



PERCEPTIONS OF DOMESTIC WORKERS ON LABOR RIGHTS AND IMPACTS ON THEIR WORKING AND HEALTH CONDITIONS

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ABSTRACT

Objective: to understand the perceptions of domestic workers on the legislative changes and impacts on their working and health conditions.

Method: a qualitative study, conducted in a city in the inland of São Paulo, between December 2016 and March 2017, conducted through individual interviews with 15 domestic workers, using the snowball strategy and theoretical saturation sampling. For data analysis, Hermeneutics-Dialectics was adopted.

Results: domestic workers face precarious working and health conditions, permeated by a lack of information about their rights at work, as well as discrimination, devaluation, musculoskeletal problems, mental suffering and presenteeism. Improvements in recent years have been reported, but the workers claim greater reach for formal registration and valuation for domestic work.

Conclusion: constant evaluation and dissemination of the legislative changes with the domestic workers is essential, so that chronic situations of devaluation and precariousness of domestic work are replaced by the empowerment and transformation capacity of these women.

DESCRIPTORS: Working conditions. Work environment. Worker's health. Legislation as a subject. Working Women. Qualitative research.

HOW CITED: Ferreira CNL, Zerbetto SR, Gonçalves AMS, Briones-Vozmediano E, Ronda E, Galon T. Perceptions of domestic workers on labor rights and impacts on their working and health conditions. *Texto Contexto Enferm* [Internet]. 2020 [cited YEAR MONTH DAY]; 29:e20180375. Available from: <http://dx.doi.org/10.1590/1980-265X-TCE-2018-0375>

PERCEPÇÕES DE TRABALHADORAS DOMÉSTICAS SOBRE DIREITOS LABORAIS E IMPACTOS NAS CONDIÇÕES DE TRABALHO E SAÚDE

RESUMO

Objetivo: compreender as percepções de trabalhadoras domésticas sobre as mudanças legislativas e os impactos em suas condições laborais e de saúde.

Método: estudo qualitativo, desenvolvido em uma cidade do interior paulista, entre dezembro de 2016 e março de 2017, realizado por meio de entrevistas individuais com 15 trabalhadoras domésticas, utilizando-se a estratégia bola de neve e amostragem por saturação teórica. Para a análise dos dados, adotou-se a Hermenêutica-Dialética.

Resultados: as trabalhadoras domésticas enfrentam precarização das condições de trabalho e saúde, permeadas por escassez de informações sobre seus direitos no trabalho, bem como discriminação, desvalorização laboral, problemas osteomusculares, sofrimento mental e presenteísmo. Melhorias nos últimos anos foram relatadas, porém as trabalhadoras reivindicam maior alcance do registro formal e valorização do trabalho doméstico.

Conclusão: torna-se fundamental uma constante avaliação e divulgação das mudanças legislativas junto às trabalhadoras domésticas, para que situações crônicas de desvalorização e precarização do trabalho doméstico sejam substituídas pelo empoderamento e pela capacidade de transformação dessas mulheres.

DESCRITORES: Condições de trabalho. Ambiente de trabalho. Saúde do trabalhador. Legislação como assunto. Mulheres trabalhadoras. Pesquisa qualitativa.

PERCEPCIONES DE LAS TRABAJADORAS DOMÉSTICAS SOBRE LOS DERECHOS LABORALES Y LOS EFECTOS SOBRE LAS CONDICIONES DE TRABAJO Y DE SALUD

RESUMEN

Objetivo: comprender las percepciones de las trabajadoras domésticas sobre los cambios legislativos y los efectos sobre sus condiciones laborales y de salud.

Método: estudio cualitativo que se desarrolló en una ciudad del interior del estado de San Pablo entre diciembre de 2016 y marzo de 2017, realizado por medio de entrevistas individuales con 15 trabajadoras domésticas, y en el que se utilizó la estrategia de la bola de nieve y el muestreo por saturación teórica. Para analizar los datos se adoptó la Hermenéutica Dialéctica.

Resultados: las trabajadoras domésticas hacen frente a una precarización de las condiciones de trabajo y de salud, permeadas por la escasez de informaciones sobre sus derechos en el trabajo, al igual que por discriminación, desvalorización laboral, problemas osteomusculares, sufrimiento mental y presentismo. Se reportan mejoras en los últimos años; sin embargo, las trabajadoras reclaman un mayor alcance del registro formal y de la valorización del trabajo doméstico.

Conclusión: resulta fundamental que se evalúen y divulguen constantemente los cambios legislativos entre las trabajadoras domésticas, de modo que las situaciones crónicas de desvalorización y precarización del trabajo doméstico sean reemplazadas por el empoderamiento y la capacidad de transformación de estas mujeres.

DESCRIPTORES: Condiciones de trabajo. Ambiente de trabajo. Salud de los trabajadores. Legislación como tema. Mujeres que trabajan. Investigación cualitativa.

INTRODUCTION

Housework stands out as a globally significant work activity and is one of the oldest and most frequent forms of employment for the female contingent. According to the International Labor Organization (ILO), 52.6 million people work in the domestic service, 83% being women.¹ In addition, this activity represents 3.6% of the global wage employment.¹

In Brazil, there are approximately 6.7 million women and 500,000 men doing housework.² Within this contingent, only 26.3% are working formalized or registered with an employment booklet, which indicates the need for advances in this category in terms of working conditions and employment.²

The permanence of precarious domestic work includes still undervalued work, seen as strictly manual, with low wages, intense work pace and work overload, exposure to occupational risks, strong hierarchical relationship and submission to the employers, as well as situations of prejudices and disrespects to human and fundamental rights at work.³⁻⁸

Turning to the domestic workers, the ILO has produced several documents and recommendations, including the *Domestic workers across the world* report,⁶ launched from the intense discussions arising from the publication in 2011 of the Convention on Decent Work for Domestic Workers (No. 189), accompanied by a Recommendation with the same title (No. 201).³ This Convention emphasizes that the domestic workers are still frequent victims of violation of rights, such as forced labor, child labor and gender, color and ethnicity discrimination, and the development of decent work for these women is essential.³

The Brazilian policies have also undergone transformations, made possible mainly through the articulation and claim of domestic workers through unions and organizations.⁹ In March 2013, the Brazilian Constitution had its Article 7 amended by Congress, seeking some changes in the status of the domestic workers and their legal protection. Some of these rights began to apply after the publication of Constitutional amendment No. 72/2013, but others remained in the regulation process.^{4,10-11} As a result, Complementary Law No.150, of June 1st, 2015 was enacted,¹⁰ producing in fact a specific regulation for these workers. This law allowed for the creation of approximately 25 rights related to the category, among them access to social security, irreducible salary, prohibition of discriminatory practices, thirteenth salary; night benefit, Severance Pay Fund (*Fundo de Garantia por Tempo de Serviço*, FGTS), unemployment insurance, retirement, sick pay, and occupational accident insurance, among other benefits.¹⁰⁻¹¹

In other countries, legislative changes have also been made to legalize the activity and to protect the domestic workers. In Spain, Royal Decree 1620/2011¹² generated an increase in social security coverage among domestic workers for work accidents and illness. However, a study on the perceptions of the domestic workers about the effects of this law on their employment conditions identified that such legislative changes coincided with a period of intense economic crisis in the country, preventing a further transformation in the working conditions.⁷ In Brazil, specific scientific studies on the effects of the legislative changes on the working and health conditions of the domestic workers are scarce, and there are no studies that have addressed the perspectives of the domestic workers on the issue.

Therefore, it is necessary to know the opinion of the workers about this scenario, a fundamental aspect for the legislation to be evaluated and improved, seeking better benefits for these women. That said, this research aimed to understand the perceptions of domestic workers about the legislative changes and their impacts on the working and health conditions.

METHOD

A descriptive, exploratory and qualitative study was conducted with the participation of 15 domestic workers, selected based on the following criteria: domestic workers with or without employment bond, mainly engaged in household cleaning activities; applicants must be 18 years old or over and have a minimum experience of three months in domestic work prior to the term of Complementary Law No. 150/2015, started on June 1st, 2015.

To access the participants, a direct contact was made with the Worker's House of a city in the inland of São Paulo. This space is attached to the local town hall and houses the Job Desk, a sector that provides information on work demands in the city, including frequent demand for domestic workers. With formal permission, we sought personal and direct contact with domestic workers who sought the service during the data collection period (December 2016 to March 2017), who, in addition to being potential research participants, acted as key informants with the goal of generating other contacts, then allowing the development of the snowball strategy, or *snowballing*.¹³

The process of selecting the number of participants in the survey was performed by theoretical saturation sampling.¹⁴⁻¹⁵ With this process, the search for new participants was interrupted when the data obtained became repetitive. As criteria or parameters to perform this procedure, the following were considered: the heterogeneities of the object of study, the research objectives and the findings of the scientific literature on the subject.

Data collect was organized in two stages. Initially, an exploratory phase was developed, defined as a moment of informal insertion in the scenario, seeking to increase the degree of security and articulation with the participants and other peers involved, conducting some open interviews with the objective of re-elaborating and improving the assumptions and the script of questions.¹⁶ In the second stage, 15 domestic workers were individually interviewed using a semi-structured script consisting of guiding questions about: 1. Sociodemographic and occupational data of the domestic workers, aiming at a general characterization of the study participants; 2. Working conditions experienced; 3. Impacts of work on the health conditions; and 4. Repercussions of the legislative changes in the working and health conditions of the domestic workers, aiming to identify weaknesses and potentialities. This script was improved during the first stage of the research and evaluated by three researchers specializing in the theme involved, resulting in the final version. The interviews were scheduled in person or by phone call, held at the Worker's House or at the participants' own homes. The interviews were audio recorded and lasted approximately 30-40 minutes.

For the analysis of the qualitative data, the perspective of Dialectical Hermeneutics was adopted according to Minayo's operative proposal,¹⁶ through the following stages: a) Data ordering: after the transcription of the reports, a primary reading of all the material was performed, allowing the researcher a horizontal overview of the field findings; b) Classification of the data: after the first stage, the exhaustive and repeated reading of the texts, the so-called "floating reading", continued, aiming to grasp the relevant structures and the central ideas that the workers tried to convey. The next step consisted of cross-sectionally reading each body, cutting out each interview or document with a view to producing units of meaning, which functioned as drawers or micro-themes elaborated by the researcher. These were procedurally allocated and grouped into broader themes or categories, seeking to build a system of analysis; c) Final analysis or interpretative synthesis: this third stage aimed to articulate analytical categories and empirical categories. Data was discussed along with the findings of the scientific literature on the topic (domestic work and legal rights), seeking a dialectical movement between the theoretical and the concrete. Each of the units of meaning was articulated to the reading of national and international references, in order to contextualize the classified material, in the context of the questions that it raised.

The study was developed in accordance with Resolution No. 466/2012 of the National Health Council. All the participants received guidance on the research and signed the Free and Informed Consent Form (FICF). In the description of the results, codings were used (for Participant 1, P1, and so on) to preserve anonymity.

RESULTS

The participants were between 27 and 60 years old, with a predominance of the age group between 39 and 49 years old (9 workers). Most of the participants were married (12 workers) and all reported having at least one financial dependent, mostly husband and children. There was a predominance of participants who did not complete elementary school and, when asked about housing, ten reported having their own home. Only three participants came from the study site; the others reported origin from other municipalities or regions of the country, such as Northeast and South.

As for their work history or occupations prior to domestic work, the participants mentioned the following: seamstress, cook, restaurant, store and supermarket attendant, cleaning assistant, artisan and rural worker. During the interview period, 14 participants performed only paid domestic work, with only one of them conciliating other activities, among them as a seamstress and cook. Seven workers had a work card record, six worked as self-employed or “day laborers” and two had both labor bonds. Nine workers reported being in the domestic activity for over 15 years; one reported 37 years of paid domestic work, while another reported a time of 53 years, both performing the activity since childhood. The mean weekly workload was 40 hours, but with cases in which the worker reached 45-50 hours. A monthly income between 1,000 and 1,500 reais was predominant.

From the qualitative analysis of the data, four categories emerged that represented the perceptions of the domestic workers about the influence of the rights, especially Complementary Law No. 150/2015, in their working and health conditions: Knowledge on rights at work; Benefits of the legal protection; Between satisfaction and suffering at work; and Gaps and challenges: the fight continues.

Knowledge on rights at work

When asked about the rights of the domestic workers, especially Complementary Law No. 150/2015, part of the workers reported having obtained information mainly through television news bulletins, the Internet or by the contractors themselves, reiterating the importance of formalization or registration in the work booklet as a means to the attainment of such benefits.

I've heard because I watch a lot of news bulletins, I like news bulletins a lot. So I know the preferences we have, that the government gave us [...] (P1).

Internet, right? Let's do it all! Nowadays, you type Google, search all, fire all (P13).

Actually I know the reports that came out, right? She printed for me, my employer, the laws. But I didn't read them all, right? But I like it, you're always informed, so much so that I have the paper printed, when I need it I'll look at it (P14).

I know [...] I went after to know. Because I said, since it has changed, so let's see what our benefits are. What will help us, the domestic workers, right? So, I don't advise anyone to join a service if there is no employment bond (P4).

On the other hand, some interviewees mentioned not knowing or just knowing about the existence of domestic worker rights, showing that access to this information is still fragile in this group.

I haven't heard of that, do you believe it? Yeah, I never looked for, I never knew that, no. (P12).

No... Do you want to explain to me what this law is like? (P2).

I don't know, I haven't heard yet either, you know? (P5).

I know more or less, I heard that the law would favor the maids, right? (P6).

My boss said, you know, kind of over the top, but everyone as it is, I don't know. I don't know very well (P7).

This category showed that the form of access to information on rights at work came from the dissemination of the subject on television media or through Internet search, which allowed obtaining quick and diverse information on the subject. The employer's role in disseminating the rights also emerged in the speech of the workers, although less mentioned. However, the reports of unfamiliarity with labor rights were still present in this group, suggesting that, in addition to the creation of protective laws, their wide dissemination, discussion and joint evaluation with the workers are fundamental.

Benefits of the legal protection

In terms of improvements in the working and health conditions, the domestic workers with an employment bond highlighted the importance of the various rights acquired under the new law, including unemployment insurance, protection of pregnant workers, lunch breaks and especially the payment of overtime, since the extension of the workload without an adequate remuneration is still a situation of precarious work commonly experienced among the domestic workers.

It's like a safe haven. You know you're going to be working and up front you'll have all your rights, it's very good. It's totally different from before (P3).

Because now everyone I know, who I talk to, has this point to sign, right? So like, if you woke up at five o'clock, started working at five o'clock, went to sleep after midnight, then it's mandatory to have an extra hour there, right? (P2).

Then, it was good, why? Because you get all the benefits now, right? You have three months of unemployment insurance, you have a lunch time, like I told you, you can stop... what else? Pregnancy, overtime (P4).

Although there is no scope for all rights for the workers with no employment bond, they also expressed positive opinions regarding the legal protection measures, highlighting the importance of formalization through registration in the work booklet.

Ah, employment bond is good, right? Because you contribute, at least have a vacation, thirteenth salary, SIP [Social Integration Program]. There is everything (P13).

They pay the vacations, right? Take the vacations, they have their labor rights (P10).

The interviewed workers also highlighted the importance of the rights regarding the protection of these women against situations of devaluation and labor discrimination historically experienced in domestic work, as shown in the following excerpt.

It's because there's a lot of bosses that think maids have to work from year to year, not getting the right... And now with that law, whether or not she has to comply (P12).

I think it's cool. Because there are many maids who are discriminated, there are many maids who complain about their boss, right? I think this law is coming to help (P9).

This category pointed out that the interviewed workers recognized advances in their working and health conditions after the legislative changes in Brazil. The effects of the legal protection under the relationship with employers or bosses were highlighted, especially in view of the requirements of the Complementary Law No.150, 2015, which organizes and legislates hiring and seeks to protect the workers against discriminatory and abusive labor-relation practices.

Between satisfaction and suffering at work

The interviewed workers expressed ambivalent perceptions about domestic work, considered to generate satisfaction and family support, but at the same time producing various forms of physical, mental and social suffering.

Among the positive aspects, the interviewees highlighted their satisfaction with the results of their work, especially when they are recognized by the employers.

I feel good when I finish and say: 'Oh, everything perfect, the way I wanted it' (P11).

I'm very happy when I do service and people recognize it. My employers are very good, they say I'm a home secretary, so I'm very happy with that (P8).

On the other hand, most of the participants considered housework as strenuous and tiring, especially in the case of "double hours", as they commonly reconcile paid domestic work (in employers' homes) and unpaid (in their own homes) domestic work. They also highlighted the lack of labor-related valorization, generating the desire to be in another activity, in some cases impeded by the lack of training consistent with the demands of the labor market and the need for financial survival.

It's a job like this, very hard and that few people value [...] I still come home, take care of my home, my son, I go to the church. I don't stop, understand? [...] I find it to be a work without foundation [...] Not much future (P12).

It's a tiring service, but to do what, right? You have to work then, until another opportunity comes up... (P13).

[...] It was my will [...] I could work in a firm, but from the schooling I have I couldn't, right? Because I had to have at least high school (P5).

The participants also highlighted the repercussions of the work on their health conditions. The complaints related to musculoskeletal problems were predominant, among them back pain and tendonitis, associating them with repetitive efforts and exhausting work.

Yes, it does affect. Because I've had problems, a lot of back pain, right? Lower, raise, lower, raise, you know? So depending on what you do, the way you work, it may affect, yes. Mostly, the spine (P11).

Now my arm is tired, I have a lot of shoulder pain because it's a repetitive move [...] I have a spinal problem, sometimes it crashes and one of the times it crashed in my work, I needed to call someone to come get it, with a lot of pain [...] (P14).

[...] Look, especially the heavy cleaning, right? Of course it's going, it's spending, I already have tendonitis, bursitis... Look here for you to see! And that's it, and leg pain (P15).

Mental suffering was also highlighted, based on reports of stress complaints and depressive symptoms, relating them to work overload and work relationships. In some situations, the stress experienced resulted in the search for health care and drug treatment. In addition, it culminated in impacts on the personal and family relationships, generating greater suffering for workers.

I had to go to a psychiatrist. I take Sertraline all the time, and if I run out, it stresses me. I can no longer live without it (P3).

I had depression and I was very bad, but it's because the service was so heavy, it was too much service for one person to do, they demand a lot from us. [...] You live stressed in the service, you get home, you get even more stressed, [...] children are not to blame, but it always comes to them [...] (P1).

According to reports of self-employed domestic workers or day laborers, the act of working even when sick, a situation called "presenteeism", was a frequent condition, considering that there is a lack of remuneration for not attending work. In another case, the employer's pressure not to be absent from the activities influenced the worker to attend despite the illness. Faced with this situation,

some workers reported self-medication to be able to work even sick, and one of them even lost her job when she was absent due to illness.

I fell down the stairs and got a lot of back pain, then I got bad, but I didn't go to the doctor either, right? Because housekeeping, there's no way for you to charge, to get paid. [...] I usually take my pills, right? So there have been cases of me having a headache, so I take pills, keep on working (P9).

I got sick right?, because I have a problem with my spine, and I went to talk to her, then she said: 'No, I don't... I have to have someone who doesn't get sick. And I was very sad right?, because maids also get sick! (P14).

I worked about three days locked, then she took me to the doctor, but I said: 'If I go, I'll stay away'. For it was said and done. I ended up losing my job because I got sick from my spine (P7).

Finally, labor relations emerged as the main aspect discussed in the context of domestic work. The ambiguity of the working relationships, especially with the employers, was a striking feature in the speeches of the women interviewed.

On the one hand, some workers presented positive reports about their relationship with the employers or "bosses", where the role of a domestic worker was diluted with the role of family member, generating a sense of belonging.

Like today, having lunch at the parent's [...] All the fathers and mothers are there and I'm in the middle, right? I mean, they consider me like I'm their second mom (P3).

We're friends, right? There is no "boss is boss, employee is employee" relationship. No. There we are all friends... (P6).

However, the study participants also submitted reports on discrimination and devaluation situations. Among the speeches, there was the discrimination experienced by black women, degrading treatment and violence at work, as well as cases of distrust of the boss towards the worker, generating feelings of injustice. One of the participants mentioned an experience related to the devaluation of her work outside the work environment, a situation that increases and intensifies self-devaluation in various social relationships.

She was the boss, the blacks are employees [...] She didn't like colored people (P1).

I'm black, so it is always that black is pig, that black is that thing. It's horrible, it's horrible! And I've been mistreated, a lot. Speaking: "Oh, when we have lunch, if there is some left, it's for you, you eat. If not, you don't eat". It's horrible for you to be discriminated! [...] You get accused of something you didn't do [...] You arrive with a bag, at the end of the day, they ask you to open the bag to see if there is anything in there. It's embarrassing, isn't it? (P2).

I've had a boss who compared me, even compared me to her dog, called me a 'damn maid, cretin', she offended me (P12).

The other day I went to a store, I went to pay, I wasn't even going to pay in credit, I was going to do cash purchases. The girl asked: What do you do?' 'Housekeeping'. The girl stopped talking to me... There is a lot of discrimination, there is prejudice [...] (P13).

This category showed that, despite the positive impacts of the advancement of the rights in domestic work, historical forms of the precarious working and health conditions of these workers are still perpetuated. The physical and mental illness due to the strenuous work routine, presenteeism, as well as the ambiguity of the labor relations, sometimes cozy and family, sometimes permeated by devaluation and discrimination of color and social class, indicate that domestic work still has many challenges. These include the real compliance with measures aimed at better structural working conditions and health protection, as well as the need to overcome discriminatory practices, subjugation and exploitation in the workplace.

Gaps and challenges: the fight continues

In this category, we sought to explore what the participants considered to be gaps and challenges in terms of labor rights. Among the self-employed domestic workers or day laborers, the reports of dissatisfaction predominated because they felt excluded from the rights acquired through formalization. Consequently, they stated that, even with the legislative changes, little or no change occurred in their working conditions, expressing the difficulties they faced.

If I had an employment bond, it would be easier for me. Because with no employment bond it is difficult, December arrives, December comes in, December comes out, you have nothing (P14).

Yes, I had, a change of boss-employee, yes it was from them, but it didn't affect me, what I do didn't affect me at all (P8).

I never had a vacation, because if I have no employment bond, OK? (P10).

For me, for me as a day laborer, nothing. I saw no change [...] (P12).

Among the workers with an employment bond, reports of cases of negative criticism and even dismissal were identified as a result of the new requirements of the law, which, according to the employers, would require higher costs, leading them to choose the search for self-employed or day laborers.

When this PAC (Proposed Amendment to the Constitution) came out, she said: 'I don't agree. Because in the company the employee gives profit to the boss, now the maid does produce profit'. So I swallowed it. But it's a thing of saying 'bye, I'm leaving since I don't make a profit', right? (P3).

Many maids have lost their jobs [...] because I had a lot of bosses who didn't agree with this new law, so there was a boss who kind of preferred to pay a cleaning lady twice a week, which I find absurd (P6).

For the employment bond, they say it is too tight, too much paperwork, too much spending. For them it pays more to get a person once, twice a week (P7).

As challenges, the workers demanded greater legal benefits related to health conditions, including better access and legal protection in case of illness, as well as the need for greater symbolic and concrete valorization of domestic work, including the fight against situations of discrimination and the reach of workers to better pay.

I think having equal laws for those who work in a firm and for those who work in a house [...] I think the laws have to be the same [...] For example, a firm has a doctor there. [...] But the domestic employee does not have this health insurance (P14).

Oh, I think it may still improve a lot yet, see? Because a maid is undervalued, it's no use. As much as it has this law, many people do not see domestic work as a suitable job. There is still discrimination about it (P4).

House work is devaluated, it is, right? Just deserving service, service, and service? Just 'thanks, thanks, thanks' doesn't pay the bill either. 'Oh sorry', neither. 'Oh, sorry, that's what I can', that's not what we want either, right? (P12).

This category showed that the creation of legal protection alone is insufficient to effectively change the working and health conditions of the domestic workers. A greater reach of formalization or registration in the work booklet, better salaries, and a permanent supervision and evaluation of compliance with the legislation is essential, so that better conditions of occupational health and appreciation of workers are achieved.

DISCUSSION

The reports of the domestic workers showed the concomitance between transformations and permanence that permeate their daily work. Although there have been advances in labor rights in recent years, there are still several forms of precarious domestic work that, historically latent, generate suffering in the daily work and life of these women.

Access to labor rights information by the domestic workers is still limited. Such access is usually restricted to the employer's initiative to discuss the issue and turn it into an acquired right, or due to the search initiative by the workers themselves, who identify the existence of the legislation from the television media or the Internet. Workers who were unaware of existing rights were also identified. In this sense, in addition to the creation of domestic worker protection laws, greater disclosure and access to these rights is essential. To the extent that the domestic workers identify the legal protection and become aware of the possibility of claiming, they are empowered to fight situations of exploitation and precarious working conditions.⁷ This process of recognition can be strengthened, for example, when workers are embedded in a sense of labor collectivity, highlighting the fundamental role of associations, unions and movements in advancing the working conditions.¹⁷

In Brazil, the National Federation of Domestic Workers (*Federação Nacional das Trabalhadoras Domésticas*, FENATRAD) stands out, formed by 26 unions and an association distributed in 15 Brazilian states.¹⁸ According to the Federation, their actions are critical for these women to have the same rights as other employment categories.¹⁸ In the online page of the Federation, it is possible to identify the following assertion: "To know how to defend your rights you need to know them".¹⁹ It is noteworthy that the achievements of these political organizations also derive from their articulation with other important movements, including the trade unionist, black and feminist ones.⁹ Therefore, greater dissemination of the legislation becomes essential, as well as the strengthening and uniting of social movements as a primordial step towards the realization of legal protection.⁶

Several rights found in Complementary Law No. 150/2015 were cited as an achievement by the interviewed workers. According to the Ministry of Economy, national data showed that between June 2015 and May 2016 there was an increase in the number of domestic workers with access to the FGTS, which jumped from 190,000 to 1.37 million.²⁰ However, despite such significant progress, the interviewed workers highlighted old forms of precarious work that perpetuate their daily lives, including the impacts of the work on the health conditions.

Household-related musculoskeletal problems have also been identified, leading to symptoms of pain and discomfort during activities.²¹ The present study found that the chronicity of musculoskeletal problems is produced considering that the worker remains in the activities despite the disease process, especially among those with fragile working bonds and needing family support. In addition, female workers reported that repetitive "heavy cleaning" intensifies chronic pain conditions, which can lead to negative physical, emotional and social impacts on them.²¹

Therefore, experiences of presenteeism were also identified. This concept is understood as the act of working even when sick or going to work despite a condition of illness that would require the worker to be absent, causing loss of labor productivity.²²⁻²⁴ Studies indicate that having financial and family problems, high demand and control by employers, contexts of national economic crisis, unstable employment relationships, fear of losing one's job, poor working conditions, workplace bullying, musculoskeletal problems and mental distress are conditions related to the occurrence of presenteeism.²⁵⁻²⁹ Thus, the context experienced by the domestic workers, permeated by hierarchical relationships and fragile working bonds, may culminate in the occurrence of this phenomenon, aggravating the health conditions.

Stress complaints and depressive symptoms related to housework were also reported in this research. A study conducted with domestic workers in Malawi, East Africa, identified mental distress among these women, situated in contexts of poverty, inhumane treatment, social isolation and erosion of hope.³⁰ A study in Lebanon with hospitalized domestic workers identified the occurrence of sexual, physical and verbal abuse among the workers, highlighting that inhuman working conditions associated with unregulated work can lead to workplace violence, an aspect that leads to mental illness in this group.³¹

Devaluation and discrimination in domestic work were one of the aspects that was most discussed by the interviewed women interviewed. Impacting reports on abusive situations at work, distrusting relationships, and class and color discrimination were identified. In some cases, the degrading treatment culminated in self-devaluation processes among the female workers, reflecting ambivalent perceptions about their activity, which generates pleasure, but also suffering, dissatisfaction, and a desire to change careers.³²

Discrimination at work is related to the violation of the fundamental rights of the workers, manifesting itself through disparate relationships between employer and employee, whether due to gender, color, race, ethnicity, age, social class or health status.³³ It is noteworthy that this phenomenon can lead to situations of devaluation of groups and individuals, which in the case of certain professions may manifest themselves through subjugation and harshness in the relationship with employers, or in low wages, generally attributed to activities considered as “the work that anyone can do that needs no prior training or experience”.^{34:222}

These situations of vulnerability are historical in the context of domestic work, highlighting a persistent macho, colonial, and slaveholding heritage.^{4,35} Aspects such as a lack of clear boundaries between the workplace and the domestic context can contribute to hierarchical and abusive relationships.³⁶ These relationships are commonly marked by social, gender, skin color and ethnic inequalities between female workers and their employers, creating a context with great potential for oppression and submission, which may persist and worsen as many of these women depend on their activity to survive.⁶ In addition, the deregulation of housework and informality result in these workers being unprotected given situations of verbal, physical and psychological violence.^{6,30}

The devaluation and physical and mental burden experienced by the domestic workers are also related to gender issues, highlighting the importance of considering the relationship between health conditions and the women’s experiences in the world of work.³⁷ These women usually perform domestic activities outside and inside their own residence. Contrary to what happens among men, women’s insertion in the labor market is still limited by “domestic responsibilities” in the family context, which are socially undervalued.³⁸

In this sense, advances in labor legislation in relation to domestic service and greater formal monitoring of the activity can contribute to overcoming the discrimination faced.^{1,6,30} It is noteworthy that in Brazil, Complementary Law No. 150/2015 reiterates the prohibition of degrading and discriminatory practices by employers, seeking the protection of the domestic workers against possible situations of bullying and sexual harassment in the workplace.^{10–11}

Although the legislative advances have been instrumental in ensuring greater visibility and social recognition of the domestic workers, there is a need to consider their weaknesses. One of them deals with the lack of rights of the informal workers or “day laborers”, who in this study reported little or no change in their working reality. In these respects, it is important to underline that, despite the approval of Complementary Law No. 1501/2015, the fundamental rights in domestic work do not currently apply to self-employed or day laborers.³⁵ In addition, other rights need to be included as a guarantee of privacy in the work/living environment and the creation and affiliation of unions or collective bargaining associations.³⁵ Finally, the absence of far-reaching governmental projects can

lead to increased informality, as many employers find formal hiring of domestic workers as a “burden”, generating layoffs among workers with an employment bond.

The ILO points out that, despite the advances in the rights for these women, data are still alarming: only 42% of the domestic workers in Brazil contribute to social security, only the minority (32%) have a formal contract, and only 4% of them are unionized, which indicates the permanence of weaknesses in these women’s daily work.⁴⁰ Thus, it is necessary to expand actions that enable full compliance with the legislation in the pursuit of the formalization of the workers, accompanied by better concrete working conditions.⁴⁰ Last but not least, such discussions of legislation evaluation and its impacts should be led by the domestic workers themselves, including and valuing their experiences and opinions reported in all spaces of expression, whether in their daily relationship with the employers or in their collective, social and political spaces of vindication.

As limitations of the study, it is noteworthy that the interviewed workers came from the same scenario, namely a city in the inland of the state of São Paulo. Therefore, it is important to consider possible restrictions related to the representativeness and to the analytical generalizations, since the condition of the domestic workers, although having aspects of continuity in various contexts, presents heterogeneities not only between countries, but also in different regions of Brazil, especially in terms of employment conditions, work, cultural differences and social discrepancies.

Another limitation was that the interviews were only performed with the domestic workers, although they are protagonists of the theme in question. The development of studies with employers and contractors regarding the perceptions of the legislative changes is considered essential, as well as with government offices and associations/unions, which can add important information on the impact of legal protection on domestic work.

It is also reiterated that this study was not seeking to compare the working and health conditions among domestic workers with and with no employment bond, which can be explored in future research studies. Studies with outsourced domestic workers are also a field to be investigated, as this form of employment relationship has grown in the country, and may have peculiar impacts on the working and health conditions of this group.

Finally, although databases have been searched with a large volume of research, there is a scarcity of more current studies on the impact of domestic work on the workers’ health conditions, as well as research studies on the repercussions of the changes in these respects. However, it is considered that such limitations and gaps do not detail the contribution of the present study, but can be problematized in further research studies, in order to broaden or enrich the findings and reflections on the subject.

CONCLUSION

The domestic workers identify the occurrence of legislative changes that generate positive impacts on their working and health conditions; however, they emphasize the permanence of several historical forms of precarious domestic work, which need discussion with a view to improving the policies and rights aimed at this category.

With regard to the knowledge on legal protection, the workers reported having obtained information through television news bulletins, the Internet and from the contractors or employers themselves. However, a significant part of the workers were unaware of their rights or had brief or superficial information about them, which indicates the need for greater dissemination of this theme, so that the right is actually exercised in the daily work of these women.

Referring to the legislative changes, the workers highlighted the expansion of several benefits, including vacations, unemployment insurance, overtime pay, among others, as well as strengthening the protection against discriminatory and abusive practices in the workplace. However, despite

advances in the letter of the law, the workers pointed out to the perpetuation of various precarious work and health forms, including work overload, double hours, musculoskeletal problems, stress and depression, experiences of presenteeism and situations of devaluation, discrimination and violence at work.

In this sense, as claimed by the interviewed workers, it is essential to extend the reach of formal registration, accompanied by better wage conditions, strengthening of occupational health protection measures, and combating the various forms of discrimination and subjugation still faced by the domestic women workers. In addition, constant dissemination, reflection and evaluation of the legislative changes among women workers are essential so that chronic situations of devaluation and precarious domestic work are replaced by the empowerment and transformation capacity of these women.

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NOTES

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FUNDING INFORMATION

Coordination of Improvement of Higher Level Personnel (*Coordenação de Aperfeiçoamento de Pessoal de Nível Superior*, CAPES).

ETHICS COMMITTEE IN RESEARCH

Approved by the Research Ethics Committee of the *Universidade Federal de São Carlos*, under Opinion No.1,785,774, CAAE No. 8416616.8.0000.5504

CONFLICT OF INTERESTS

There is no conflict of interest.

HISTORICAL

Received: October 10, 2018.

Approved: April 1, 2019.

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