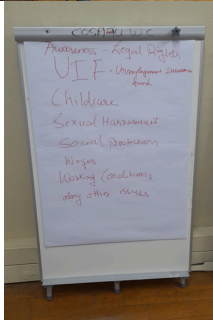




South African Domestic Service And Allied Workers Union (Sadsawu)

Invites you to attend The workers' rights, policy advocacy, and the impact of digital platforms on labor experiences workshop



# Assessing the potential of alternative platform models for the domestic work sector

## Field Visit Report

Dr Neha Vyas

## **Background**

I have been working on a project titled 'Assessing the potential of alternative platform models for the domestic work sector in South Africa and India' for over a year now. This project intends to put forth constructive evidence-based legal & policy measures to ensure the long-term sustainability of digital labour platforms that are not investor-owned, specifically platform cooperatives in the domestic work sector in South Africa.

I have been awarded the ESRC Impact fund for this project (March 2024 to February 2025) to conduct engagement and knowledge exchange activities with a) academic partners with expertise in this field, and b) domestic workers to gather evidence, evaluate outcomes, and ultimately provide recommendations to policymakers. To this end, I was hosted by the Centre for Transformative Regulation of Work (henceforth, CENTROW) based at the University of the Western Cape from the 1st of April until the 16th of April to complete the first leg of the project. This brief interim report summarises the initial observations derived from engaging with relevant stakeholders during the field trip.

## **Engagement activities in Cape Town**

The engagement activities involved arranging a seminar in collaboration with CENTROW, focus groups with domestic workers in collaboration with the South African Domestic Service and Allied Workers Union (henceforth, SADSAWU) and meetings with potential stakeholders.

- Seminar in collaboration with CENTROW

The seminar invoked a perspicacious discussion on 'Platform cooperatives' as an alternate model for digital labour platforms. The worker-owned social enterprise that has been developed by the Digital Platform Cooperative Project (henceforth, DPCP) at CENTROW is one of its kind in the domestic work sector in South Africa. It is still a work in progress, but it has been interesting to engage with the core team throughout the past year and finally present my work in person as a starting point of discussion on this topic.

In the seminar, I presented my views (based on extensive desk-based legal research and semi-structured online interviews undertaken before visiting Cape Town) on the potential legal challenges that might affect the functioning of such an alternate model in comparison to the investor-owned digital labour platform. In particular, the sectoral bottlenecks like network effect as an entry barrier, choosing an optimal governance model, digital literacy, spatial segregation, infrastructural challenges and so on. I also drew comparisons between India and South Africa due to the similar sectoral trajectory despite the contradictions in the legal framework and policy approaches to protecting domestic workers. The comparative study of labour law and policy in this sector is also a key part of the project.

The participants contributed significantly to discussing the regulatory aspects of the domestic work sector and its historical progress throughout the years in South Africa. There were some reflections on the intersection of law and economics against the backdrop of the transactional nature of domestic work. In that, the failure to recognise unpaid care work usually translates into overlooking paid domestic work despite the element of exchange of services for money. This remains the primary cause of overlooking the importance of such workers irrespective of the traditional or digital labour market in both SA and India. With respect to the Digital labour platforms in this sector, the willingness of domestic workers to be labelled as 'self-employed' and not 'worker' or 'employee' was discussed. The necessity to optimally use the existing legal framework for domestic workers in South Africa to ensure 'decent work' instead of proposing a new framework to regulate digital labour platforms in the sector was also emphasised.



- Focus group with SADSAWU

The purpose of the focus group was to conduct an impact assessment of labour law and social security law in the domestic work sector in South Africa. The aim was to test the hypothesis developed during the past year through semi-structured interviews, desk-based research and ongoing knowledge exchange with and feedback from strategic partners. To this end, I wanted domestic workers to provide their collective view on the core components shaping this sector like access to the Unemployment Insurance Fund, issues of sexual harassment and verbal assault, wage negotiation, working conditions, childcare infrastructure, spatial segregation and the position of migrant workers.

I wanted to know their awareness of the legal rights with respect to these components, the loopholes and possible solutions they might proffer to remedy the compliance or policy gap. Similarly, I also asked them for another group discussion on their views/experiences on digital labour platforms in light of these components. The workers were divided into 2 groups to carry out a discussion on the prompts and then they presented the outcome of their group discussion. The floor was open for the participants to comment on the presentation which prompted the workers to recall more anecdotes and issues.

According to my observation, the workers were quite aware of the exploitative working conditions and expressed the need to strive for decent work. For instance, despite the legal protection and the contracts in place, the room for negotiation for wages is practically non-existent. There are no government-led schemes for childcare (like Anganwadi, in India). The transportation infrastructure is tainted with spatial segregation which ultimately exacerbates the deplorable working conditions. They were also largely aware of their legal rights except in certain circumstances of sexual and verbal assault which they (unfortunately) considered as normal behaviour from the employers despite some anecdotes being criminal offences of extreme nature. For each of the components in the prompt, they also pointed out possible solutions. The problem, however, seemed to be the bureaucratic hassles and the implementation gap, especially when it comes to accessing social protection benefits.

The workers were sceptical about working on the digital labour platforms and their experience and knowledge were limited. The majority of the domestic workers in the union work in the traditional labour market. I was informed that the ones working for the investor-owned digital labour platforms are either hesitant to join the union or are unaware of their right to join the union. This is changing with the platform cooperative project, wherein, some of the SADSAWU members are leading the digital initiative.

## **Conclusion**

The engagement activities and the interactions with subject experts, domestic workers and trade union representatives have opened up a dialogue on the state of affairs of domestic workers in the traditional labour market and on the digital labour platforms as well as the search for a better alternative to ensure decent work.

This is an ongoing project and will continue until February 2025 during which I intend to arrange another visit to conduct more engagement activities in collaboration with CENTROW and SADSAWU. Further, I am quite keen to track the progress of the DPCP initiative and engage in conversation with the DPCP core team. Lastly, I intend to continue my affiliation with CENTROW, possibly as a research associate and collaborate on other initiatives pertaining to digital labour platforms in other sectors.

The detailed report of this project will be published in March 2025.

Stay tuned!

## Acknowledgments

I am grateful to Fairuz Mullagee, Prof. Debbie Collier, and other CENTROW members and academic staff at the University of the Western Cape who participated in the seminar and provided valuable insights into the project. I would also like to thank Prof. Dr. Darcy Du Toit for putting me in touch with such wonderful, cooperative, and brilliant people at the University of Western Cape. I am thankful to Jacqui Michels and Gloria Kent (SADSAWU) for coordinating the focus group and inviting the workers. I am extremely grateful to the domestic workers who agreed to participate in the focus group and actively engaged in the discussion.



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This project is funded by ESRC IAA and the Faculty Bid-Prep fund awarded by Newcastle University. I am thankful to the Law school and the University research grants team for their support.