision and the presence of an intermediary to assist care recipients in finding live-in care workers.
- Member States should provide financial support for care recipients relying on live-in care workers.
- So far various types of model of employment of live- in carers:
 - Swedish, French (vouchers), Austrian (self-employment).



Long term, sustainable investments and creation of quality workplaces

- Financial support should be linked to **long-term and sustainable public investments**.
- The care sector can contribute to the **creation of decent work** in private households and **growth** in the European economy.
 - But only quality jobs can guarantee the quality of the care service provided.
- However, the sector is **highly unregulated** with many small enterprises competing against each other and offering lower prices for the same work, which contributes to **social dumping** .
 - Social dumping caused also by a lack of regulation relating to the **cross-border employment**.



Role of the EU, social dialogue

- Care **labour supply shortfalls** in Europe need to be placed at the top of the EU policy agenda.
- The European Union should monitor the **supply** and **mobility of live-in care** workers in Europe.
- **Social and civil dialogue** should be promoted with all stakeholders at all levels.
- Trade unions, employers and civil society organisations need to be involved in **policy planning** at Member State and EU levels.



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Recommendations and further work

Recommendations for the EU (12) and Member States (8).



Conference on the future of live- in care work in Europe in 2017 (date to be confirmed), organised by the EESC.



Results?



Recommendations for the EU

1. **bringing all relevant EU directives into line with International Labour Organisation (ILO) Convention No 189**
2. improving safeguards in the Employers' Sanctions Directive (2009/52/EC) to protect labour rights of undocumented workers;
3. the Victims' Rights Directive (2012/29/EU) must be rigorously applied to provide effective support for live-in care workers regardless of their migration status;
4. including the rights of live-in carers and their care recipients in future revisions of European and Member States' legislation;
5. **prioritising the reform of live-in care arrangements in the European Platform Against Undeclared Work;**
6. **bringing care workers' rights into the European Semester and including them in "New start for work-life balance" consultations;**
7. promoting and supporting the establishment of **organisations and cooperatives** of live-in care workers;
8. **implementing processes for recognition of qualifications and experience acquired by live-in care workers, using instruments for the recognition of qualifications, including those newly introduced by the Agenda for New Skills and Jobs;**
9. redirecting European funds to finance training courses for live-in carers to improve the quality of care;
10. **monitoring and improving posting of live-in carers;**
11. initiating a Europe-wide information campaign on the rights of live-in care workers.
12. **If possible include the rights of live-in care workers in the European Pillar of Social Rights.**



Recommendations for Member States

1. **ratifying and implementing ILO Convention No 189;**
2. **regularizing the status of undocumented live-in care workers;**
3. initiating support measures, including **Member States acting as intermediaries to assist care recipients in finding live-in care workers;**
4. putting in place a comprehensive support system for recipients of care and their families, including **fiscal incentives or subsidies;**
5. providing **training programmes for live-in caregivers**, who should benefit from **paid leave in order to attend them;**
6. promoting freedom of association and **collective bargaining** in the sector and supporting the rights of live-in caregivers and their employers to join or form associations;
7. **tackling social dumping and exploitation;**
8. **proactively regulating the long-term care sector**, especially in relation to compliance with employment laws, to ensure care recipients as well as live-in care workers are protected. This must allow **labour inspectorates** and other relevant state and non-governmental organisations to **access workplaces in private households.**