

The Human Resources Management Process: Domestic Migrant

Workers Perspective

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ABSTRACT

Domestic migrant workers are a domain that has gone unnoticed in the field of human resource management. Even though the importance of this sector in the economy cannot be overstated, domestic migrant workers remain to be a disadvantaged group. Academic discourses on this topic is expected to encourage the development of management practices capable of protecting their well-being while also improving the quality of care services. This sense of urgency prompted the construction of this article aimed at studying the implementation of human resource management in the context of domestic migrant workers. This paper also discusses the concept of care economy and domestic work formalization.

Keywords: Human resource management, domestic migrant worker, decent work, care economy, formalization of domestic work

1. Introduction

Human resource management is aimed to achieve goals through people while also considering people's welfare. This science studies about what must be done to motivate people to work in a directed manner to accomplish goals, including ensuring their well-being. As a result, academics in this field discuss how to improve job satisfaction, reduce burnout, achieve work-life balance, create an inclusive environment, establish a constructive employment relationship and learn the effectiveness of flexible work models.

Unfortunately, almost all of the focus is on business sector workers, with very little attention to domestic migrant workers. In fact, sending workers overseas is a business in its own right and many parties are involved in it; including travel agencies, employment agencies, brokers, translators, etc. Not only does the sending of workers have an economic impact, large amounts of remittances also help the home country's foreign exchange. Despite its obvious importance, domestic work remains at the bottom of the care economy. Therefore, the academic discourse of this issue must be advocated for, in order to pave the way for more worker-friendly management.

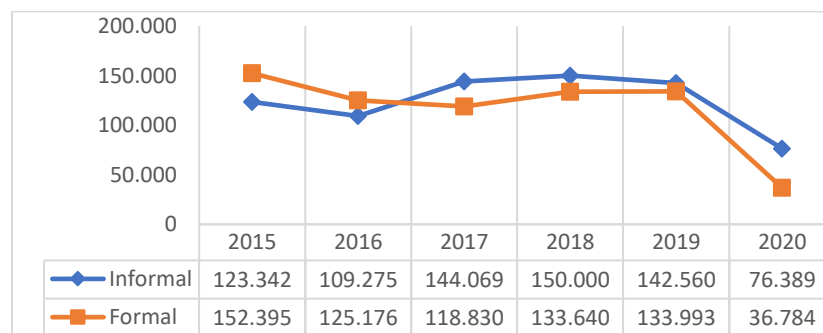
According to the ILO (2021), 75.6 million women and men work in the global care workforce, accounting for 18% of the total. Domestic work is also still largely dominated by women: 49.2 million, or 70.2 percent, of all domestic workers are female. According to the most recent ILO

data (2015), out of 150.3 million migrant workers worldwide, 11.5 million of them are domestic migrant workers. Women make up approximately 73.4 percent (or approximately 8.5 million) of all migrant domestic workers. High-income countries accounted for 9.1 million of the estimated 11.5 million migrant domestic workers worldwide, or nearly 80% of the total.

Domestic work sector grows along with the increasing demand for the workforce. Demographic changes, population aging, and the rising need for long-term care all have a significant impact on domestic labour demand (ILO, 2021). Domestic workers allow women to participate in the labour market and break down the glass ceiling by taking over household tasks previously held by women in the family. It leads to an increase in the number of two-earner households, which benefits the global economy.

Nevertheless, informal domestic workers perform in private homes behind closed doors, often without a written contract, making them the most vulnerable group of workers. In many cases, they work excessive hours for very little pay (ILO, 2015a), not to mention being subjected to physical, psychological, and sexual abuse (Muthia & Aliya, 2019) as well as having limited access to social security (ILO, 2018). This is due to the fact that their rights have not been addressed in various countries' laws and policies.

Due to the Covid-19 pandemic, they are suffering even more. They are at risk of contracting this disease, and domestic workers who work in multiple households are even more vulnerable. they are given fewer working hours or even lose their job due to employers' fear of contagion and the limited mobility that comes with social restrictions. Even though they face increased health risk, many domestic workers do not receive health insurance from their employers because of the informality of the job. They are also more likely to be sent home for reasons of self-quarantine or social distancing, and there is no guarantee that they will be paid for the duration of their stay (ILO, 2021).



Source: *Badan Perlindungan Pekerja Migran Indonesia (BP2MI) - Indonesian Migrant Workers Protection Agency*

Figure 1. Indonesian migrant workers in the formal and informal sectors 2015-2020

Mobility restrictions cause domestic migrant workers detained in the host country. Meanwhile, in the country of origin, domestic migrant workers had their departure delayed or fail to renew their employment contracts. Figure 1 depicts a significant decrease in the number of Indonesian migrant workers who get a job placement abroad in both the formal and informal sectors in

2020. Placements in the informal sector fell by 46% in 2020 compared to 2019. This indicates that many people have been unable to find work abroad due to the COVID-19 pandemic. As a consequence, the country is confronted with a major challenge, namely rising unemployment and poverty rates, as well as declining remittances.

Informal workers work for individuals rather than legal entities, and their employment relationship is frequently subjective and simply based on a verbal agreement. According to the ILO (2021), 61.4 million (81.2%) of domestic workers worldwide are still in informal employment. In Indonesia, the average number of migrant workers who departed between 2015 and 2020 was 241,076 (sd = 65,040), with 53% employed in the informal sector (sd = 8%) (BNP2TKI, 2018; BP2MI, 2020b). During the same time period, the average number of domestic migrant workers from Indonesia stationed was 72,561 (sd = 20,558), or 32% of the total average number of dispatched workers (sd = 11%).

The informality of domestic work poses a challenge for academics. The job is not legally recognized in terms of status or social security. This is what makes domestic workers vulnerable to exploitation. Furthermore, the irregular nature of domestic work, as well as the fact that it is not bound by contract and is not administered, makes measuring the services extremely difficult. The domestic work they carry out can be very unstructured and inconsistent because it follows the demands and needs of the employer. One way that is considered effective to protect domestic workers from exploitation is the transition of this work from the informal to the formal economy.

A glimmer of hope began to emerge when the ILO echoed about formalizing domestic work in 2016. In accordance with that, Indonesian Government attempted to formalize seven types of domestic work through the Decree of the Indonesian Minister of Manpower No. 1 of 2015. Housekeepers, babysitters, family cooks, elderly caregivers, family drivers, gardeners, and child care workers are examples of these jobs. However, more research is needed to determine how these policies are managed. This is where academics can contribute to a more pro-domestic worker human resource management discourse.

Multiple reasons, as stated above, serve as the foundation for the creation of this article. The growing awareness of domestic migrant workers wellbeing has led us to wonder what can be learned from the perspective of human resource management. This literature review brings together related studies and best practices from around the world. The goal is to capture people management activities in the context of domestic migrant labour.

2. Literature Review

2.1 Care Economy

The care economy is related to jobs that provide care services. Care work can be formal or informal, and it can take place in both public or private settings (International Labor Organization, n.d.-b). Informal care jobs are typically in the private sector, such as cooking, babysitting, caring for the elderly, gardening, cleaning, and so on. While the formal care economy includes public services for child care, preschool education, disability care, elderly care, and other jobs traditionally performed by women in the family.

There are both paid and unpaid jobs in the care economy (Folbre, 2006). Unpaid care work is defined as care given without financial compensation and traditionally provided by family or relatives based on intimate connection or familial bond. Unpaid care is considered a job even if it is not paid, and it is an important part of the working world. Paid care work is done by caregivers for pay or profit. They include a diverse range of personal service workers, including nurses, teachers, doctors, and personal care workers. Domestic workers are also included in the care workforce because they provide both direct and indirect care in households (ILO, 2018).

The care economy plays an important role in the development of the world's socioeconomic conditions, particularly in developed countries. Caregivers supply from the global informal labour market helps developed countries deal with an aging population. Women around the world, in particular, have numerous opportunities to enter the labour market, as the burden of domestic work has been shifted to caregivers. The presence of low-wage domestic migrant workers benefits the state because the demand for health-care-related public services decreases (Folbre, 2006). However, the migration of domestic workers can have an impact on the sending country's caregiver shortage.

Domestic workers have some of the worst working conditions in the care workforce and are frequently exploited. Jobs in this economy are highly unpredictable and irregular. The majority of workers are not covered by social security. In fact, poor job quality for caregivers leads to poor care quality (ILO, 2018). This eventually leads to the well-being of both those who receive and provide care.

2.2 Concept: Domestic Work

ILO Convention No. 189 defines *domestic work* as “work performed in or for a household or households” and domestic workers as “any person engaged in domestic work within an employment relationship”. These jobs include cleaning the house, cooking, washing and ironing clothes, washing dishes, babysitting, looking after the elderly, looking after the sick or disabled, gardening, housekeeping, driving, and taking care of pets.

Domestic workers can be categorized into several types. Based on the working hours they are responsible for, some are working time, and some are working full time. Based on where they live while they work, some live with their employers (live-in workers), and some live in their own homes (live-out workers). Based on the number of households they work, some work in only one household and some work in several households. Based on whom they work for, some work in their home country and some work for employers abroad.

2.3 Formalization of Domestic Work

It is worth noting that the vast majority of domestic workers are employed in the informal economy. According to the ILO (2021), 81.2 percent of the 75.6 million domestic workers worldwide are informal workers. Workers in this sector are vulnerable due to informality, which means a lack of formal arrangements, and inequality in power relations. According to the ILO, informal domestic workers continue to face issues such as a lack of decent wages and working hours, job stability and security, social security, work-life balance, equal treatment, child labor

issues, forced labor, violence, and harassment. Workers in the informal sector have limited protection. Existing legal rules do not

It is important to note that the majority of domestic workers are in the informal economy. The states that 81.2 per cent of the 75.6 million domestic workers worldwide are informal workers. Informality, which means insufficient formal arrangement, and inequality in power relations, cause workers' vulnerability in this sector. The ILO explained that the problems of the absence of decent wages and working hours, job stability and security, social security, work-life balance, equal treatment, child labour issues, forced labour, violence, and harassment still haunt informal domestic workers. Workers in the informal sector have minimal access to protection. They are not covered by existing legal rules. If there are rules governing the protection of domestic workers, they are not strictly enforced.

Domestic worker protection legislation is critical to the formalization of domestic work. Best practices come from Argentina, the Philippines, and Spain, where domestic workers are already protected by laws and regulations (ILO, 2016). Working hours, rest hours, work holidays, overtime, annual leave, sick leave, and minimum wage are all covered. Meanwhile, in Indonesia, the Draft Law on Domestic Worker Protection has been submitted since 2004. Unfortunately, despite numerous appearances in the National Legislation Program (Prolegnas), this draft has yet to pass (Mawangi, 2021). From the perspective of domestic migrant workers, formalization in their country of origin makes it easier for them to find decent jobs that match their skills and experience when they return to their hometown (reintegration).

According to the ILO (2021), three factors become benchmarks for the formalization of domestic work: the existence of legal recognition, particularly regarding employment and social security, the implementation of these laws and regulations, and access to adequate protection. Formalization efforts can be seen in how workers, jobs, and related economic units are regulated in applicable laws and regulations (ILO, 2016b). However, laws and regulations that apply to domestic workers are not the only references; the level of compliance also plays an important role. According to ILO data (2021), 53.8 percent of the world's 75.6 million domestic workers are not covered by applicable laws and regulations, while 27.4 percent are. However, low levels of compliance jeopardize their safety.

Informality in Indonesia stems from legal disobedience and is also seen among many Illegal Migrant Workers. This is a serious issue because it is linked to human trafficking. As an example, in 2020, Malaysian immigration authorities detained 6,800 illegal Indonesian migrant workers in Kuala Lumpur (Sofuroh, 2020). In addition, there have been reports of 7 prospective Indonesian migrant workers almost departing on tourist visas (Saifullah, 2021), as well as several illegal PMIs returning home dead in NTT (Irfani, 2021). This issue is inextricably linked to the role of brokers who deceive in order to dispatch non-procedural PMI candidates for personal gain.

According to BP2MI data, there has been a significant decrease in the number of legal migrant workers who have left the country compared to previous years (Figure 2). This is due to mobility restrictions caused by the COVID-19 pandemic. Non-procedural recruitment, on the other hand, is expected to increase during the pandemic (BP2MI, 2021b; Fauzan, 2021). BP2MI even admits

that eradicating this illegal placement business will be difficult because there is always supply and demand. The causes of prospective migrant workers taking illegal routes are rising poverty and limited access to official placements. Finally, an increasing number of Indonesian migrant workers are becoming victims of vulnerability and human trafficking, which can jeopardize their well-being and even their safety.

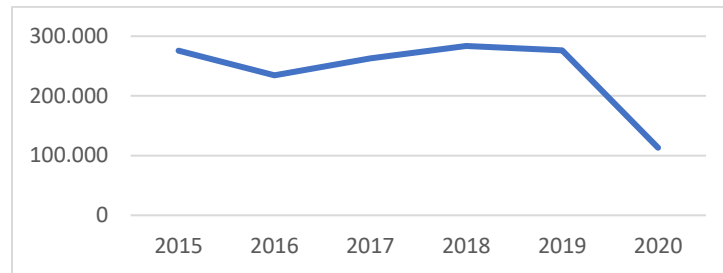


Figure 2. The Number of Departed Indonesian Legal Migrant Workers in 2015-2020

3. Human Resources Management in The Context of Migrant Domestic Workers

The process of human resource management in the context of domestic migrant workers differs significantly from the process in the corporate context. Domestic migrant worker management is more complicated because it involves multiple stakeholders at various levels. We divide the process into three levels based on the stakeholders' scope, as shown in figure 3. Organizations involved in first-level process have international or worldwide coverage. Second-level process includes government institutions acting as regulators in both sending and receiving countries. Other than government institutions, there are organizations involved in third-level process that have national coverage or are smaller than that.

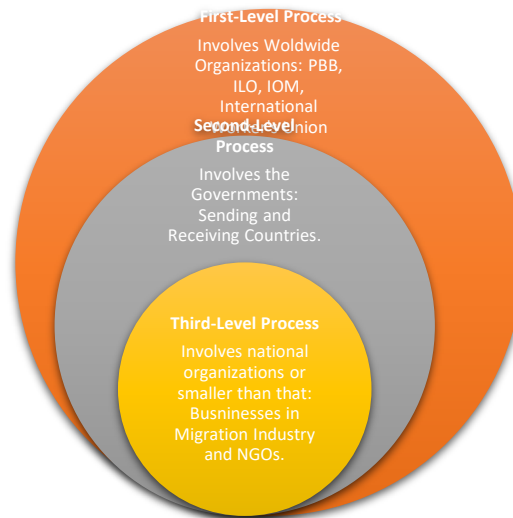


Figure 3. Human Resource Management Process in The Context of Migrant Domestic Workers

3.1 First-Level Process

Organizations involved at this level share a common vision of making the world a better place for all human beings on a global scale. Domestic migrant workers are one of the vulnerable groups that they are concerned about. Since 2015, the United Nations has established 17 Sustainable Development Goals (United Nations, 2015). "8th Goal - Promote sustained, inclusive, and sustainable economic growth, full and productive employment, and decent work for all" is one of these goals. This goal focuses on marginalized workers, undocumented workers, and migrant workers. By 2030, all workers will be free of forced labor, modern slavery, and human trafficking. Workers also have the right to a decent wage, social security, and a safe and secure working environment (UNDP, 2015).

Since 1919, the ILO has encouraged its member countries to ensure humane working conditions for workers through various conventions, recommendations, and protocols. This global organization encourages its members to formally adopt established labor standards by ratifying them. The Domestic Workers Convention (C189), 2011, is the convention that specifically regulates domestic workers. Unfortunately, Indonesia is not yet among the countries that have ratified the convention (ILO, 2013b).

In addition to establishing international labor standards for domestic workers, the ILO collects data, conducts research, and publishes reports on domestic and migrant workers (ILO, n.d., 2013, 2015, 2016, 2021). The ILO facilitates capacity building for tripartite constituents (government, domestic workers, and employers) in areas such as policy and regulation effectiveness, social dialogue improvement in collective bargaining agreements, and vulnerable worker protection (ILO, 2020). Furthermore, the ILO facilitates trilateral dialogues, monitors the implementation of ratified conventions, and conducts awareness-raising programs.

The International Standard Classification of Occupations (ISCO) is one of the ILO's works that has become a landmark in the formalization of domestic workers. To produce ISCO, the ILO conducts job analysis using statistical surveys and censuses. ISCO-08 is the latest classification standard that consists of 10 major groups, 43 sub-major groups, 130 minor groups, and 436 unit groups, and includes the four skill levels required for each job (ILO, 2012). The ILO allows countries in the world to adopt the ISCO-08 concept to have internationally comparable standards. The domestic housekeeper is one of the unit groups whose job description was adopted by the Minister of Manpower's Decree No. 1 of 2015 regarding positions that Indonesian Migrant Workers can occupy abroad for domestic work (Figure 4).

Unit Group 5152
Domestic Housekeeper

Domestic housekeepers organize, supervise and carry out housekeeping function in private households and small accommodation establishment with and without the support of subordinate staff.

Task include:

- a. supervising workers employees in households as domestic staff;
- b. purchasing or controlling the purchase of supplies;
- c. assisting in cases of minor injury or illness by performing tasks such as taking temperature, giving medicine and putting on bandages;
- d. sweeping, vacuum-cleaning, washing and polishing floors, furniture and other fixtures;
- e. making beds, cleaning bathrooms and supplying towels, soap and related items;
- f. taking care of household pets and plants, receiving visitors, answering telephones, delivering messages and shopping for groceries;
- g. preparing and cooking meals, setting and clearing tables and serving food and beverages;
- h. cleaning kitchens and generally helping with kitchen work, including dishwashing.

Examples of the occupations classified here:

- Bed and breakfast operator
- Butler
- Domestic housekeeper

Figure 4. Jobs Description for Domestic HouseKeeper According to ISCO-08

Through the founding congress in Montevideo, Uruguay, in 2013, the International Domestic Workers Federation (IDWF) was encouraged by the ILO Domestic Workers Convention (C189). It had 72 affiliates from 55 countries and over 550,000 members by 2015. (IDWF, 2019). This organization works to foster positive, equal, and inclusive employment relationships among domestic workers, employers, and other stakeholders. The International Domestic Workers Federation (IDWF) encourages domestic workers from all over the world to form organizations. This organization facilitates capacity building and the exchange of best practices among its affiliates. Through advocacy and awareness campaigns, they urged ratification of ILO Convention C189 and legal improvements for migrant workers. They also work with a variety of strategic partners who share the same vision, such as labor unions and human rights organizations.

3.2 Second-Level Process

Indonesia is one of the world's largest suppliers of migrant workers. As a result, migrant workers should be given special consideration in this country's employment system. The ILO encourages the Indonesian government to use bilateral and multilateral agreements to protect migrant workers, particularly those in the informal sector (Arisandi, 2013). This is due to the fact that many informal workers, including domestic migrant workers, work behind closed doors and are difficult to monitor. This agreement between countries becomes even more important if the host country lacks protection regulation.

Indonesia already has Memoranda of Understanding (MoU) with several host countries, including Saudi Arabia and Malaysia, regarding the governance of migrant worker transfer and protection (BP2MI, 2021). The agreement includes a commitment to ensure a recruitment system, standardization of work contracts, insurance protection, capacity building, and other migrant worker protection issues. The MoU is a less formal international instrument than a bilateral agreement, according to the ILO (2015a). In fact, the existing MoUs are still insufficient to protect migrant workers. Even though these agreements have been reached, cases of problematic migrant workers continue to arise.

This has prompted the government to put pressure on host countries that lack effective law enforcement to protect Indonesian migrant workers. The government imposed a moratorium on sending domestic workers to Middle Eastern countries in 2015 (Fikri, 2015). In 2018, the government threatened to stop sending migrant workers to Malaysia if the Malaysian government did not renew the expired MoU (Suastha, 2018). However, Migrant Care (an NGO concerned with the well-being of migrant workers) and BP2MI have urged the government to lift the moratorium for Middle Eastern countries that has been in effect since 2019 immediately due to the region's increasingly uncontrolled human trafficking practices (CNN Indonesia, 2019; Hakim, 2020).

In the case of domestic workers working within Indonesia, the Indonesian government is encouraged to ratify ILO Convention C189 as soon as possible, as well as the RUU-PPRT (*Rancangan Undang-Undang Perlindungan Pekerja Rumah Tangga - Draft Law-Protection of Domestic Workers*) (Adriansyah, 2021; Komnas Perempuan, 2021). This is not directly related to the well-being of domestic migrant workers in the host country. However, its implementation can assist migrant workers who want to permanently return to their hometowns in reintegrating economically. The prospect of decent domestic work in this country is becoming more real.

The government is attempting to improve the quality of migrant workers by establishing a skill recognition system that includes training, certification, and orientation. The goal of this formalization effort is to make domestic workers more competitive in the labor market and to provide higher-quality care services. The Indonesian government examines domestic work in relation to the 2008 International Standard Classification of Occupations (ISCO-08). The result of the job analysis is the description and specifications of domestic work as stated in Minister of Manpower Decree No. 1 of 2015. One example is housekeeping, which is described in table below. It should be noted that the Ministerial Decree is intended for Indonesian migrant workers, and no regulations have yet been enacted to cover local domestic workers.

Housekeeper, babysitter, family cook, elderly caretaker, family driver, gardener, and child caretaker are the seven domestic jobs formalized in the Minister of Manpower Decree No.1 of 2015. In the same year, the Minister of Manpower also issued Decree No. 313 of 2015, which established the Indonesian National Performance Competency Standards for the domestic employment sector. The certification of the seven domestic jobs is performed by an official Professional Certification Agency licensed by the National Professional Certifying Authority. Currently, the government requires certification as one of the requirements for legally working abroad (Faisal, 2020).

Education and job training to improve the quality of migrant workers are governed by Government Regulation No. 59 of 2021 on migrant worker protection. According to the regulation, the government is in charge of standardized and competency-based job training and education

Table 1. Description and Specifications Housekeeper Job

ISCO-08 Code	Description	Specification
5152	<ul style="list-style-type: none"> • Cleaning The House • Cleaning The Kitchen Room • Cleaning The Bathroom • Cleaning The Bedroom • Cleaning Household Furniture and Accessories • Caring for Household Clothing and Linen • Using and Maintaining Household Appliances • Serving Food and Beverages 	a. Been through training: <ol style="list-style-type: none"> 1. Housekeeper 2. Foreign Language b. Gender female/male c. Minimum Age 21 years d. Physically and Mentally healthy

Source : Decree of the Minister of Manpower No.1 of 2015

programs for prospective migrant workers. The government, both central and local, should devote a portion of the education budget to this program. For its implementation, the government revitalizes and optimizes government-owned job training centers (central and regional), and collaborates with vocational education institutions and private-sector job training institutions that hold a license from the Ministry of Manpower.

Pre-departure orientation is also governed by Government Regulation No. 59 of 2021. The goal is for prospective migrant workers to be mentally prepared and knowledgeable about living and working abroad, as well as to understand their rights and obligations. Prospective migrant workers are taught about culture, customs, work situations, the dangers of drug syndicates, human trafficking, and personal financial planning during this orientation (Ashri, 2020; BP2MI, 2020a). The Manpower Office or LTSA (*Layanan Terpadu Satu Atap* - One Roof Integrated Service) formed by the local government (Governor and Regent/Mayor), organizes this program. The P3MI (*Perusahaan Penempatan Pekerja Migran Indonesia* - Indonesian Migrant Worker Placement Company) is obliged to register and include the Prospective Migrant Workers it manages in the Pre-Departure Orientation.

3.3 Third-Level Process

The migration industry and non-profit organizations play a role in the Human Resource Management process at level three. The migration industry is made up of various businesses that seek to profit from both migrants' willingness to migrate and governments' strive to handle migration (Gammeltoft-Hansen & Sorensen, 2012). The migration industry is represented by the LSP (*Lembaga Sertifikasi Profesi* - Professional Certification Institute), the LPK (*Lembaga Pelatihan Kerja* - Job Training Institute), the P3MI, and Business Partners¹. The roles of the four types of migration businesses have been formalized through various regulations and laws on the protection of Indonesian migrant workers.

However, there is still a segment of the migration industry that is not governed by laws and regulations, namely brokers known colloquially as "calo." The broker serves as an informal intermediary between P3MI and potential migrant workers. This informal space frequently causes issues. The ILO educates prospective migrant workers through its guidebook to take the formal migration route rather than relying on brokers (ILO, 2016a). According to Lindquist (2010), brokers have historically wielded significant power because they interact directly and personally with potential migrant workers and their families. Such interaction is difficult for official placement agents and the government to achieve, which is why this business remains viable despite the problems that arise.

In addition to migration business actors, there are non-profit organizations such as NGOs. Domestic workers' unions are examples of non-governmental organizations that play an important role in developing collective bargaining power and positive industrial relations for domestic workers. One of the best practices comes from the Hong Kong Federation of Asian Domestic Workers Unions (FADWU), which oversees both local and migrant domestic workers, including Indonesian migrant workers. This union took action in support of Ewiana Sulistyaningsih, an Indonesian migrant worker who was abused, locked up, and exploited by her employer and eventually won her case in a Hong Kong court (FADWU, 2020; Pasuhuk, 2015). FAWDU has successfully prosecuted three cases of illegal agency fees in local courts. They also educate employers and advocate through the legislative process.

3. CONCLUSION

Migrant domestic workers play an important role in the global economy by supporting other productive jobs. The number of workers in this sector is large, and it is expected to grow as the worldwide domestic care needs grow. Academics in human resource management should pay close attention to the management of domestic migrant workers. Aside from the fact that it is managed by a relatively large migration industry, academic discourse on the subject is required to unravel complex problems such as exploitation, human trafficking, and vulnerability.

Human resource management for domestic migrant workers is not a simple process. Many stakeholders from various levels are involved in the process. This process is divided into three stages by the author. Stakeholders with global/international coverage are involved in the first-

¹ Business partners are agencies and/or business entities in the form of legal entities in the country of placement destination that are responsible for placing Indonesian migrant workers with employers, according to Government Regulation No. 59 of 2021 concerning the Implementation of the Protection of Indonesian Migrant Workers.

Level process. They are the United Nations, the International Labour Organization, and the International Union of Domestic Workers. The government of the country of origin and the government of the host country, which acts as a regulator, are involved in the second-level process. Meanwhile, the third-level process includes the migration industry and non-governmental organizations.

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