

Thursday 30 November 2000

22. Calls on the Council, Commission, and the UN Secretary General to in all reporting on peace and security related initiatives include a chapter covering gender related aspects;

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23. Instructs its President to forward this resolution to the Council, the Commission, and the UN Secretary General.

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### 13. Regulating domestic help

**A5-0301/2000**

**European Parliament resolution on regulating domestic help in the informal sector (2000/2021(INI))**

*The European Parliament,*

- having regard to the fifth indent of Article 137(1) of the Treaty establishing the European Community,
  - having regard to ILO Convention C177 on Home Work,
  - having regard to the International Labour Office's International Standard Classification of Occupations, ISCO-88,
  - having regard to its resolution of 4 November 1999<sup>(1)</sup> on the Commission's draft Joint Employment Report 1999 (SEC(1999) 1386 – C5-0215/1999),
  - having regard to its resolution of 21 September 2000<sup>(2)</sup> on the Commission Communication on undeclared work (COM(1998) 219 – C5-0566/1998 – 1998/2082(COS),
  - having regard to Rule 163 of its Rules of Procedure,
  - having regard to the report of the Committee on Women's Rights and Equal Opportunities (A5-0301/2000),
- A. whereas 'domestic help' is a concept that has not been defined,
- B. whereas the proportion of women in paid employment is constantly increasing,
- C. whereas it is very difficult to ascertain the extent of the black economy and of undeclared domestic work,
- D. whereas undeclared work has important repercussions on national budgets and residents' incomes,
- E. whereas domestic work, by its very nature, is more likely to involve working flexible or split timetables for a number of different employers while earning minimal salary, which is generally undeclared,
- F. having regard to the number of families in which both parents work full time,
- G. having regard to the increasing number of single-parent families,
- H. whereas there has been a considerable increase in demand for domestic help as a result of changes in family circumstances, work circumstances, the way time is spent and the interests of both men and women,

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<sup>(1)</sup> OJ C 158, 7.6.2000, p. 43.

<sup>(2)</sup> See minutes of the sitting, Part II, Item 13.

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- I. whereas the demand for such help continues to increase, as does the extent of undeclared working,
  - J. whereas there has been an increase in the number of elderly people living alone and needing domestic help,
  - K. having regard to the difference in, or indeed lack of, provisions to regulate domestic work in some Member States,
  - L. whereas, even in diplomatic missions, employers regularly abuse their status *vis-à-vis* their employees,
  - M. whereas there is a need to establish a special legal framework which affords all domestic employees the protection of labour legislation and the subjective rights deriving therefrom,
  - N. having regard to the commendable efforts made by certain Member States to set up local or regional organisations to regulate the supply and demand of domestic help,
  - O. having regard to the results of the introduction of service employment cheques in France and Belgium,
  - P. having regard to the large number of female migrant workers,
  - Q. whereas the majority of female migrant workers are employed as domestic workers,
1. Calls for a European definition of domestic work to be drawn up;
  2. Calls on the Member States to draw up and regularly update statistics on undeclared domestic work with a view to obtaining a more accurate picture of the scale of the problem;
  3. Calls on the Member States to conduct a more detailed study of undeclared domestic work and of its costs to and repercussions on national budgets, the employment market and private individuals;
  4. Calls for work of this kind to be recognised as an occupation in its own right;
  5. Takes the view that the domestic work sector in principle falls within the scope of existing directives on employment and occupations and should also be covered by future guidelines — to be included in the guidelines on employment — with a view to eventually establishing European rules on the social rights of workers, the adjustment of supply and demand in the sector, access to training and co-funding of contributions by the public authorities;
  6. Calls for due account to be taken, when drawing up directives and other legislation, of the specific work situations and employment relationships of domestic workers, including their isolation and their atypical relationship with their employer(s);
  7. Calls on the Member States to involve the social partners closely in the implementation of the guidelines for the domestic work sector;
  8. To improve the image and the status of the occupation of domestic work, recommends that the Member States introduce the following measures:
    - a definition of the tasks performed, and clear provisions laying down the maximum number of hours to be worked and the limits thereon,
    - specific and comprehensive social security cover for persons pursuing this occupation, which should take account of the wide range and potential hazards of the tasks involved and entitle the worker to social insurance cover and other rights, including a decent pension on retirement,

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- the creation of conditions for ensuring quality jobs by organising professional training courses,
- the setting up of reception facilities to encourage the integration of such workers into society,
- awareness raising and information campaigns for employers and employees concerning their rights and duties;

9. Recommends, as a way of structuring the organisation of the market for paid domestic work, that the Member States introduce a framework by means of, for example, businesses providing domestic services, NGOs and local employment agencies;

10. To combat the increasing amount of undeclared work in this sector, calls for the introduction of the following measures at national level:

- adjustment of prices and costs to take account of individuals' financial resources,
- simplification of administrative formalities with regard to the requirement for private employers to declare their employees,
- making domestic services tax-deductible to reduce the difference in cost between employing undeclared and declared workers;

11. Stresses the importance of introducing in all the Member States the principle of declaring all employment relationships;

12. Stresses the importance of making both employees and employers aware of their rights and obligations under their employment relationship;

13. Stresses the importance of developing the social dialogue at sectoral level, as this is the negotiating forum that is closest to the problem and thus most likely to generate proposals to combat undeclared work and create new long-term employment; stresses also the need to bring domestic work within the scope of the general framework of labour legislation and associated collective agreements;

14. Recommends that specialised reception centres be set up for female migrant workers to provide the psychological and psychiatric help required by migrant women who have suffered mental or physical or sexual abuse and any assistance needed to draw up applications to regularise their situation if they have temporary residence permits, as well as help with legal action against persons who have exposed such women to sexual and psychological oppression;

15. Also calls for such reception centres to distribute information leaflets to provide them with all the information and addresses they require in relation to their residence in the Member State;

16. Considers that, in the context of recognising domestic work as an occupation, female migrant workers should be eligible for regular work permits;

17. Recommends that Member States' relevant national bodies consider in detail the specific situation of migrants as domestic employees;

18. Calls on Member States to link the issue of visas for domestic employees working for diplomats to a guaranteed minimum level of working conditions;

19. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, the social partners and the International Labour Organisation.

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