

Cleaning off stigmas: Domestic work and collective identity building in Uruguay.

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Abstract

Domestic work and care tasks have historically been assigned to women and have never been considered as real work, as they happen within the private scene of the home in both its forms, salaried and unpaid. Due to this conception, dating back from the servitude and slavery systems of the colonial era, and rooted in the patriarchal structure of societies, domestic workers have struggled, and still struggle today in many countries to see their rights recognised. They face stigma and lack an institutional back up. In this sphere, Uruguay sets an example, with one of the most advanced legislations on domestic work in the world after a tripartite negotiation that happened in 2006 between representatives of domestic workers and employers as well as the mediation of the executive power. This research aims to see how the change in legislation changed domestic workers lives and what impact these changes had in the social shared thought. It also looks at the collective identity building of domestic workers in Uruguay through the conduction of interviews with members of the domestic workers' union, the *SUTD*. Did the legislative change bring about a cultural change? What lessons can we learn from the Uruguayan case?

Keywords

Domestic work / identity building / sociology of work / trade unions / Uruguay

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Contents

Acknowledgements	2
1. Introduction	1
1.1. Domestic Work in Latin America	2
1.2. Aims and Research Questions.....	4
2. Previous Research and Literature Review.....	6
3. Theoretical and Conceptual Framework.....	10
3.1. It is a gender issue	10
3.2. It is a class issue	15
4. Methodology.....	19
5. Data Analysis	23
5.1. Understanding domestic work in Uruguay.....	24
5.2. About the process of organisation and identity building: the <i>SUTD</i>	29
5.3. Work and the impacts of the legislative revision	32
5.3.1 Making the law	32
5.3.2. Impacts of the law	35
5.3.3. Enforcing the law	40
5.4. Identities at work: stigma, family & presents	43
5.5. Affective work and the body	50
6. Conclusions	55
7. Appendix	58
8. References	60

1. Introduction

¿De qué hablarán las sirvientas (hoy muchachas del servicio) en sus días libres? Las sirvientas, cuando no viven bajo el mismo techo de algún señorito avieso, son criaturas un poco inexistentes, sin sexo ni aspecto definido. Van por ahí, cargando tazas, barriendo, lavando. Pelan papas, contestan al teléfono, dan de pronto algún recado necesario. Son como sombras que ignoramos, y que nos molestan cuando de algún modo intentan mostrarnos un rostro propio. Nada, en verdad, sabemos sobre ellas. La sirvienta ideal es aquella que no existe, trocada apenas en un oficio ejercido con competencia: la sopa caliente, los pañuelos bien planchados, el imprescindible radio, muy bajo el volumen, escuchado por allá en esos rincones de la casa que no frecuentamos los humanos.

Elkin Obregón, Ignorancias Cotidianas, 2017.

Over the past years, Latin America has faced deep social transformations affecting demographics and family structures, as well as the ways in which people show, receive and need different forms of care and affection. The family stopped being one to become many; multiple conceptions of the organisation of the household are now present in Latin American societies and yet, one figure is still today as present as ever: the figure of the domestic worker. It is estimated that between 11 and 18 million people in Latin America and the Caribbean are engaged in paid domestic work, out of which 93 per cent are women (UN Women ILO, CEPAL, 2020), and this is not a coincidence. Domestic work has a history of invisibility and it carries the burden of stigma around it (Bosmans et al., 2016), which finds a direct link with its colonial and patriarchal origins. Circulating through invisibility, domestic work has been forgotten by individuals and governments and until very recently has never been considered as a real job. This has been the case in both its forms, unpaid and salaried, perpetuated by the conception of it being “a woman’s job”. Entangled in the sexual division of labour, domestic and care tasks are in fact performed principally by women, who are thought to be naturally more suited to perform care and affective work. This lack of institutional and social attention to domestic work can be linked to different aspects of the idiosyncrasies of domestic employment itself: its appurtenance to the private sphere of the household, contrary to the public domain of productive salaried jobs; and its foundations and development, responding to a principal demand: to fulfil the interests of the colonial and patriarchal projects, a reproductive job carried out by subaltern subjects that allowed the functioning of the hierarchies that could maintain the economic and

social systems of the colonies in the past, and of our societies in the present (Gutierrez-Rodriguez, 2014).

As the title of this dissertation suggests, this study focuses on domestic work in Uruguay from the perspective of the domestic workers' union members. It looks at the ways in which collective and individual identity building around domestic work provides a way to strengthen the struggle, to obtain new rights and to maintain the ones that have already been achieved. The aim of this research remains on looking at how the law reform transformed the lives of domestic workers and what were the impacts of this law change on the social perceptions around domestic work. The study also looks at the collective identity building of domestic workers in Uruguay, and the ways in which stigma and social status are felt and embodied in domestic workers' bodies and lives. Before entering the conversation, the next pages provide a general view on domestic work in Latin America and Uruguay and specify the questions guiding this research.

1.1. Domestic Work in Latin America

Domestic workers, also known in the region as nannies, maids or housekeepers (*muchachas, chachas, empleadas*) are, not accidentally, overrepresented by poor, racialised and migrant women, often experiencing different axes of domination, reinforced by their job status and the lack of laws regulating their rights. This leads to situations of vulnerability and exploitation being common in many countries, where there is also a lack of institutional support. The landscape is slowly changing but remains complex in most Latin American countries where the numbers of women in paid domestic work remain high. Class, gender and race are the fundamental pillars to look at when reflecting on the experience of domestic workers whose rights are being neglected in most parts of the world, as the tendency has been to have its regulation out of the political agenda. There are, however, a few exceptions where there have been attempts at legislating and bringing on reform. The three countries with the highest numbers of domestic workers in Latin America have experienced recent changes in the past years: Paraguay, with 17.2 per cent of women in domestic work (UN Women, ILO, CEPAL, 2020), approved the law 5407 in 2015, introducing demands such as the 8h work day or the right to retirement, driven by the strong mobilisations of domestic workers and their unions. The same year, Brazil, where 14.4 per cent of women are domestic workers, passed the law nº150/2015 extending the rights of domestic workers and formally equalising them to the rights of other sectors. This strengthened the labour conditions for Brazilian domestic workers but not

without a strong social opposition, reflection of the racism, sexism and classism that shape relations in Brazilian society, what slowed down the process of implementation of these reforms. Argentina, another country with a strong presence of women domestic workers (16.6 per cent), passed in 2013 the law 26.844, in which most labour conditions for domestic workers were made equal to other sectors, including the right to holidays, right to rest, maternity or sick leave. This reform supposes a big advancement, but it does only cover a part of the workers, excluding mostly domestic workers who do part time or hourly jobs, which is in fact a new trend within domestic work, leaving in a second place the formerly common tradition of living in the employer's household (Palomeque, 2019). This form of employment, although slowly becoming less and less significant, still prevails in some countries and for some families, favouring deeper exploitative labour conditions for the employee, who continuously dwells in a space which is not only inferior in terms of physical location, but which is also marked by hierarchy, in which the worker has little to no privacy (Pinho 2015).

It is in this context that Uruguay becomes the difference and thus, the object of study of this work. With one of the lowest inequality levels in the region, known for its satisfactory democratic functioning and a distinct civil society engagement, Uruguay presents itself to the world with one of the most advanced legislations on domestic work. After the end of the military regime (1973-1985), the political arena was for many years divided between the two main right-wing parties: *los Blancos y los Colorados*. This was the reality until 2005, where the left erupted after the win of the *Frente Amplio*, the party under which the legal reform on domestic work happened. It is important to note that the left-wing government played a fundamental role in pushing for this new law, which had previously been attempted at through a reform bill in the 1990s, which failed under the negative vote of conservative legislators. Full government support was one of the decisive factors allowing for change and improvements of labour conditions for domestic workers in Uruguay, helped by other internal factors such as the lack of deep ethnic cleavages and the democratic traditions of the country (Bloefield and Jokela, 2018). It was in 2006 that the reform was passed and the tripartite collective negotiations started, with the presence of the executive, the domestic workers, represented by their union, the *SUTD (Sindicato Único de Trabajadoras Domésticas)* and the employers' representative, the *Liga de Amas de Casa*. These negotiations, together with a successful awareness campaign, allowed for a real change in the conditions in which domestic workers lived and worked (Goldsmith, 2013).

1.2. Aims and Research Questions

Looking at Uruguay in the context of domestic work can, on the one hand, help us understand several questions in the path for change. Considered as a successful case in ensuring that domestic workers belong to the social and political structures of societies and that they are recognised as citizens and autonomous subjects, understanding the case of Uruguay can inspire other fights, can allow for transformations in other parts of the region and the world. These transformations, adapted to their local contexts, would count with the support of a precedent case that has worked and says: it is possible to make change. On the other hand, the case of Uruguay allows for examination throughout time and to reflect on the paths and the consequences of change. Based on these premises, this work aims to reflect on some of the many different characteristics that surround domestic work, and how these can shape the perceptions around it, by looking particularly at the case of successful change in Uruguay.

What this study aims to do is an analysis of this legislative reform 15 years later, to understand impacts it has had on domestic workers bodies and minds. Looking the role of the different actors that took place in these transformations, exploring mainly the *SUTD (Sindicato Único de Trabajadoras Domésticas)*, the domestic workers' union and their participation in the struggle for rights today. This is done by looking at the formation of work identities and the possibilities that domestic work allows for domestic workers to form a collective thinking in order to strengthen their struggle. Highlighting the role of the domestic workers' union in this identity formation, the study examines the impacts of new trends on the sector, and how this relates to the rights already achieved. Looking at future perspectives from the testimonies of domestic worker unionists can provide a source of inspiration for other the struggles of other domestic workers in different parts of the world. It also allows us, from researchers, to governments and citizens, to learn from a successful process that continues reclaiming rights and seeking improvements in the labour and social conditions of domestic workers in order to avoid making old mistakes.

Therefore, a number of questions arise, linking the ways in which the legislation reform happened, to what domestic workers are experiencing today in Uruguay: are new trends in domestic work visible?; what are the impacts of the law on the construction of collective identities?; old tensions that become new, affecting the social relationships of domestic workers and their place in society; what is the union's role in the implementation of the law and the continuation of the struggle, and how does it affect domestic workers and unionists? Finally, a look at the power of legislation on collective thinking: has the change in law being enough to

create a cultural change? have the patriarchal and colonial foundation pillars of domestic work been erased or transformed into a new perception of domesticity? Looking at domestic work in Uruguay today can help us answer these questions and work as both a mirror of the past and a window to the future.

My personal experience becomes a relevant data to be mentioned as it is determining to this research study, defining not only my interest and approach to the subject, but also my (social) position as a student and researcher. The ways in which I am and have been related to domestic work from a personal level have allowed me to conduct this study and to write this today. To put it in simple terms, my relation to domestic work began before I was born, since I am *the daughter of employers*. Coming to this realisation was, to say the least, shocking, since cohabiting with a woman that used to come to our house every day to clean and cook, and take care of me, was the most ordinary way of life I could imagine as a kid. The issues that are commonly repeated when analysing and studying domestic work, issues that I now look at from an anthropological perspective, were a daily and accepted reality back then: the question of care for the domestic worker's family, the lack of time and space to build her own life; the issue of the presents from employers and donation of old clothes, along with the symbolic meanings underlined in this exchange; the economic vulnerability attached to the lack of legislative support and the effects this has on life outside the job.

There is, too, a question regarding the emotional attachment to this person who took care of me, with whom I spent so many hours at home, but who, at the same time and to a certain extent that I could not understand too well at the time, did not fully belong to our family. But *she did*, as I many times heard other members of the family, and probably even myself say. I also noted there were some differences between us that I could not name or directly point at, but which I felt marked a distinction that was at the same time blurry and very clear. I can now identify this: it was a class difference. At the time I could not define it or fully understand it, but it was still omnipresent in the ways in which we related to each other.

Having been close to domestic work in different moments of my life has been a determinant factor in discovering the numerous problems surrounding domestic work in our societies today and the need to change the labour conditions of domestic workers in almost all countries, as well as the possibility of learning from those who have achieved decent standards of labour conditions. Understanding and embracing my identities and subjectivities has also been a key point in the definition of the ways of conducting research and fieldwork, in order to be able to see individuals rather than objects of study, which becomes a central point of this research.

Thus, the structure of this study is based on two main pillars of analysis: 1) firstly, a perspective on the idea of work, a look at the characteristics of domestic work in Uruguay today, the change in legislation and the achievements made since 2006, based on the concepts of care and the sexual division of labour ; 2) the building of identities of domestic workers in Uruguay, where the analysis focuses on several topics: the stigma and status surrounding domestic work in spite of the legal reforms; the traces that domestic work leaves on the body of the domestic worker, understood as a fundamental, though neglected, *tool* for the job; and the role of the domestic workers' union, the *SUTD* in ensuring that the working conditions and rights acquired so far prevail, as well as the difficulties faced by women trade unionists in the struggle. This is linked to the formation of identities, which, within domestic work, are established in different ways to other work sectors, in ways that can hinder social cohesion, solidarity and collectivity among *compañeras* (women colleagues).

2. Previous Research and Literature Review

The different problematics surrounding domestic work have been made evident for a long time, leading to an amount of responses from international organisms as well as academia, where research has come from different disciplines. Feminist theorists were pioneer in pointing out at the inequalities generated due to the sexual division of labour, in which the charge of domestic duties and care tasks, including cleaning, cooking, washing dishes, shopping, making the bed, taking care of the children and the elderly of the family, and basically all of the possible responsibilities of navigating the household lied with women (Davis, 1982) Reproductive labour, that of housework and care, developed throughout the history of the world as a feminised job, falling under the assumption that it is women's work, in a binary opposition to the productive work of men. Thus, the functioning of this productive salaried work in capitalist societies relied on the invisibility of unpaid domestic work carried out by women to keep ongoing. Feminist theorists and feminist economists have been in charge, especially since the 1970s, of shedding light and drawing attention to the consequences that these labour divisions had on the relationships in the public and private spaces of life. Different responses took place from these many criticisms, being a notable one the campaign Wages for Housework (Federici, 1975), a movement initiated in the 1970s for the recognition and visibilisation of domestic and

care work through the implementation of a salary, as a means of making it socially perceived and equal to productive work in neoliberal economies. In this sense, the feminist scholars and activists supporting this type of measure to the problem of domestic work not being perceived as a job like the productive one, conceived housework as the fundamental pillar for any other type of work and thus reclaimed the right for it to be salaried, in order to be recognised (Federici, 2019). This movement presented itself as a political and revolutionary perspective towards the struggle on the imposition of housework on women, and it saw housework as ‘one of the most pervasive manipulations, most subtle and mystified forms of violence that capitalism has perpetrated against any section of the working class’ (Federici, 1975:76). They pointed at the impositions on women, being assumed to be naturally attributed to perform housework, and they claimed that ‘the unwaged condition of housework has been the most powerful weapon in reinforcing the common assumption that housework is not work’. Taking this into consideration, it is now possible to see how implementing a salary did not prove to be a solution to ending the oppression that came from domestic work, as pointed by black feminist authors in the United States (bell hooks, 2014; Davis, 1981), who argued that the middle class white women who liberated herself from the load of domestic work to enter the productive labour market, would do so only to transfer that burden, in the format of a salaried burden, onto other women occupying a lower social place. And this reality expands globally, as it is now the reality in many countries around the world, where globalisation and migrant flows have transformed the care sector, creating networks of transnational magnitude, where paid domestic workers are migrant and racialised women from the South, caring for families of the North in what has been noted as the ‘global care chains’ (Pérez Orozco and López Gil, 2011) such is the case of the familistic Southern European states (Martínez Buján and Díaz Gorfinkiel, 2018; Gutiérrez-Rodríguez, 2013).

In the last decades, the production of work from feminist theory has developed different debates around the nature of domestic work and its positioning in capitalist and patriarchal societies. Some authors pointed at the affective characteristics of domestic work, which suppose a difference in relation to other forms of labour, as care is required to be performed in a certain way and there is an emotional engagement between the carer and the person being taken care of. This has been talked about as emotional labour (Hochschild, 2012), understood as the ways in which domestic workers (mostly women) are expected to work and care for other people taking into account the intimacy that emerges out of it, and the emotional charge that it requires. A debate emerged around the notions of care, affection and emotion involving domestic work in which some authors questioned the emotional charge of domestic work as being a way of

naturalising the role of women to it, adding to the conceptions of women being ‘naturally’ more emotional. The consequences of salaried domestic work and its involvement in the capitalist system have also been debated, and the dual systems approach was one of the responses to the domestic labour debates, in which domestic work is placed not only inside the capitalist nodes of production, understanding, therefore, a class oppression, but also considering the patriarchal logic in which women domestic workers are oppressed as women. The dual systems approach points at the tensions between the alienation derived from the patriarchal subjugation and the commodification of women’s bodies becoming a tool for cleaning and caring for the maintenance of capitalist machinery (Bergeron, 2016). To understand the role of domestic workers in Uruguay and Latin America, the dual systems approach can be complemented with the notion of coloniality of power (Quijano, 2000), that shows us how domestic work is not only intersected by gender and class, but also by race. Domestic work in Uruguay is not as strongly affected by the notion of race as other countries in the region, such as Brazil, Paraguay or Bolivia, where the majority of domestic workers are black and indigenous women (UN Women, ILO, CEPAL, 2020), although it is also a primary characteristic. However, it is important to introduce the notion of coloniality when talking about inequalities in Latin America, as it is an inseparable axis from the class and gender inequalities surrounding domestic work. From the perspective of decolonial theory, it is possible to understand how modern societies of today, have been built over colonial foundations and thus, they function with a legacy from the colonial era: coloniality. According to this theory, there were two main processes in the formation of America that created a new matrix of power. These are the idea of race, creating a new social hierarchy, where those at the top exercised a cultural domination on the subaltern; and the control of labour, an economic oppression built on this racial hierarchy within the capitalist system (Quijano, 2000). Under this notion, it is possible to better understand the axes of power entangled within domestic work in the region, and the meanings of the figure of the domestic worker, what it signifies and why some countries face more opposition than others when approaching a legislative reform.

It is precisely this region of the world, one of the most unequal ones (ECLAC and Oxfam International, 2016), where domestic work becomes just another crystallisation of these inequalities. In recent decades, international organisms have pointed at the levels of inequality suffered by women in the region due to the vulnerabilities derived from the lack of laws regulating domestic work and the informalisation of this labour (Soto et al., 2016; UN Women, ILO, CEPAL, 2020, Instituto Cuesta Duarte, 2021; Palomeque, 2021; ILO, 2012). The responses from academia are also meaningful and have been relevant in giving a broad scope

on the regional situation before and after the 2011 ILO convention on domestic work. The ILO Convention 189, that derived on the recognition of domestic workers' rights, has been ratified in several Latin American countries such as Uruguay and Chile, which also count with some more or less advanced employment laws. However, other countries such as Bolivia or Mexico (in Mexico the Convention is scheduled to enter into force in July 2021), continue to confront a strong resistance from the national elites, in spite of having signed the ILO Convention. (Blofield, 2015; Palomeque 2019).

The intersections of gender, class and race within domestic work have been made unquestionable in countries such as Brazil, where a vast body of work can be found analysing the position that these women occupy in society, their struggle for recognition and the issues affecting their work life, deepened in the social fabric of the construction of a society where the figure of a maid has an almost direct link with its colonial past (Vidal, 2007; Bernardino-Costa, 2007). In Argentina, there have been studies showing the differences of hours dedicated to domestic work between poor and rich women: the first ones dedicate, on average, 7.7 hours a day to care activities, versus the 3.18 hours that the latter group took, as they encounter the possibility of delegating these care tasks (Rodríguez Enríquez, 2019). And in Uruguay, most research has been done after the 2006 law reform, centred on describing the legislative processes and the tripartite negotiations that took place in order to reach agreements between domestic workers and employers (Goldsmith, 2013; Batthyány, 2013). The link between migration and domestic work has also been a subject of study worldwide (Martínez Buján, 2014, 2018; Ehrenreich and Hochschild, 2004). Researchers have looked at the situation of migrant domestic workers in Uruguay, a minority population in the country¹ which is starting to penetrate the sector of domestic service, a new trend with possible implications for the already gained rights, as new intersections are combined. For this part of the population, lack of knowledge of the law or a very vulnerable economic situation can lead to new situations of oppression inside the household (Zeballos Videla, 2017).

¹ Based on the national census in 2011, there were about 77,000 immigrants living in Uruguay.

3. Theoretical and Conceptual Framework

3.1. It is a gender issue

The reasons that explain why women have been socially assigned to be the ones in charge of domestic work are varied and find their origin in numerous factors. However, the idea that women are biologically gifted to perform care tasks is a central one to the perpetuation of this social construction. This is the reason why it is extremely relevant to understand and define both care and domestic work, in order to reach deeper reasonings on the causes and consequences of challenging these preconceptions, as it has been the case with the law reform for domestic workers in Uruguay, where care was brought to the centre of debate, in order to modify its status. Even though these two concepts may not directly appear in the analysis of data, they are two fundamental concepts to know and consider throughout this study, thus their relevance to be included in the conceptual framework.

Tronto (2008) proposes a detailed definition of care that can be useful for the present discussion. The author defines care as ‘a generic activity that includes everything we do to maintain, perpetuate and repair our 'world' so that we can live in it as well as possible’ (Tronto, 2008:250). This definition provides an understanding of care tasks being performed as reproductive tasks, understanding the notion of reproduction as that which enables the functioning of our society systems, what allows for the reproduction and perpetuation of everything else, confirming the point that economy cannot be simplified to the markets, it should rather be seen as the sustainability of life (Perez Orozco, 2006).

The author provides four phases of care, which include ‘caring about’, identifying a need to care, this can be done from a social or political perspective; ‘taking care of’, doing something after identifying this need to care, which can be essentially taking the responsibility on care; ‘caregiving’, or the material expression of taking care of something, the actual physical act of caring; and ‘care receiving’, the recognition of the care that one is receiving, for instance, a patient who feels better after being taken care of (Tronto, 2008:256). For this particular analysis, ‘caregiving’ is the most relevant phase of care, as it is the one performed by domestic workers, agreeing with the idea that care happens not only from people to people, but to other beings and objects as well. These four phases of care are, however, important in the ways in

which they act as a reminder that care is not individual, there is not a single way of giving or receiving care, but everyone involved in the process can be both, a caregiver and a care receiver.

The author sees care as being practical, an action that is collective, dissociating it to the individual mom-child traditional conception which delegates full responsibility on the woman as a mom. The idea of collectivity within care is a revolutionary and necessary one to break with this traditional perspective of care being a natural characteristic of women. While it is true that care tasks encompass a strong emotional and affective dimension, this belief should be unlinked to the thought that the qualities required for caregiving are innate to women, in their role as mothers and wives, as opposed to the perceptions of men learning qualifications to perform labour in the public arena (Hirata and Araujo, 2012). There is, however, a common thought within feminism and the social sciences to agree that in spite of the emotional attachments tied to care work, care needs to be thought as a multidimensional practice and not as an emotion in itself (Tronto, 2008; Gutierrez-Rodriguez, 2013, 2014; Orozco 2006).

This understanding of care can be framed within the creation of Uruguay's National Care System (*Sistema Nacional de Cuidados*), which promotes the implementation of public policies aimed at meeting the needs of people over 65 years of age in a situation of dependency, children from 0 to 3 years of age and people with severe disabilities, as well as the professionalisation of domestic work that has taken place since the integration of the law in 2006². Within this care system, there is an explicit reference to the collective responsibility for care. This system considers a differentiation between personal assistants and domestic workers under the eligibility process for receiving these benefits, even though it is a fact that many domestic workers provide care for children, old and dependent people, apart from the cleaning tasks and other housework activities. This brings the issue of the necessity for a definition of domestic work and the multiple tasks that are covered in it, as its definition is usually blurred, leading to confusion on what should and should not be accepted by domestic workers in their workplace, and what employers should and should not expect from them. The tasks that are socially considered to be care work are those involving childcare, household chores within the family (which may be delegated to nannies, maids and cleaners), health care and, most recently, the occupation of caregiver for the elderly, blurring, yet again, the boundaries between the various occupational categories (Hirata and Araujo, 2012).

In order to carry out any posterior analysis of the changes in the experiences and labour conditions of domestic workers in Uruguay, it is essential to understand the ways in which the

² *Sistema Nacional de Cuidados, Banco de Previsión Social:* www.sistemadecuidados.qub.uy

economic and labour markets operate different levels of inequalities and oppression on women in general, and particularly on women performing care. This can be explained with the notion of sexual division of labour and its new configurations on the markets.

In an interview during fieldwork in Punta del Este, I had an interesting conversation with one of the (male) lawyers of the *SUTD*, which serves as an illustration of the importance of this concept as an analytical tool for understanding and challenging the systematic oppressions experienced by women domestic workers. During our interview, the lawyer kept on referring to *los trabajadores domésticos* (domestic workers) in masculine, which in Spanish is used to denote a general plural. It was, however, still striking that the lawyer of the domestic workers' union would choose to talk about the union's members in the general masculine, considering that domestic employment in Uruguay represents a very significant proportion of female employment, accounting for 15.8 per cent of all employed women, and the employment in the sector being 99% female (Ministerio de Trabajo y Seguridad Social, 2011). When asked about his choice of word he responded that "The law talks about domestic work and covers everyone, there is no gender issue here. There are also cases of men, although they are in the minority", and he told me about the figure of the *casero*, an occupation that could be compared to a butler who is also in charge of gardening and the general maintenance of the house. Understanding that his position is that of a lawyer, where he needs to take every person into account assuming that the law works the same for everyone, I find there is still something bizarre and even naive about believing that the injustices experienced by domestic workers have no direct relation with gender. This makes it even more important to foster the theory of the sexual division of labour. Gender functions as an organising element of the economic system, so it is necessary to pay attention to gender relations in order to understand the socio-economic structure, its inequalities and internal processes (Perez Orozco, 2006).

Embroidered in the dominating economic system, one can see how relations between sexes are often unequal, hierarchical, asymmetrical or antagonistic relations of exploitation and oppression between two categories of socially constructed notions. These asymmetries based on the ideas and preconceptions associated with gender are difficult to unlink from their attachment to the capitalist constructions of value, exchange, production and reproduction of labour if one thinks in terms of the intersectionality (Crenshaw, 2017). This is to recognise how exploitation in wage labour and gender oppression are inseparable; the spheres of economic exploitation and class relations are simultaneously those in which male power is exercised over women. Marx's idea of the prevalence of economic oppression over any other form of oppression gets relegated as we consider the secondary place that women are reduced to in the

labour markets, which leads to a (feminist) re-evaluation of the concept of work and the social relationships that are created around it (Federici, 2018).

According to Hirata (2007), the notion of sexual division of labour, can be defined as ‘the form of social division of labour that arises from social relations between the sexes; more than that, it is a priority factor for the survival of the social relationship between the sexes’ (Hirata and Kergoat, 2007:5). Under this definition, the sexual division of labour is understood as a historical and social construction of gender stereotypes and its impacts on the organisation of the labour market. This organisation is, therefore, the placement of men in the productive sphere, and of women in the reproductive sphere of work. Productive labour is normally associated to paid work, conducted in the public space, and reproductive work assigned to care and domestic tasks carried out in the private space of the home, those tasks that allow for the *reproduction* of the system, for the continuation of the economic machinery. Those activities that do not need to be paid for, but which cannot be avoided, which become the basis of the functioning of the capitalist system. Care work has also been defined as a hybrid between reproductive and productive labour by some authors (Gutiérrez-Rodríguez, 2013), as it enters the dimensions of productive work in its salaried forms, but remains as an underpaid and poorly socially recognised job. In this equation, the appropriation by men of the public space where paid productive labour is carried out, comes with a greater social added value, consequence of the social value attached to the accumulation of capital that productive labour allows, in contrast to reproductive labour. In this sense, it is also important to note that when talking about reproductive labour being conducted in the private sphere of the house, this does not refer to women only working inside their own homes, but also working in other people’s homes, which is when the figure of the domestic worker appears, as opposed to the image of the housewife. It is also relevant, within the notion of sexual division of labour, to take a step back in history to understand the different ways in which women have been affected by this social division. As Davis (1981) explains, during the colonial slavery regime, enslaved black women were forced to work *outside* the home, alongside black men, in tobacco factories and sugar refineries, which created a whole different set of preconceived ideas about black femininity, related to strength and resilience, that contrasted sharply with the notions of fragile femininity and biological association to care that were imposed on white women as they were expected to live as housewives and work *inside* their homes. Today, the sexual division of labour continues to be determined by class, gender and race, impacted by globalisation, demographic changes and migration movements, that generate women from the South to do the domestic tasks in the North.

In Latin America, similar dynamics take place within the same country, as gendered stereotypes based on ethnicity and race play a key role in the new configurations of domestic work. This trend is exemplified by the figures of domestic workers in Latin America, where 63 per cent of domestic workers are women of African descent (UN Women, ILO, CEPAL, 2020). In Uruguay, despite the advancements in legislation and labour rights for domestic workers, race is still a determining characteristic. The total number of employed Afro-descendant workers who are working in the domestic sector ascends to 14.4 per cent, double the proportion of domestic workers in the total rate of employment (7.7 per cent), indicating a bias of Afro-descendant workers towards being employed in domestic tasks to a greater extent than the average non Afro-descendant worker (Palomeque, 2019). This reality dialogues directly with the idea of coloniality of labour (Quijano, 2000; Gutiérrez Rodríguez, 2014), one of the axes along with which the ‘coloniality of power’ establishes a system in society based on the idea of ‘race’.

As Quijano (2000) explains, race was the main codifying factor in the organisation of labour, being the labour extracted from those codified as “white” the one considered superior and productive, therefore, valuable; the labour extracted from the peoples codified as “non-white”, indigenous and enslaved, was perceived as inferior and “free exploitable”, a construction that would dehumanise people and turn them into exploitable objects in the eyes of the colonisers (Gutiérrez-Rodríguez, 2014). This societal system carried out by the Spanish and Portuguese colonial regimes in what we today know as America, became the basis for the capitalist mode of production that we continue to live on today.

According to Hirata (2007), the sexual division of labour works on two principles, one of separation (there are men's jobs and women's jobs) and one of hierarchy (men's work is worth more than women's work). The author affirms that this term can denote, two different ideas depending on two different contexts:

“on the one hand, it has a sociographic meaning: one studies the differential distribution of men and women in the labour market, in trades and professions, and the variations in time and space of this distribution, and how this is associated with the unequal division of domestic work between the sexes” (Hirata, 2007:2).

On the other hand, this concept can be useful as a tool to show how these inequalities are structural, and to articulate the description of this reality as a reflection on the processes by which society uses this differentiation to mark hierarchies in labour activities, thus, in sexes, creating a gender system. In other words, the concept of sexual division of labour serves not

only to point at the inequalities based on preconceived ideas about gender and what tasks each gender is suitable to be carrying out at work, but also to visualise how these ideas are socially constructed, rooted in social imaginaries and embodied in the material and abstract construction of the functioning of lives. The sexual division of labour introduces a differentiation in terms of the tasks that men and women should perform, as well as in terms of their experiences, their lives, and their relation to capital and other workers (Federici, 2004). It is a key concept to understanding domestic work, as it helps to combat the invisibilisation of the enormous unpaid workload carried out by women in favour of others, based on the notions of what are thought to be natural attributes to women, such as love, affection or motherhood. This term allowed for an analysis of labour that would consider work done in the private sphere of the house as well as that one developed in the public domain, therefore, rethinking work and its categories, its historical and geographical forms, the interrelationship of multiple divisions of socially produced labour.

3.2. It is a class issue

It is from the structural divisions of our world, based on gender stereotypes, and the ways in which societies have built on a notion of care, that we can question and analyse the challenges around domestic work, from its inherent conditions to its institutional repercussions affecting domestic workers. The identity formation within domestic work and the role of the domestic workers' union in connecting these identities can allow us to see the difficulties that they face when trying to organise politically, obtain or, as it is the case in Uruguay, keep fighting not to lose the already gained rights.

Stuart Hall (2000) provides an interesting conception of identity of individuals, as he would refer to as sociological subjects, opposing the Enlightenment ideas of fixed identities, being essentially always the same. Hall affirms that the identity of the sociological subject is constructed within its specific historical structure and institutional sites, and that it is constructed in relation to the Other, which allows for it to be modified and in continuous dialogue with the cultural worlds outside, in a way in which identity becomes the link or sewing, as Hall would suggest, between the subject and the inhabited structure. To Hall, identity is formed from the interaction between the self and society, and it becomes a meeting point between discourses and practices, and processes of subjectivities. In his words "identities are, thus, points of temporary attachment to the subject positions which discursive practices construct for us" (Hall, 2000:19). As a construction from within the lived environment, one

individual can develop and feel different identities connected to specific places and parts of their life. The individual becomes a social being, attached to a society and its different social groups.

Under this vision, work becomes, for many, an essential place for identity building and representation. The process of socialisation within work has previously been denoted as “professional socialisation” a transmission of values, norms and knowledge specific to a professional category; “a joint movement of individuals in the construction of their professional future and of institutions” (Dubar, 1992:522). According to Claude Dubar, professional identities are forms of identity identified in the field of paid work activities and built as a collective construction process around the dimensions of the *self*, the *us* and the *others*. This type of identity is formed from the experienced working conditions and the world of work, the relationships and the feeling of belonging to groups, as well as the professional trajectories or the perception of the future. Dubar also highlights the importance of school qualifications and diplomas in the labour market, an important absence in the domestic work sector that has a great impact in the perception of the job from the outside and from domestic workers themselves, devaluing, once again, the tasks they carry out daily.

Identity, under Hall’s conception, is a mix between the influences of the *outside* and *inside* world of the individual, and its formation consists on the interaction between the two, taking into account the possibilities offered by the modalities of power that rule at the time of identity building (Hall, 2000). In this sense, one can find the connection between the ways in which domestic work is perceived as a low-skilled profession and the self-perception and identity building process that domestic workers experiences attached to the social vision of their job.

This is particularly important for the case of domestic workers, both affiliated and not affiliated to the *SUTD*, the domestic worker’s single union, since the vision from the outside world, and the hegemonic powers exercised around it are determining the way in which this identity is not only going to be constructed, but also how it is going to be accepted from the *inside* and presented to the *outside*, creating a very sensitive balance. This is a particularly complex process of professional identity construction for several reasons: some have to do with the particularities of domestic work and its forms of being executed and legislated; others have to do with the social imaginary attached to the idea of domestic work, which carries a strong stigma until today, even in countries where the legislation has been updated and there have been efforts to provide extended labour rights to all domestic workers, as it is the case in Uruguay.

The notion of stigma is closely linked to that of social identity as, in the words of Goffman (1963), social relationships happen in a way in which when an individual encounters the Other, they tend to frame them according to a set of pre-set ideas of whatever attributes they hold, associating them with a determinate social position, following a set of “normative expectations” (Goffman,1963:2). Once we assume an individual belongs to a determinate category, we expect them to possess a certain number of attributes, according to the preconceptions that we hold of that particular group or category. However, it can be the case that the stranger individual holds characteristics that make him different to the rest of individuals of his category, making them less desirable, rejected, feared, weak, inferior... “He is thus reduced in our minds from a whole and usual person to a tainted, discounted one” (Goffman, 1963:3). A characteristic like this is what Goffman defines as a stigma, a very particular sort of relationship between attribute and stereotype. Goffman talks about three different kinds of stigma, the abominations of the body, related to the physical differences; the blemishes of the individual character, related to certain behaviours that are socially not accepted or shameful, such as alcoholism or unemployment; and the tribal stigma of race, nation and religion. The stigma around domestic work is a very particular one, since it involves many different axes of stigmatisation. It can be compared to the stigma around other types of work that are considered to be socially inferior, those low-skilled and low-paid jobs that do not require a higher education, with the additions of its colonial legacy and its perpetuation of oppressive gender divisions.

Once a person is being stigmatised, they are automatically considered less than human. This leads to situations where the stigmatised individual is treated as if they were a “non-person” and not present at all. In this sense, the struggle of domestic workers for equal rights becomes an impressive challenge, as they have to overcome the barrier of the stigma, which obscures their possibility to be considered as total humans, deserving full rights. Even when they achieve some improvements, these gains are to be maintained and keep resisting, as the burden of the stigma does not instantly disappear with a change in legislation, what can provoke spontaneous throwbacks that could remove the rights obtained, as the notions of dehumanisation that come with the stigma attached to their work are still vivid as ever (Goffman, 1963).

The reasons and consequences that the stigma around domestic work provokes in Uruguay, even after the improvement in labour conditions, are varied. They, however, have to do with the ideas of class and the social place that domestic workers occupy. For the analysis of this section, it is useful to look at Bourdieu’s theory about social classes. According to

Bourdieu (2000), our social world should be seen as a space in which individuals inscribe themselves. In this social space, built on the principles of differentiation or distribution, Bourdieu identifies different social fields, organised by the different types of capital and power, that determine the hierarchies of the social places occupied by different individuals in a determinate category or field.

For Bourdieu, capital is a social relationship, or a social energy, exists and interacts within the field in which it is produced and reproduced. The social space is seen by the author as a field of class struggle for the appropriation of scarce goods, which is the cause for it being organised based on power relationships through the acquisition of different forms of capital. He identifies different types of capital, which involve not only the economic, but also cultural, social and symbolic, referring to ideas of honour and prestige, which are directly linked to the notions of stigma attributed to certain individuals or groups of people. These non-economic forms of capital are tied to Bourdieu's key idea of habitus, which can be regarded as the agent's early experiences of life, internalised and assimilated through his or her exposure to certain circumstances of existence, distinctive to his or her class or group of origin.

The habitus constitutes the internalisation of social structures viewed and experienced from the agent's place in the social sphere, and it has a class character. It is the generative element of lifestyles; it is what allows class positions to be transformed into lifestyles. Taking Bourdieu's concept of habitus to the case of domestic workers in Uruguay can help us understand the ways in which oppression and stigma are embodied and reproduced through the form of submission, as well as how this docility becomes resistance through the political action of the union. The habitus establishes a relationship between mental and social systems (Arango, 2002), and it causes the dominated (as well as the dominant) to think, feel, and see the social environment in a common sense manner, becoming, in this way, the root of acceptance of dominance. Individuals who are oppressed must operate in hostile environments, under power structures dominated by the type of capital accumulation that they lack (Arango, 2002). For Bourdieu, class is only real when it is conformed by a group with initiative for group action, mobilised for the struggle, with self-awareness and politicised (Inda and Duek, 2005). Following this vision, it is possible to identify the social position of domestic workers in Uruguay, in relation to other social actors, the hegemonic powers, and their self-constructed identities through their work in the domestic sector, as well as in the union, which creates a whole variety of social hierarchies. This vision also allows us to obtain a clearer image on the stigmas around domestic work and how they play a fundamental role determining the social position that domestic workers are left to occupy still today, 15 years after the law reform. The

levels of resistance against these stigmas pushed by the leaders of the *SUTD* are also a reflection of Bourdieu's theory of social space and class, as they constitute a solid organised group with a self-awareness of their place in the social hierarchy. However, as we will discover in later analyses, this political conscience is not widely shared with all the *compañeras*, especially those outside the union, which provokes fears of instability of losing the already gained rights to a change of government or a throwback in legislative achievements. In view of the persisting social stigma, the collective imaginary over domestic work in Uruguay still assigns a determinate status to these women, which could put into risk the consolidated labour rights at any time. This is, in fact, one of the main concerns of the women interviewed for this study. Along this line, the next paragraphs will introduce briefly the research methods used to conduct the posterior analysis of the reality of domestic workers in Uruguay.

4. Methodology

This work is based on a qualitative research conducted through a set of semi-structured interviews and life stories from the testimonies of seven domestic workers belonging to the *SUTD*, the Uruguayan domestic workers' union, as well as one of the union's lawyers and one employer. The fieldwork was conducted under the social distancing restrictions due to the Covid-19 pandemic, which severely affected social interactions, thus impacting the ways in which the research and interviews were carried out. For this very specific study, it is worth to mention that the sanitary measures taken by the Uruguayan government, as well as the social awareness of the pandemic, have had a repercussion on the course of the investigation, altering the original pathway that was desired to follow. Initially planning on collecting the testimonies of the three voices present at the negotiations - the *SUTD*, the *Liga de Amas de Casa*, and the executive power representatives -, the two latter were excluded from the fieldwork interviews, as the encounters were made difficult and, in the end, could not take place due to the measures that had to be taken because of the sanitary crisis. The interviews were, therefore, only carried out with domestic workers who were also members of the union's leadership, including the president, vice-president, treasurer, and other union leaders, what was determinant in establishing new research questions related to the formation of identities through their work, not only as domestic workers, but also through their work in the union. The role of the union, thus, becomes a new priority in the study, with a focus on their activity maintaining all domestic

worker's rights. The questions of status and stigma linked to the union, domestic service, and the combination of the two became the new research topics, together with the construction of professional identities and the interaction of these identities with the legislation.

Out of the nine individuals interviewed, five of them were interviewed in person, one of which happened in several encounters, and the settings varied as the location was to be decided by the respondent, which led to interviews being conducted in all sorts of places, ranging from the union's office, to a public park, to a McDonalds. The other four interviews were done virtually through phone calls, following respondents' preference, due to either the sanitary situation or to geographical distances and difficulties to mobility. At the beginning of every interview I introduced myself as a student at a European university, interested in knowing more about the situation of domestic workers in Uruguay for a research to be published as a final master's dissertation. From the part of the participants, there was no greater interest to know where exactly it would be published or what sort of research I was trying to conduct. All interviewees were largely open to answering my questions. I expressed my interest in listening to their life stories and their experiences as domestic workers and union members, and indicated that they could ask me any questions, that they were free to stop the interview or leave at any time and that they did not have to answer certain questions if they did not feel comfortable with it. I asked if I could use their real identities in my study, to which I always had a positive answer, arguing: "I have nothing to hide or I'm not saying anything wrong". I decided, following academic practices, to change their real names as it becomes easier for me to write about their experiences and the knowledge they shared. I wanted to write without removing the credit the interviewees deserve, but at the same time, being able to identify the individuals who are telling a story; in other words, being able to give a name to the narrating voice as a thread running through the story. I also asked if they felt comfortable with me taking notes and recording our conversations with the phone, which they all agreed with.

The interviews ranged from 30 minutes to 5 hours and the respondents were given open questions about different topics that were organised into blocks, divided into: personal life, work life, work in the union, the tripartite negotiations, and the working body³. All respondents were asked the same questions; however, the variety of their answers created very different scenarios for each one of the interview settings. In this process, during the interviews, they were allowed to express what they were willing to communicate, managing to combine it with the path of the very own research interest. For this reason, some interviews took several hours,

³ More information about the questions can be found in the Appendix.

becoming, in some cases, conversations, in which I became an active listener of whatever path the narration would take, related or not to the specific research interest, in an attempt to give some sort of autonomy to the interviewed women in their narratives, and allowing them to express not only what I was seeking to hear and discover, but also what they needed to verbalise, what they wanted for me to hear and what they thought it was important to be said at the time. The reason for this way of conducting the interviews was an attempt to create a more horizontal relationship between researcher and respondents, and to build a more comfortable climate in a short period of time, in order to achieve a more natural interaction and less artificial responses. This methodology also allows for a type of research that seeks to escape some traditional and classical sociological and anthropological currents, where research methodology was carried out to circumscribe and describe an “object” of study that served for experimentation, rather than a “subject” with whom the researcher would work.

The idea of working with autonomous subjects crystallised during the course of this fieldwork at the time of one of the two participant observations that were carried out at the union’s office. This situation was determinant to confirm the necessity to be aware of the different social places that each individual occupies in society and the impacts it generates in our daily interactions. I did a first visit to the union’s office, with the intention of conducting a participant observation. At my arrival I was told to wait in the waiting room, and I was lately introduced to one of the union leaders, whom I thought I would be able to interview. After I introduced myself, and I asked her the first question, her answer was very straightforward:

We never have any return from the intellectual orbits and we become like an object of study for a theory that in reality does not change anything for us. Neither in union militancy, nor in the acquisition of rights for our *compañeras*, nor anything else. So, there are quite a few of us who are quite reticent to talk, so, let's do the paperwork quickly and continue in our own way... because in reality we have already talked to a lot of people, you see that Uruguay *es un poco como la quinceañera* [is a bit like the fifteen year old girl] in terms of domestic work regulations, so you can imagine that we have talked, even, I don't know, to South Africans, Italians... well, we've had conversations with all of them. Knowledge is generated from other social orbits, but in the daily life of our work and the attention we give to our colleagues: nothing. Because the intellectual circles have their own interests and we are still the lady who cleans. It doesn't help us in our militancy, it doesn't help us in the wage councils... on a political level, maybe it generates a different kind of visualisation, but the

interest always continues to be in other orbits that are not in our reality⁴. (Silvia, 47 years old, domestic worker and *SUTD* member).

This testimony was very meaningful to the course of the fieldwork, as it not only made me reflect on the relevance and methodology for this study, but it also made it clear that it was necessary to remain an active listener, and to be open to these women's narratives, without losing sight of the original research questions. This testimony was a necessary reality check to shape the methodology of the study and to remind us of the need to combine the production of academic knowledge with other realities, in this case the activism and militancy of the trade union, and the daily lives of domestic workers. This statement particularly resonated to me, as the questioning of the academic importance and social relevance of the study was a part of the research process since the beginning, as the idea was still in an embryonic stage. Questioning my mobility to South America was a particular concern, as global mobility has been affected and heavily reduced by the effects of the Covid-19 pandemic. This raised, even greatly, the issues of social inequalities, accessibility and privilege, where I was confronted to revising what it meant that I had the possibility to travel, especially in such a delicate time. Questioning the possibilities of my mobility and fieldwork was made even more evident in the face of these events, in a moment of uncertainty and social unrest. The very fact of my physical mobility from the global North to the global South, in order to carry out an academic investigation with individuals seen as subaltern; conducting a study from a feminist and decolonial perspective; to be published in a European university, in a foreign language to that of the subjects with whom I planned to work was, to say the least, a contradiction. Accepting and embracing the nature of this contradiction, trying to approach the topic from an intersubjective perspective (Anzaldúa, 1987) and taking into consideration my very own standpoint (Ribeiro, 2017) as well as those of the individuals interviewed was the motivating approach for the completion of the research.

At my arrival to Montevideo, I was firstly directed to the feminist organisation *Cotidiano Mujer*, one of the local NGOs with projects directly dedicated to empowering domestic workers. There, I was put in touch with Lilian Celiberti, a long date feminist activist, who agreed to meet me and became one of the main channels of access to the union, which would have, otherwise, been hard to get to, considering the pandemic situation. Due to Covid-19, the union's office in Montevideo was only open to those requesting a visit in advance, and walk-in visits had been cancelled for the public. Through *Cotidiano Mujer*, I was able to interview domestic workers not only from the capital city, but from two other pivotal

⁴ Original testimony in Spanish, personal translation.

departments that made it possible to get a wider look at the ways in which domestic workers live and work in different parts of the country, drastically changing from those in Montevideo, which is known for concentrating most of the economic, social and cultural resources in the country, and where most of the already small population live⁵. The women interviewed from outside Montevideo were from the departments of Artigas, an economically poor and rural area in the north of the country, bordering Brazil and Argentina; and Maldonado, home to the well-known luxurious seaside resort, Punta del Este, which welcomes well-off national and international tourists every year, creating a very specific scenario for seasonal and full-time domestic workers. Interviewing domestic workers and unionists from these three geographical areas allowed for a broader analysis of the country's situation in terms of domestic workers' rights, as well as a deeper look at the internal affairs of the union, allowing for a comparison between zones.

All in all, I can say that the research methods had a great impact in shaping the structure of this study. The selection of data to be subsequently analysed was strongly impacted by the methodology, revealing a first part focusing on the legislation changes, and a second part on the direct impacts of these changes on domestic worker's lives.

5. Data Analysis

This section interweaves different theories with the findings of the fieldwork. The first part of the analysis focuses on looking at the different changes in legislation that were made possible by the interaction between government, domestic workers and employers. This section starts with the characteristic profile of domestic workers in Latin America in general, and in Uruguay in particular. There is a general look at social and gender features, exploring the levels of informality in the sector, the average ages that make up this area of work, as well as the educational profile of domestic workers, their ethnicity and the migratory nature of so many of these workers. This is followed by highlighting the importance of the single domestic workers' union, the *SUTD*, and seeing how they played a fundamental role in this profound change. This part of the analysis focusing on legislation concludes with a look at the instruments of implementation of the law.

⁵ The population in Uruguay in 2017 was 3.437 million, out of which 1.381 million was concentrated in Montevideo.

The second part of the analysis focuses on the different changes that domestic workers experienced after the implementation of the law. Through the collection of the narratives of several union members and domestic workers, the analysis here focuses on the building of collective and professional identities around their labour as domestic workers and unionists. This is followed by the stigmas around domestic work that prevail until today, and how they are reflected in the normalisation of certain behaviours, in particular the familistic relationships at work and the symbolic meanings of giving and receiving presents. This part of the analysis finishes with the impacts of the law on the body of domestic workers and the acknowledgment of the emotional charge involved in domestic work.

5.1. Understanding domestic work in Uruguay

Domestic work in Uruguay, although with its local and particular characteristics, follows some similar tendencies to other countries in the region. Some of the data regarding the social profile of domestic workers can seem striking when taking into consideration the legislative advancements that have been in place for the past fifteen years. Because of this, it is relevant to question and reflect on the very nature of care and domestic work, as well as the notions that surround it. Paid domestic work has certain particularities when compared to other forms of employment that result in added challenges for domestic workers. For instance, the employment relationship that is established. Even when it belongs to the productive sphere of the market, which is to say, when it is salaried, domestic work is mediated by the daily cohabitation within the private sphere of the employers' home, which leads to a blurring of this relationship, and consequently, of the rights and duties that derive from it. In addition, domestic workers suffer isolation from each other and from the rest of the working class, as they do not meet in the workplace or have a common space to assemble during their work time, a situation that is intensified in the case of live-in employees, whose private living space is not only the same as their employers, but also their working place, obscuring even more the issues around doing extra hours and not being able to limit their tasks. In a similar way, those who employ or consume this domestic work are not enterprises but individuals or families, and, even if they are constituted as enterprises for the purposes of registration and the corresponding contribution, their actions are not based on a business and knowledge of a business logic, but on informal relationships based on trust or familiarity (Batthyány, 2013).

In Uruguay, following the regional trend, domestic work constitutes a mostly urban and absolutely feminised phenomenon, demonstrating the effects of the sexual division of labour at

a material level. In Uruguay, considering the distribution of the territory, the presence of domestic workers corresponds to the country's population as a whole, where the capital, Montevideo, has the highest number of domestic workers (32.7 per cent), followed by Canelones (16.4 per cent) and Maldonado (7.4 per cent) (González and Cancela, 2016). The majority of domestic workers in Uruguay are women, more precisely, 90.1 per cent. In 2018, 113,192 wage earners worked in the domestic work sector in Uruguay; of this total, 102,086 were women (Palomeque, 2019). What is more, domestic work in Uruguay is a clear example of the gender pay gap in the country, as well as the persistent occupational segregation due to the sexual division of labour. Within the job market, women in Uruguay are found in a small number of occupations, and in jobs with low wages and precarious working conditions. Domestic work is also, from a quantitative point of view, not only a completely feminised job, but also the most important for women in the country; the domestic sector represents 13.8 per cent of total female employment and it is the largest sector of employment for women workers in Uruguay. It is also one of the main entry points for young women into the labour market (Palomeque, 2019).

It is estimated that there are 19.5 million people working in domestic service in private homes in Latin America, out of which 18 million are women and 1.5 million are men. The statistics are formulated in extremely binary terms solely referring to “men” and “women”, therefore the official data for other non-binary gender identifications within domestic work remain unclear, although they have been mentioned in interviews. These figures constitute around 7 per cent of the regional urban occupation and include domestic workers, as well as gardeners, doormen, guards and the most skilled care workers and childcare workers. Through these estimations, the necessity of a clear definition of domestic work and the tasks covered by domestic workers from an institutional and legal level, become an extremely relevant issue, partly covered in the Uruguayan Law 18.065, which defines domestic work as the “work provided by one person to another or others, or to one or more families, in order to devote his or her care and work in the home, in tasks related to the household, without these tasks representing a direct economic gain for the employer” (Convention C189 - Domestic Workers Convention, 2011 [No. 189]:17).

Regarding the informality of the sector when looking at Latin America, we can observe that more than 77.5 per cent of women employed in the domestic work sector work informally. At a sub-regional level, 2018 data shows very high levels of informality in Central America (97.6 per cent), several countries of the Caribbean (over 90 per cent), followed by the Andean countries (81.9 per cent) and the Southern Cone (63 per cent). Uruguay is one of the countries in the region with the highest levels of employment formalisation, with close to 70 percent

affiliation to pension systems (UN Women, ILO, CEPAL, 2020). In spite of having one of the highest levels of job formality in the region, domestic work in Uruguay prevails as one of the job sectors with the highest rates of irregularity in comparison with other formalised jobs (Instituto Cuesta Duarte, 2021). Domestic work is, in fact, the sector with the highest percentage of informal work in the Uruguayan economy, more than three times higher than the rest of private wage earners. Informal work statistics within domestic service are high, however the 2006 legislation allowed for an improvement in the situation, contributing to increasing numbers of domestic workers registering in social security to work formally. In 2018, the *Banco de Previsión Social (BPS)*⁶ registered 75,128 formally declared domestic work positions, which supposed an enrolment increment of more than double (2.4) in 18 years, from 31,059 declared jobs in 2000 (Palomeque, 2019).

At the regional level, domestic workers in most Latin American countries are, in average, between 35 and 50 years old. This trend is explained by the decrease of young women being employed in domestic work, associated with the low social status of this occupation, a broader accessibility to education and the expansion of the occupational offer. This is also explained by the large numbers of women working in the domestic service who have to remain in the labour force due to the lack of retirement possibilities, a consequence of the irregularity of the job, which makes it extremely difficult to retire with a pension as the working years were never registered formally (Batthyány, 2013).). Although this reality is still frequent in Uruguay, the country in particular has one of the highest numbers of young women in domestic service; 14.2 per cent of domestic workers in 2010 were between 15 and 25 years old, which can be explained by the possibility of younger women to enter the domestic service through hourly jobs, and to combine it with their studies (Batthyány, 2013).). This is particularly the case for childcare work, as opposed to caring for the elderly and dependent people, where the average age of domestic workers is elevated to 55 years old (González and Cancela, 2016). In this case, it is also important to highlight that the figure of the nanny or babysitter in Uruguay entails a different social connotation and status than that of the domestic worker, which explains the growing numbers of younger women entering the sector in Uruguay.

Regarding the educational level of the workers, the majority of the occupation recruits women with low qualifications; 31.8 per cent of all domestic workers in Uruguay have only completed primary school, and 9.9 per cent have not completed primary school, what

⁶ *Banco de Previsión Social is the state-owned Uruguayan Social Security Institute.*

constitutes a direct link to the low social status associated to domestic work, as well as the perceptions and stigma around it.

In terms of ethnicity, in 2006, 12.8 per cent of domestic workers identified as black, in a country where the population self-identified as of African ancestry is 7.7 per cent. The same year, domestic work accounted for 29.3 per cent of all working black women (Goldsmith, 2013). The percentage of workers declaring that they were of indigenous ancestry was slightly under two per cent.

Regarding migration, it is possible to affirm that the processes of migration are strongly connected to the sector of domestic work, as there are growing numbers of migrant women working as domestic workers in Uruguay, especially from countries such as Peru, Bolivia, Paraguay, and most recently from Cuba, Venezuela and the Dominican Republic (Lencina Coria, 2015; Zeballos Videla, 2017). Uruguay has a small population of 3,474 million people, out of which 1.381 million live in the capital, Montevideo (UN, 2019). This national socio demographic trend is followed by the immigration tendencies, which indicate that the majority of migrant people (65 per cent) are concentrated in the city of Montevideo (Lencina Coria, 2015). The numbers of immigrants arriving to Uruguay has been increasing in the past few years, giving an explanation to the growing numbers of migrant women in domestic service; in 2010, there were 76,303 immigrants living in Uruguay, whereas the number raised to 81,484 in 2019 (Datos Macro, 2019). It is also relevant to mention that the number of immigrant women in Uruguay this same year (44,494) surpassed the number of men (36,988). An indicator of this feminisation of migration could be linked to the fact that migrant women can find quick access to the labour market through domestic work. The exact numbers of women who have migrated from other countries to work in domestic service are undetermined and complex to calculate, as the levels of formal work remain low for these women who, due to higher vulnerability or lack of knowledge of the law and their rights, can become more exposed to exploitation and human rights violations (Goldsmith, 2013). In this sense, the arrival of migrant women into domestic work can be another challenge for collective identity building around domestic workers and within the *SUTD*, the *Sindicato Único de Trabajadoras Domésticas* (United Union of Domestic Workers), as employers may take advantage of these women's situations, in spite of them being covered by the legislation equally as the rest of Uruguayan domestic workers⁷.

⁷ In Uruguay, the principle of equal treatment applies, which means that migrant/foreign domestic workers have the same labour rights as national workers as long as they comply with the requirements established by law and the bilateral and multilateral instruments ratified by the country (Law 18.250 of 2008) (*Manual de buenas prácticas para trabajadoras y empleadoras del servicio doméstico Santiago, Organización Internacional del Trabajo, 2013*).

Following labour reform in 2006, many employers have felt their status quo destabilised by the new entitlements of their employees. This made many of them prefer to hire foreign domestic workers on an informal basis. In the interview with Maria, a housewife and employer, one can perceive how the law reform affected her as an employer and the aversion it generated in many employers, the reason why she and her social circle preferred to employ foreign domestic workers:

They [the employers] no longer want to hire Uruguayan domestic workers because they demand too much. They prefer to hire migrant workers, Cuban, Venezuelan, Dominican... because they are quieter. But they are working informally, so they can leave one day without notice. They are passing through to have Uruguayan children and collect benefits, to have rights and then they leave, but they don't tell you that they are going to leave. (Maria, 48 years old, housewife and employer).

According to family roles, domestic workers have a high share of household headship, accounting for 39.3 per cent. Female household headship at the national level does not exceed 10%, which points to the over-representation in this occupation. On the other hand, the income of female-headed households is significantly lower than that of male-headed households (González and Cancela, 2016). Entry into the occupation as domestic workers is in many cases marked by a family event, such as widowhood, divorce or maternity, which makes entry into the labour market more vulnerable. As we shall see through the case of Olivia, one of the domestic workers interviewed in Punta del Este, her life story is a reflection of not only the sensitive conditions that many women experience and that push them to accept the precariousness of domestic work, but her example also illustrates the average social profile of a domestic worker in Latin America that statistics are showing. Olivia (60 years old) was born in a rural area in the north of Uruguay, in a region of sugar and wine production. She was one out of 14 siblings and she went to the *escuela rural* (rural school). After her, her sons and daughter did too. She didn't pursue further education as the members of the family continuing school had to be chosen carefully, and she was unlucky to belong to the group of siblings who did not have this opportunity. Olivia recounts how *la emparejan* (she was married to) a countryside man fourteen years older than her, with whom she went off to live when she was 23. Around 1998 or 1999, she does not remember the exact dates, she went to Montevideo because her youngest son, who was eight years old at the time, was very ill with leukaemia. She tells me in tears that "He was admitted to hospital during Easter one year and the following Easter he died". Her husband had problems with depression as well as other physical issues

that aggravated due to his age, and soon after the death of her son he passed away too. Olivia was living in Montevideo when she became a widow and she decided to move to Maldonado: “We saw it on TV, the beaches, Punta del Este, we dreamed of going there”. The decision to move was influenced by the fact that she had a cousin and some other family there, and she started working in productive labour for the first time: “I had never worked before” (referring to never having been paid for a job, as she had always worked at home as a housewife). One job led to another and by word of mouth she entered domestic work. After a couple of years working here and there, she started working for the family she still works for today, an upper-class couple of retired entrepreneurs who live between Montevideo and Punta del Este. Olivia’s case is a clear reflection of the socio-economic background of domestic workers in Latin America and Uruguay.

Understanding the socio-economic context in which domestic work exists in Latin America and in Uruguay is the first step to understand the deeper idiosyncratic of the sector. The next step is to look at the *SUTD*, the domestic workers’ union, a central player in legislation change and identity formation for domestic workers in Uruguay.

5.2. About the process of organisation and identity building: the *SUTD*

The first recorded instances of domestic workers joining together in Uruguay date back to the 1960s. These first meetings are associated with the Catholic Church, as women used to meet at the doors of parishes and the meetings were integrated by domestic workers who were part of the Catholic Workers' Youth (*Juventud Obrera Católica*). During the dictatorship (1973-1985), trade unions were banned and domestic workers stopped holding these meetings for political organising purposes. With the arrival of democracy, the *SUTD* was founded in 1985, but soon lost its strength. Until it was revived in the early 2000s, re-emerging as a fundamental support for the law process. Today, the single domestic workers' union has branches in several departments of the country, with a defined board of management, which is actively involved in the organisation and coordination of the union's activities, and affiliates who pay a monthly membership fee. The union representatives, like all other members, also pay the membership fee and they must be active domestic workers. In other words, they cannot give up their jobs in domestic work to devote themselves to union activism, but must combine both tasks. This places a heavy workload on the union leaders, as they do not receive any salary for their union

work. The union does not have *fueros sindicales*⁸ (trade union rights), as do other unions in the country:

The fee we charge is very symbolic. We charge less than a quarter of what any union charges for a union dues. It is voluntary, just like our work. We continue without union privileges, all the work we do at the executive [the board members of the union] and all the branch delegates is without working hours. We pay our dues like any other affiliate and there is a kind of demonisation of the union. (Silvia, 47 years old, domestic worker and *SUTD* member).

The *SUTD* today has the main office in Montevideo, as well as branches in other provinces of the country. In the capital, the office is located in a flat near the old town, with a kitchen, waiting room and a bureau, where one can find informative leaflets with the BPS (*Banco de Previsión Social*) campaigns and the *SUTD* flags hanging in the walls⁹. The union leaders organise themselves to take turns to be present in the office several days a week to receive other domestic workers seeking help with legal issues, information about their rights or a particular situation at work, and emotional support. On arrival, visitors are told to wait in the waiting room, which resembles the living room of a family home, until they are called by the unionists who will come to meet them.

There is a recurring idea among the interviewees regarding the low levels of affiliation and the disinterest or inactivity of the rest of the *compañeras*, indicating that many tend to approach the union only in cases of serious problems or when they need help with something, without taking into consideration the grassroots work of the union and the constant support they believe it deserves.

They [domestic workers] don't trust the union, they feel they don't need it. But when they have problems and the union stands up for them, they start to see how important it is to have someone to support them. Another reason why they don't approach the union is because the union lacks the means to motivate the worker [to join the union]. The union lacks motivation for the workers. (Rocio, 65 years old, retired domestic worker and former *SUTD* member).

⁸ A *fuero sindical* protects the worker and trade union leader, in order to guarantee the exercise of freedom of association (Ley N° 17.940).

⁹ The *SUTD* flag hanging at the union's office had their logo, consisting of a red key in the centre and two hands shaking together inside a circle where we can read *Sindicato Único de Trabajadoras Domésticas, SUTD-PIT-CNT*. In semiotic studies, flags and logos can be understood as a symbol of institutionalisation and identity construction.

The *SUTD* remains active but it counts, in fact, with little support, low numbers of affiliation and scarce representation. According to official *SUTD* data, the number of domestic workers affiliated to the union averages 300 people, less than 1% of the total number of domestic workers formally registered with the *BPS* (Palomeque, 2019). The low numbers of women actively engaged with the union can be explained by several factors. For instance, the misconceptions that have been built around the union and that remain in the imaginaries of some people, including some domestic workers who may be embarrassed or scared of getting in trouble with employers if they join the *SUTD*:

We come back to the question of the particularity of the sector; almost all trade unions in our country have the possibility to have the union dues deducted from the wage bill. We do not. Because of these oppressive characteristics of the sector, from the employer's side, many of them [domestic workers] don't have a pay slip and the union [for the employers] is like...: “our good working relationship is over if you get advice about your rights the union is like a bogeyman for many employers.” (Silvia, 47 years old, domestic worker and *SUTD* member)

From this persistent thought shared by unionists of the *SUTD*, it is possible to observe the social relations that emerge from the union and labour contexts. While unionists see the *SUTD* as an organisation claiming the professionalisation of care and domestic work, they have the perception that other domestic workers consider the union as a mere administrative office which is there to help them with their problems: “las *compañeras* come here when they have a ‘stomach ache’”. This reality is shared by domestic workers and unionists in other countries, such as in Brazil, as noted by Vidal (2007), where, similarly to Uruguay, most domestic workers know nothing about the union when they first go there seeking help with a problem at work. In spite of the much more advanced legislation that has been implemented in Uruguay for the past sixteen years, very different from the reality experienced by domestic workers in Brazil and other Latin American countries, the issue regarding collective identity and the notions around their work is a shared one. The interviewees showed their annoyance at the fact that other *compañeras* only went to the union to ask for help or when they had a problem, but were not there to support it. When they first go to the union, many domestic workers claim not to be aware of the existence and roles of the union as they often are confronted by unionists about only approaching when “the problems are too big”. Unionists invite other domestic workers to join the *SUTD*, repeating that the union is a fighting organisation that aims to improve the condition of all domestic workers, however, very few are willing to see it as anything other than

an administration office: “Women do not make the slightest effort to read the documents, it is a question of *comodidad* [convenience].” (Sofia, 67 years old, retired domestic worker and former *SUTD* member).

In an interview for a Uruguayan newspaper, the president of the *SUTD* was asked about the challenges that domestic workers in Uruguay face today, to what she responded:

The main challenge is to maintain all the rights acquired and won in the Wage Councils, that the workers are empowered and see that all these rights have been won by ourselves, and that they go out to accompany those of us who are in the union (Demirdjian, 2020).

This reality marks a break in the strengthening of a collective identity within domestic work, giving rise to two social situations: on the one hand, there is a certain reluctance or disinterest on the part of domestic workers to get involved or join the union, either for fear of coming into conflict with their employers, for lack of knowledge and motivation, or because they think that the union is an unnecessary tool, a mere administrative aid. On the other hand, there is the question of the status that is embedded among domestic workers who belong to the union. I will return to this question later in the study, for which it is necessary to first look at how the legislation was implemented and enforced, changing the lives of thousands of domestic workers in Uruguay for years to come.

5.3. Work and the impacts of the legislative revision

5.3.1 Making the law

The law passed in 2006 was an innovation and a breakthrough in the rights of domestic workers in Uruguay as domestic work was previously excluded from labour rights granted to other workers. The issue of domestic work and care had already been discussed on the Uruguayan political agenda before the current law was passed. In the 1990s there were some attempts at legislative reforms which were frustrated due to lack of visibility and little to no organised social and political pressure by domestic workers, which strengthened the elite resistance to the proposals being discussed (Blofield, 2015). It was then, in 2004, with the arrival of the left-wing political party *Frente Amplio*, the first time in Uruguayan history that the left won the presidential election, that a new opportunity arose for domestic workers’ rights, as the new government initiated the law proposal aimed at creating a wage council for domestic workers.

Many of the women interviewed expressed the importance of having the support of the executive to obtain their labour rights and improve their living conditions:

The political panorama politics we had played an important role... When the progressive government came in, the doors were opened to many workers, we fought for labour rights. When the Frente Amplio was in government it was the biggest support we had. The PIT-CNT¹⁰ was one of those making sure that all the unions had the most support. We, for example, were given a vehicle every month to visit the interior: Durazno, Treinta y Tres, Colonia, Paysandú... Because it was not easy for a domestic worker from Artigas, for example, to find out that there was a meeting in Montevideo and go. (Rocio, 65 years old, retired domestic worker and former *SUTD* member).

By 2005 the *SUTD* was reactivated, after having been dormant for a 15-year period. This period of inactivity was influenced by a lack of government response to their demands and workers' reluctance to join for diverse reasons, including fears of reprisals by employers (Goldsmith, 2013). Founded in 1985 after Uruguay returned to democracy and the ban on union activity was lifted, the *SUTD* had a timid activity for several years and a new phase of mobilisation after the 2006 law, in which the union members, together with the PIT-CNT played a fundamental role in campaigning for the legal reform for domestic workers to obtain equal rights to other workers. In 2005 the *SUTD* was reactivated with the strong leadership of two women who had a long background of union organisation in the textile industry. As noted by Blofield (2015) in a study about domestic workers' struggle for equal rights in Latin America:

“One of the leaders noted that women who worked in domestic service had often internalized elements of the more submissive master-servant dynamic that had historically characterized this relationship. Part of the struggle for her [one of the new *SUTD* leaders] was making women in this sector more aware of their dignity and rights.” (Blofield, 2015: 108).

Although in different terms, this narrative is also found today in the testimonies of some *SUTD* members when asked about the low numbers of affiliation to the union and the future prospects of the struggle, a topic we shall see in the following chapters.

The Law 18.065 was eventually approved by the Uruguayan Legislature on November 27, 2006, thanks to the efforts of the union members and leaders, and full support from the members of the congress. It is important to situate this decision within the context of Uruguay,

¹⁰ The *Plenario Intersindical de Trabajadores – Convención Nacional de Trabajadores (PIT-CNT)* is the national trade union center and the coordinating body for all trade unions in Uruguay.

determined by specific characteristics, such as the broad political inclusionary vision and historical lack of deep ethnic cleavages, weakness of the church and not extremely strong conservative forces in Uruguay (Blofield, 2015).

The law introduced the wage councils for the sector, a maximum working day of eight hours a day and 44 hours a week, a regime of breaks, wages and severance pay, including dismissal during pregnancy, unemployment insurance, health insurance, probationary period, overtime (*horas extra*), holiday pay, and Christmas bonus, with a regime equal to that of other private wage earners (Palomeque, 2019).

The inclusion of domestic work in the *Consejos de Salarios* (Wage Councils), one of the tools in Uruguay to set up wages, meant a new cycle for domestic workers. Each occupational group has their own wage council, and these are formed by tripartite negotiations involving representatives from the employers' side, the employees and the government. During the negotiations, the domestic workers were represented by the *SUTD*, which introduced the demands and defended domestic workers interests. One of the women interviewed, a retired domestic worker and one of the union members in Maldonado since its inception, shares the following account of the wage councils:

It was a bit tedious sometimes to spend hours in the Ministry of Labour, to agree with the *Liga* [the employer's representative], because we also consider that sometimes the person who takes on the domestic worker is also a domestic worker herself. The employer is not always a person with great acquisitive power. We always put in the balance the pros and cons. In the last wage council, they struggled a bit more, it took about 3 months to reach an agreement. Every 2 years there is a council, and they always accumulate the acquired rights. The fact that a new agreement is made does not mean that we lose rights that have already been accepted; it seems that in the last agreement they wanted to take away benefits that we already had and it was not ideal. (Rocio, 65 years old, retired domestic worker and former *SUTD* member).

As domestic workers are not necessarily employed by a professional company but by individual families (although they can sometimes be employed by companies), the employer's side was, for a while, lacking representation for the wage councils. Eventually, representation was obtained through the *Liga de Amas de Casa, Consumidores y Usuarios de la República Oriental del Uruguay* an organisation originally founded in 1995 to dignify the work of housewives and to defend consumer's rights, sharing information on employer's rights and obligations, providing legal advice to employers and other issues such as instructing on how to

write payslips, calculate wage increases or resolving work conflicts (Goldsmith, 2013). The *Liga* is deeply personified by its president, who has been holding the position since the creation of the organisation. It has been described as a “very peculiar employers’ organisation”, as they do not represent the heterogeneity of the employer’s group, which ranges from employers who hire live-in workers to those who hire the service of a few hours a week (Rojas Scheffer, 2020). The first tripartite wage council for domestic workers was constituted in 2007 and it received the name of *Grupo 21* (Group 21), as it was the 21st council to be created. In their first meeting, the *SUTD* introduced a series of demands, such as establishing the Domestic Worker’s Day on August 19, a paid legal national holiday for all domestic workers; the provision of two sets of work clothes per year and decent work conditions, free of moral and sexual harassment, among others. Most of the *SUTD* demands were negotiated, and many of them were included in the collective agreement, some with modifications (Goldsmith, 2013). From the first wage council, there have been seven collective negotiations to discuss domestic workers rights’ in Uruguay, including the correspondent wage increases, setting the minimum hourly wage in 2021 at UYU 116.23 pesos (Ministerio de Trabajo y Seguridad Social, 2019), which is slightly over the minimum wage (UYU 89.65) (Ministerio de Trabajo y Seguridad Social, 2020).

The making of the legislation was definitely an enormous advancement for domestic workers in Uruguay, as they were legally made equals to the rest of workers in the country. This change in abstract world of laws, however, had very visible impacts in the material lives of these women, as well as the rest of individuals affected in one way or another by the care work carried out by domestic workers. So, what were the impacts of this new legislation?

5.3.2. Impacts of the law

Six years after the legislation was approved in Uruguay in 2006, the country became the first in the world to sign and ratify the Convention on Domestic Workers (C189) adopted by the International Labour Organisation (ILO) in 2011 and implemented in Uruguay by 2012. It was the first time that domestic work was given a space at the ILO and there was an official call for action regarding the labour rights within the domestic sector, providing a tool to protect and dignify domestic workers' lives. The agreement targets the particular socio-economic realities of domestic workers, taking into account the gender issue, the link with migration, and the other specific vulnerabilities faced by domestic workers in the world:

[D]omestic work continues to be undervalued and invisible and is mainly carried out by women and girls, many of whom are migrants or members of disadvantaged communities and who are particularly vulnerable to

discrimination in respect of conditions of employment and of work, and to other abuses of human rights (...) (Domestic Workers Convention No. 189, 2011).

The Convention defines what is domestic work and a domestic worker, as well as the tasks expected to be carried out and the series of labour rights that are to be granted to domestic workers at an international level, such as the right to having breaks, paid holidays, or freedom of collective organisation. In the years that followed the adoption of the Agreement by the ILO, other countries ratified its validity, including Paraguay (2013), Argentina (2014), and Brazil (2018). In 2021, only 31 countries in the world have signed the ratification of the Convention 189 (Domestic Workers Convention No. 189, 2011).

This national and international legislative scenario has allowed domestic workers in Uruguay to exercise the following labour rights today:

- To receive their salary.
- To be affiliated to the Social Security Bank.
- When a domestic worker is registered with the *BPS (Banco de Previsión Social)* she is entitled to:
 - Health coverage for herself and her dependants (minor or adult children with disabilities, spouse/cohabitant).
 - Maternity leave.
 - Family allowance.
 - Unemployment Insurance.
 - Sickness, glasses and prosthesis allowance.
 - Disability allowances.
- Retirement allowance.
- Right to break at work, as well as night and weekly breaks.
- Right to annual leave.
- Entitlement to leave for marriage, adoption, bereavement, bereavement or study leave.
- Entitlement to paid holiday on 19 August, corresponding to Domestic Workers' Day.
- Right to overtime pay if she works more than her scheduled hours.
- Right to receive a copy of pay slip.
- The right to be provided with working supplies and appropriate clothing.
- The right to have the employer deduct contributions to the *BPS* and then pay them, together with the employer's contributions, to the *BPS*.

- The right to receive wage increases as defined by the Wage Councils or by Executive Decree.
- The right to receive seniority bonuses.
- Right to receive additional compensation if night work is performed.
- Right to agree and receive additional compensation for working away from the usual place of work.
- The right to be treated with respect with regard to their person, beliefs, personal preferences, etc.
- The right to join a trade union and to actively participate in the activities of their union.

It is important to highlight the rights that domestic workers have in Uruguay, not only because it is authentically in contrast with the rest of neighbouring countries, but also because it supposed an almost unimaginable change in the lives of domestic workers in the country. This legislation is so important because it imagines the possibility of breaking with the historical construction of domestic work i.e., coloniality of labour (Gutiérrez, 2014), which has indirectly been justifying the exploitation of domestic workers, who were granted no labour rights. The positive impacts in personal and labour relations that domestic workers experience in Uruguay today can be seen from some of the collected testimonies, where interviewees recount their stories as well as the stories of some *compañeras* before and after the legislation changed:

Before the change of law in 2006, they [the employers] paid you what they wanted. After that they had to compile to the law. I know of a woman who worked for six years in a house, thinking she was contributing to social security, but she was not. She had a conversation with her *patrona* [female employer], she sent her to talk to the *patrón* [male employer] and he told her she could leave the house. (Sofía, 67 years old, retired domestic worker and former *SUTD* member).

Yet, another example provided by Rocio, a retired domestic worker who could stop working at the expected retirement age thanks to the benefits obtained after the law was introduced:

During my time in the union we have achieved a lot of things: the recognition of the half hour off, worked overtime being paid, the contribution¹¹, which meant that today I can also enjoy a pension, although it is not much, it is a decent pension. Before, a domestic worker was paid and did not contribute anything to the *BPS* or the insurance bank, that has also been regulated. If she had an

¹¹ This is making reference to the benefits that are granted to every worker for their registration in the *BPS*.

accident at work, sometimes she had to miss work because she was sick and had no protection, this was another thing that was achieved. Leave, holiday pay... all the things that we didn't have and now we have. Apart from achieving rights, apart from labour laws, we achieved the right to health. (Rocio, 65 years old, retired domestic worker and former *SUTD* member).

Another key point where the law introduces an improvement in life conditions and which has been repeated during conversations with *SUTD* members, has been the topic of retirement. As many of them approach or already have approached the retirement age, there is a common reality for many to still work past the official retirement age, or continue to work in other informal sectors after they quit the family household where they did domestic work. This is because the majority of them began working as domestic workers in very precarious ways, before the law was introduced and they were not registered by their employers, thus not contributing to social security and gaining a pension. For the cases of those who achieved several years of working registered in *BPS*, the pension continues to be very low, as some of them narrate:

I'm seven years behind my retirement age and I'm still working. I'm hopefully going to start the procedure soon, so I can retire this year. I couldn't retire earlier because *la jubilación nuestra no es nada* [our pension is nothing]. (Julia, 67 years old, domestic worker and *SUTD* member in Maldonado).

Sofía, another retired domestic worker who moved back to her hometown in the interior of Uruguay tells me how she was lucky to be able to retire because she worked in other jobs, being a kids' teacher and librarian, from where she obtained the highest contributions allowing her to raise money for a pension. She recounts that most of her employers (in family homes) would not pay for her social security, so those worked years were lost.

There are many *compañeras* who cannot retire because they were not registered in social security when they were working so they didn't contribute and now they don't make up the 30 years required to retire. (Sofía, 67 years old, retired domestic worker and former *SUTD* member).

Yet another story about how getting a decent pension is, for a domestic worker, a job of fate or luck instead of a granted right:

My neighbour is 63 and she's still working, she still needs another year and a half to be able to retire. When I was 17 I worked for a family until I was 20, but in my employment history it figured as if it had been only 3 months. This was during the military dictatorship and the *patrones* (the employers) are already

dead, so I had to call two witnesses to declare that I worked there for three years: a man who used to work with the *patrón* and a *patrona's* friend that used to come to the house. I gave their contact details to the *BPS*, but I don't know what happened, if they called them to check. Luckily, I had those years through my other jobs, so I didn't have to push for that investigation. (Rocio, 65 years old, retired domestic worker and former *SUTD* member).

Members of the union recount their acquisition of rights after the implementation of the law. However, they are very conscious that these rights are not untouchable, and the new reality experienced by the Covid-19 pandemic is yet a reminder of the fragility of their situation. While it is true that there is an extension of rights that are granted to domestic workers in Uruguay, however, union members are very aware that these rights could disappear or be removed at any time. The impacts of Covid-19 on the situation of domestic workers serve as an example of the risks of taking for granted certain rights. The pandemic has created a context of global uncertainty and augmented economic and social vulnerabilities affecting people in diverse spheres of their lives. Domestic workers in Uruguay have also faced some situations of inequality that seemed to have been overcome, but due to the pandemic have returned, as we see in the case of Olivia:

I'm supposed to have a surplus on my salary during the summer as there is more work because family and friends are coming to the house and I need to cook and clean for all of them. This year, with the pandemic, I didn't have the surplus because they were not supposed to be coming, but they did anyway. I still had to work more, but I didn't get paid more as other years. This year I didn't get the *aguinaldo*¹² nor *presentismo*¹³ and *la patrona* [the employer] didn't say anything, didn't explain why she didn't give it to me. (Olivia, 56 years old, domestic worker and *SUTD* member in Punta del Este).

The coverage provided by legislation has, however, enabled capacity of action in the labour sphere for domestic workers:

One of the things that benefited the registered workers was the unemployment insurance through Covid; if the employer does not work, the worker does not

¹² *Aguinaldo* is a bonus consisting of a sum of money received by domestic workers, which is obtained by dividing by twelve the wages paid by their employer in the twelve months preceding the 1 December of each year. *Aguinaldo* is also a folk genre of Christmas carols in various countries in Latin America. The name of this salary coincides with the musical genre as it is received during the Christmas season.

¹³ *Presentismo* is an extra pay that workers obtain if they have had no absences to work.

work either, but in this case she was entitled to the insurance. (Julia, 67 years old, domestic worker and *SUTD* member in Maldonado).

These rights were achieved thanks to the active work of domestic workers and union members and leaders, with the essential support of the progressive government of *Frente Amplio*. Newly acquired rights are, however, not always easy to be implemented:

Before the law there was nothing. The law introduced many changes: weekly rest, working 36h per week; specific categories of work and paid extra hours. Before, employers abused the trust and workers did extra hours without getting paid for them... So, in theory, that's the law, but the reality is not always like that, even though the union has spread the word about rights. (Pablo, 45 years old, *SUTD* lawyer).

Some of the numbers are a reflection of the difficulties of implementing the law; as a member of the union told me, in 2019 there were between 120 and 140 thousand domestic workers in Uruguay, out of which only 76,500 were registered in social security according to *BPS* data. This is why the enforcement of the new legislation remained, and it is, still today an important question: how is the state ensuring that domestic workers are benefiting from these rights? Is the change in law sufficient to contribute for a change in material reality? As one of the women interviewed commented about this question: *Del dicho al hecho hay un trecho* (it's a long way from words to deeds). And this is precisely the reason why the methods to enforce the law are a key tool to ensure these rights are a reality and do not stay in the abstract forms of paper and law.

5.3.3. Enforcing the law

One of the strengths of the legal reform in Uruguay was the implementation of the law, which counted with the support of the executive, the *SUTD*, the social registration of the *BPS* and the Ministry of Labour. Soon after the approval of the law, the government and the *BPS* began an effective and innovative campaign in which the *BPS* launched a strategy of door-to-door promotion and sharing of informal fliers directed to domestic workers and employers. There were also ads run on television in 2007 and 2008 reminding people of the importance and responsibility to register domestic workers in social security. This campaign could be ranked as effective, overall, as about 50 per cent of the total of domestic workers were registered for social security in 2009 (Blofield, 2015).

Another way of enforcing the law has been through the labour inspections, in which labour inspectors go to households where people are presumed to be working in domestic service activities and they can ask to enter the home or interrogate the domestic staff at the door, as well as request documentation from the employer to verify that they are in order and up to date with their obligations. From the data collected in diverse interviews, there is a collective agreement in thinking that these inspections can be delicate, as they can put the domestic worker in an uncomfortable and complex situation with the employer. Many times, the inspections happen after the worker has filed a complaint to the Ministry of Labour for an abusive treatment and this can provoke feelings of fear and little willingness from some domestic workers to denounce certain situations. For this reason, inspectors have adopted the strategy of visiting several homes in a neighbourhood to pretend to be carrying out a general inspection, rather than to be examining a particular house after a report. In spite of the efforts, the situation continues to be complex and many union members complain that the inspections are not enough and they fear they could be even less if they lose support of the executive with the arrival of the right-wing government, which could deteriorate their stability. In the years after the first *BPS* campaigns, one domestic worker recounts her story with an inspection at the household where she used to work:

I started working as a domestic worker in 2009. They did not have me registered with the *BPS* and it was really unfair that they told me that they could not pay, when I saw that they went on trips abroad every year. One day they said that because they considered me to be a part of the family they would not register me. So, I said well, if you considered me family I would go on your trips with you, and yet I don't go on your trips; I don't use your zero-mile van. So, I think that as a worker I am entitled to certain rights. The labour inspectors came down and the employers didn't want me anymore, so I started to sue them. It was the Union's first successful lawsuit for unfair dismissal. Here in Uruguay after an inspection they can't fire you, and if they do it is abusive (*despido abusivo*¹⁴). (Flor, 56 years old, domestic worker and *SUTD* member).

The efforts to raise awareness on the legislation and to improve the rights of domestic workers that have been made from the executive, the *BPS* and the *SUTD*, have been strong. However, there are still some cases of abuse and exploitation that are difficult to track. Because

¹⁴ *Abusive dismissal is not regulated by a rule and is also the result of a construction of jurisprudence. It is understood that abusive dismissal is configured when due to an abusive action of the employer in the form of dismissal (whether direct or indirect), extraordinary damages are caused to the employee. (Perez del castillo, 2017).*

of the nature of domestic work, because it belongs to the private sphere intrinsic to reproductive work, it remains very difficult to assess certain behaviours that fall outside the law. Inspections are a partly effective way of monitoring abuses of power inside the private space that becomes a working space for domestic workers, but they are not enough. This may be, indeed, because they occur within the private family home and it is difficult to register labour exchanges between employer and employee; or because of fear or lack of knowledge on the part of the domestic workers themselves to file a complaint. Maintaining a purely professional relationship behind closed doors is not always an easy task for everyone involved, and responsibilities that should be simple to be tracked, such as preserving a defined working schedule, become blurred within the walls of the family house, as we can see in the following cases:

The overtime will never be able to be verified because it is very difficult to prove the exact number of hours worked in a private household, that's why we don't recommend to accept doing overtime, because it is very difficult to testify in a family home, it is up to the will of the employer. (Rocio, 65 years old, retired domestic worker and former *SUTD* member).

When talking about the implementation of the law, many were the testimonies in which interviewees highlighted the deeper vulnerabilities faced by migrant domestic workers, who often do not know their labour rights. One of the lawyers of the *SUTD* recounts the case of a migrant domestic worker in Punta del Este, an example of the difficulties of implementing the law inside the family home:

There was a case of a Peruvian domestic worker who heard the *SUTD* members speaking on the radio and called to seek help. She was not allowed to leave the house and I had to go take her out of there. The employers were not even conscious of the seriousness of the matter, and argued that she should have been grateful that they paid her more than other employers. (Pablo, 45 years old, *SUTD* lawyer).

Fear from employer's reprimands is another recurrent topic, as explained by Rocio:

In many cases they make a complaint but they do it on the sly, it has happened to us. When we receive a complaint, we take it to the Ministry of Labour and they send an inspection to the place. There, the domestic worker is the one who has to say what is happening to her, and several times when the inspector arrives there, we look bad, because she doesn't show her face, out of fear, and the complaint comes to nothing. It happened to us in some cases. Once, for instance, when a domestic worker made a complaint, she was told when the inspectors

were coming and so, she went up to the rooftop and threw them [the inspectors] a small piece of paper with her name and phone number, telling them what was happening to her, so that they wouldn't enter the house and the employer wouldn't find out that they came and fire her. This is very common, if the employer finds out, the worker is out of work. (Rocio, 65 years old, retired domestic worker and former *SUTD* member).

Enforcing the law and seeing to what extent the legislation is being implemented in day to day relationships can be a tool to observe to what extent it has penetrated into society. It is not uncommon for people in any labour sector to look for ways to circumvent the law for their own benefit. However, within domestic work, these practices can be exacerbated because of the idiosyncrasies of the work and its relationship to the private sphere, reproductive work and the hierarchies that can be established in symbolic and deprofessionalised ways. And it is precisely some of these characteristics that play a fundamental role in perpetuating the social place assigned to domestic workers in societies, as we will see in the next section.

5.4. Identities at work: stigma, family & presents

As noted by Dubar (2012), “professional socialisation” consists on the process of construction of the self through work activity. The identity building linked to a profession happens because labour activities are not merely economic exchanges of energy expenditure for a salary, but they also have a symbolic dimension in terms of self-realisation and social recognition. From that vision, identity building can take form individually, creating a notion of the self, attached to one’s labour activity; and collectively, provided by a shared identification, a recognition of belonging to a labour group. This will be determined by the pre-existing social notions around a particular job, which can be affected by the skills and levels of education required to perform it.

Domestic workers face a number of challenges when it comes to individual and collective identity building linked to their belonging to the domestic sector. On the one hand, the formal education and qualifications required for the job are very low to none, which already frames domestic work within the lower spheres of social recognition, commonly viewed as work that requires very little mental labour. Domestic workers and unionists are aware of this reality, which crystallises in different narratives of the self and of the domestic sector perceived as a group. Many interviewees contacted me through Whatsapp, but they preferred to call or

send voice notes than typing because, as they told me, “they have a lot of spelling mistakes”. Others mentioned the fact of not being able to study when they were younger, and their eagerness to continue education when they got older, which many did, following courses at university and vocational training. The lack of professionalisation is an elemental factor contributing to the invisibilisation of domestic and care work, a key point in the struggle of the *SUTD*:

Beyond the gender issue, what affects me the most is that they don't realise that it's a job. I have colleagues who are domestic workers and prostitutes in the same house, because they provide a separate sexual service, and sometimes I feel that we are the same thing, because neither of the two jobs are recognised as such. *No soy la muchacha que ayuda* [I'm not the girl who helps]. I'm not. If I'm the one who cleans! So, I'm not helping you, I'm cleaning for you. (Silvia, 47 years old, domestic worker and *SUTD* member)

In this line of thought, Claude Dubar (2012) drew attention to the fact that it is not the nature of an activity that makes it “professional”, but its organisation, remuneration, social recognition and construction around it. The author argues that all work should be formative, a source of experience and learning, of construction of the self and of collective identity: “...all ‘jobs’, but also all ‘workers’, regardless of gender, colour or religion, have the right to the qualification of ‘professional’. Under the conditions that these ‘jobs’ are organised, well defined and recognised, which is to say, activities that require skills that can be officially certified.” (Dubar, 2012; cited in Hirata and Araujo, 2012).

There is a generalised emphasis on the relevance of the courses of professionalisation of domestic work, proposed by the *SUTD* and the *Liga*, and taught by *INEFOP*, the National Institute for Employment and Vocational Training. As Sofia told me,

An improvement was achieved through the professionalisation courses for domestic workers, that made women value their work. Sometimes we say, anyone can clean, but it's not true, you have to know how to do it. (Sofia, 67 years old, retired domestic worker and former *SUTD* member).

These types of courses provide a diploma, which helps towards the professionalisation of the job. This is a particularly relevant transformation for domestic work, where the notion of dirt is so present and so closely related to the women who clean, affecting their own self-awareness on the subordinate position they occupy, and perpetuating a negative image of themselves.

In spite of the social conceptions on domestic work and the impacts it may have on building a strong and self-confident identity, all interviewees stated that they liked their job,

both in cases where domestic work was their first and only labour activity, and in the cases where it was a choice between other job possibilities. The diplomas helping towards the professionalisation of domestic work also provide social recognition as a person of value by people in professions considered prestigious, often the employers, helping to find and recover the self-esteem of those who felt undervalued due to their work (Dubar, 2012).

The ways in which domestic workers are perceived by their employers and the society in general affects their own processes of individual identity building, often embodying these perceptions that others have about them.

The ways in which a sense of inferiority has been internalised by many domestic workers has been subject of critique from union leaders and seemingly a cleavage between domestic workers who are members of the union and those who are not. Unionists try to reinforce the idea of collectivity within *compañeras* and encourage them to make use of the rights they hold, under a legislation that protects them, against the remaining social stigma towards them, but they perceive a general lack of knowledge or desire for action:

Many *compañeras* say “Oh, but my employer is good, he gives me a set of sheets that he was going to throw away”. That’s because he buys new ones! So that's what we want to make them see: it's not that the employer is good, he's giving you what he has left over because he's buying a better one. And you, if you accept those conditions, you are violating your service as a worker. It's not that the employer is good (or bad), it's a service, it's a job like any other. (Valentina, 55 years old, domestic worker and *SUTD* member).

The issue of receiving presents from employers has repeatedly been mentioned in conversations, as well as the belonging (or rather not belonging) to the employer’s family, materialising the frustrations that domestic workers, and unionists in particular, experience in their aims to modify the social status to which domestic workers have been adhered to:

I can't feel part of that [family] because I was never part of anyone's family, my family was already at home waiting for me. I sold my labour force, I have always had this conception. But here inside you see *compañeras* who take their daughters to help them with the cleaning. You as an employer, your daughter comes home from school with a delicious smoothie of fresh fruits and the daughter of the lady who helps you clean is washing the bathroom, the toilet, a girl the same age as yours... this is a question of humanity, of equity. (Silvia, 47 years old, domestic worker and *SUTD* member).

The topics of belonging to the family and receiving presents from employers have been extensively covered by literature on domestic work (Vidal, 2007; Romero, 2011) and they continue to be a matter of conflict. Receiving presents constitute the perpetuation of a hierarchical relationship based on a stigmatised conception of the domestic worker as deserving what the employers do not want any more, what they no longer consider valuable. This has a strong symbolic connotation denoting the different positions in the social field that each of them is expected to occupy. Linked to these two realities, we find how the emotional and affective baggage surrounding care work has historically been an impediment to the process of professionalisation of domestic labour. Through Sofia's narration, we can see how the emotional exchange and transmission of affection manifested itself as the perpetuation of an informal relationship between employer and worker:

This is something common to many *compañeras*, inevitably, *te encariñas* [you get closer] to the people you work with [for], you are part of the family. Many *compañeras* don't agree with this statement, they are firm that there needs to be a clear distinction that this is work, and many do not feel like they are a part of the family... it is not that you're a part of the family, but there is mutual respect and trust. For instance, in 1980 I worked for a family and at the time my daughter was little, she was 7 months, and they had a daughter that was one year old; the *patrona* used to give me all the baby's clothes that were too small for her daughter, and every day, apart from my monthly salary, she would give me one litre of milk and a piece of bread... she didn't register me on *BPS* [she laughs], but I was assured the daily food for my daughter, and she would sometimes give me a hand with other necessities, sometimes not. It is a labour relationship inside domesticity, the word itself says so. (Sofia, 67 years old, retired domestic worker and former *SUTD* member).

Being told to belong to the family is a very strong symbolic way of invisibilising the job, a justification to avoid following the law and granting rights to the worker on the basis that she is helping at home, in a way, naturalising the already existing unprofessionalism of the relationship. The following testimony from Silvia, a long term *SUTD* representative, provides a strong perception on the issue, and the disparities that exist with domestic workers who are not affiliated to the union:

They are not part of the family because mothers don't clean the bathroom, aunts don't change the nappy of the grandfather who is on dialysis. No. If they are part of the family then let's all have dinner; who is going to wash the dinner dishes?

Who washes them? If the live-in domestic workers can't go to bed until the last visitor leaves! Then you are not part of the family, you are serving, you are selling your service, you are not part of the family. You are not part of it. You don't sit at the breakfast table. You don't even drink the juice that you squeeze sometimes.... We've even had to negotiate how much is deducted from our salary for food! *Es una bajeza total* [It's a total humiliation]. You are not part of the family, or do they take care of you when you are sick? Do they come to your room to give you a glass of water? Or those who live in *Avenida de Italia* to the south¹⁵, and know that their employees live to the north, on the hill, and know that they are sick, do they go there? They don't even know where they live. (Silvia, 47 years old, domestic worker and *SUTD* member).

The clarity with which trade unionists address this issue and express their displeasure with the notions of belonging to the employer's family and receiving gifts is at odds with their projection of the acceptance that other domestic workers have of these realities. These issues generate such serious tensions, not least because of the social distinctions that are generated by identity and its relationship to the social status attached to domestic workers. The question of status is intertwined with the formation of identities through work, as social notions around domestic work influence the self-perception of domestic workers as social subjects, thus attributing a certain social status to women in care work. Following Hall's notion of identity (1996:275) as the representation of the individual within society, domestic workers are put in a specific box and attributed certain expected characteristics by the rest of social actors, and so are union members of the *SUTD*, which are associated with a different set of preconceived ideas of who they are supposed to be, in a way in which the involvement and militancy with the union can offer them a possibility of social ascension.

While it is true that union leaders of the *SUTD* avoid focusing only in their activism and distancing themselves from the realities of other *compañeras*, as being an active domestic worker is a requirement to be a member of the union, it is possible to note slight differentiations on the perceptions between union leaders and other domestic workers. When asked about how they would define themselves, the responses varied: "I'm a woman, a housewife, a worker, a student, a trade union leader" (Flor, 56 years old, domestic worker and *SUTD* member); but the identity of domestic worker was not mentioned and remained secondary to that of unionist, even though their role as union leaders and members becomes inseparable of their domestic and

¹⁵ This is where some of the wealthier neighborhoods in Montevideo are located.

care activities. This issue is brought up by unionists during interviews, in a claim of their equal status to the rest of *compañeras*, who may sometimes perceive them as holding a superior status because of their militancy in the union. Unionists insist that their purpose is to fight for the rights of all of them equally. It is true, however, that the union activism has changed their socio-cultural world, if we talk in Bourdieu's (2000) terms, granting access to different social fields and elevating their cultural and symbolic capitals. Many of them have participated in trade union congresses throughout the country and abroad, in Latin American conventions, and they are frequently called upon to speak in debates and on television about the situation of domestic workers. Despite this, trade union activity does not necessarily offer them the possibility of social advancement, beyond the virtual possibility of differentiation from the collective of domestic workers, as they continue to be stigmatised by individuals from other social fields with greater economic, social, cultural and symbolic capitals. The following story perfectly crystallises not only the access to other social fields that unionists have, but also the fact that *SUTD* leaders and members are not socially recognised as above other domestic workers:

It happened once when a new credit card came out that we [the union] were invited to the opening event because they could pay our salaries through that card. I told the *compañera* who was going to come with me to dress elegantly because in those circles they were almost all businessmen. So, the *compañera*, who was almost two metres tall, got there super well dressed and I saw how the manager of that card company approached her with a libidinous smile and my colleague looked at me and didn't know what to say. He greeted her with a kiss, and asked "how are you, all good?" I didn't like that attitude and when it was my turn to greet him, I extended my hand and introduced myself: president of the domestic workers' union. The man's face was disfigured. That was the reality. And he started talking to me about how he had had a problem with a domestic worker because she had behaved badly, so I told him: we were invited here to talk about the card, not about our work. But anyway, I see that you have a very good worker in your house because that well-ironed shirt surely wasn't you or your wife. (Flor, 56 years old, domestic worker and *SUTD* member).

The businessman's reaction when he finds out about the woman he was interacting with being a domestic worker is a classic representation of the attitudes towards a stigmatised person, in this case, a stigma built upon a labour identity. In this case, it did not make a difference that these two women were representatives of the domestic workers' union, because as their professional identity was exposed, they were instantly perceived as domestic workers. In

Goffman's line of thinking, the businessman's change of attitude is an expected reaction when what the author calls a "normal person" interacts with a stigmatised person. This is what he would refer to as "mixed contacts" (Goffman, 1963:20), a moment when the stigmatised and the normal person are in the same "social situation", in which the awareness of inferiority of the stigmatised person can lead them to insecurity, anxiety or being combative, as we can observe by Flor's defiant comment on the businessman's shirt. In any case, this type of interactions, according to Goffman, will be characterised by a certain level of uneasiness (Goffman, 1963). Even though Goffman usually refers to stigmas associated with physical appearance and body abnormalities, the case can be extrapolated to the stigma associated with class and the coloniality of labour that affects domestic workers. In this case, the businessman approached one of the women, an *SUTD* member and domestic worker, in a particular way without knowing about these identities. After the narrator, also a domestic worker and *SUTD* board member introduced herself and her *compañera*, he changed his register of communication as he detected these women's identities, or stigmas, adapting, the conversation to his expectations on what a domestic worker's cultural capital should be, redirecting the discussion to what he thought would be an appropriate thematic, in this case, complaining about the domestic worker who was working in his home.

Stigma around domestic work has a deep connexion with social status, economic inequalities and class. But it has also a historical root that links it to the coloniality of labour (Gutiérrez-Rodríguez, 2014), under which the women performing this kind of work are made inferior due to different axes of power that remain until our days, because they have been the stable pillars of foundation of everything that exists in our societies today. Because women are still identified as performers of care, and it has been this way for a couple hundred of years of formation of knowledge and thought, this preconception remains a difficult challenge to overcome, in spite of years of regulation and major advancement in legislation, the enforcement of the law and the struggle of the union to keep these rights intact. Domestic workers have been socially constructed to be seen as inferior servants who would naturally clean, cook, and care for the children and the elderly. Therefore, the social stigma prevails, although it can become weaker as institutional advancements take place and domestic workers take a stand against this conception of themselves.

The social differentiation that may be perceived between *compañeras*, or the prestige that some may attribute to the activism work of a unionist compared to the domestic tasks, becomes an issue of condemnation by some interviewees, who insist on the importance of not believing that the union can be the gateway to the social ladder for a small group of domestic

workers, but the tool to transform the reality of domestic workers as a collective and that thinking otherwise is just a question of personal emotions:

Here I heard *compañeras* say that they can't clean the house [the union office]. Yes, that's fine, you don't come to clean the union house. But if we have it dirty and you are here, the minimum, to set an example, since you are in the domestic workers' union, representing women who do domestic service, is that the table where we work is clean. A *compañera* said to me “Oh no, today I got my nails done, if you don't have gloves I don't wash the floor, I don't clean this table because I need gloves”. It's the egos, the strong character that some colleagues have. (Valentina, 55 years old, domestic worker and *SUTD* member).

Personal emotions are, however, deeply involved in the development of domestic tasks and care work. It is because of this emotional baggage that, in the next section, the body of the domestic workers becomes the centre of analysis, from the physical, mental and emotional points of view that are affected by the work activities.

5.5. Affective work and the body

During the interviews, a number of emotions emerged referring to the interviewees' experiences of domestic work, showcasing the affective dimension of domestic work and the impacts that this has on the body. Following Hochschild (2012) thesis on emotional labour, we can understand the intersections between the body and the emotions that occur in the orbit of domestic work. As defined by the author, emotional labour requires workers to suppress or induce emotions in order to portray an appearance that will produce a desired state of mind in another (Hochschild, 2012:20). Extrapolated to the case of domestic workers, the emotional labour they carry out can be associated to an absolute prioritising of care tasks over their own emotional stability and physical health; commitment here stands as a central point. In this case, care is performed for and to others (the employers), whose state of mind will be altered by the care they receive and who will not necessarily value the work and the worker, in a process of commodification of emotions.

Contrary to the traditional view relating “women’s work” to a set of activities requiring small strength, power or bravery, domestic work stands, in fact, as a work with a high physical load which affects the body in a holistic way, involving both physical and emotional aspects. It is important to reflect upon the body when talking about domestic work, because of its relations to this type of labour; the body is not a closed entity, a pure functionality; it is also affectivity

and a principle of identity (Pillon, 2014). Domestic labour is affective labour. If we go back to the definitions of care, we see how it refers to the day-to-day management and maintenance of life and health, the most basic and daily requirement for the sustainability of life. Care can be seen as having two dimensions: one “material”, regarding the physical - executing concrete tasks with measurable outcomes, attending to the body and its physiological demands, but also to spaces or objects – and the “abstract” or “immaterial” dimension - affective-relational - relating to emotional well-being (Perez Orozco, 2006). To care is to take charge of bodies, of the relationships that cross them and of the spaces they inhabit. Domestic labour is intrinsically linked to the care of personal well-being, even when the task to be carried out is something as elementary as cleaning. The value attributed to the task of cleaning goes far deeper than the simple physical act of cleaning, but it also includes the provision of a pleasant and comfortable space to be inhabited (Gutiérrez-Rodríguez, 2013). As an example of the affective side of domestic work, when asked, the interviewees told me that they mostly liked their job, and the feeling of satisfaction it produced in them when employers valued their job complimenting on how clean the house was and how nice it was to be there:

Just by saying thank you, many of us are happy. To be recognised for the work you have done. I always talk about my example, that the children of my employers tell me: “Oh, how nice the day you come here, *se siente el olor a limpio* [we can smell the cleanliness]”. When I am appreciated for these things, it makes me feel the value of my work. (Flor, 56 years old, domestic worker and *SUTD* member).

Trust and feeling valued are other emotions that appeared in the interviews when referring to the relationships with the employers, yet another example of how much domestic work is crossed by affectivity in opposition to the norms that regulate other professional relationships, such as we hear from Olivia: “I have the keys to the apartment, to the garage, they trust me. *Pero no me valoran* [But they don’t appreciate me]”. She expresses her irritation by not feeling valued by her employer, in spite of the levels of trust that have been developed between them after years working with the same family, crystallising how emotions are not only involved in the caring tasks, but also in the whole atmosphere that surrounds domestic labour. In Olivia’s case, it may seem contradictory that in such a hierarchical relationship as that of employer and employee, such high levels of trust are generated, to the point of allowing entry to the most intimate and private spaces. At the same time, the hierarchy is maintained by not valuing the work done, marking the difference: you have the keys to the house, but you do

not fully belong to the house. Olivia also recounts how the pandemic was a new marker of difference within the family home and workplace, making her feel undervalued in a new way:

I'm the only one who needs to take her shoes out when entering the house and so I put on "working shoes". Nobody else takes off their shoes, not even the visitors. Since the pandemic, I also have to wear a mask when I work, but the employers don't wear one. When family or friends come to visit they also don't have to wear it, only me. (Olivia, 56 years old, domestic worker and *SUTD* member in Punta del Este).

The symbolism of having to wear different clothes, shoes or, during pandemic, being the only one to wear a mask, can be read in two contrasting ways: on the one hand, wearing working shoes can be understood as a way of professionalising her work in the family house, marking her as a worker, what would suppose a positive impact in the aim to professionalise domestic work. On the other hand, it can be seen as a marker of difference associated to status, stigma, and the ways in which the body of a domestic worker is perceived by employers. Particularly in the case of having to wear a mask, with the connotations of safety and hygiene that this action carries, this can be associated to the negative characteristics linking domestic workers to their occupation, as they deal with dirt, being depicted as "dirty workers". The emotional impacts of being perceived this way can negatively affect domestic workers' identity and sense of self, impacting the ways the feel about themselves, their behaviours and their body movements (Bosmans et al., 2016).

The notions of dirt and hygiene that impose a low status on domestic work, become inseparable to that attributed to domestic workers. As the stigma is internalised, it is embodied and represented in the body movements and physical actions. One of the interviewees comments:

The younger generation has a different education and a different attitude, they no longer kneel down to scrub a floor, or bow their heads to their employer. They know how to look after their health and know their rights. (Julia, 67 years old, domestic worker and *SUTD* member in Maldonado).

Recalling her experiences, Julia compares the younger generation to her generation, what she learned and the ways in which she was expected to work and behave with her employers changed. The submission expected from a domestic worker in her time is no longer accepted by younger domestic workers, since the introduction of the legislation, a way of (re)humanising care work and domestic workers. This narrative returns the argument to Bourdieu's (2000) concept of habitus, referring to the acceptance and internalisation of a given

form of dominance imposed on an individual or group. In this case, Julia narrates the internalisation of a sense of inferiority expressed through body movements, and the breakage of this submission that comes with the support from legislative reform. This narrative supposes a clear example of how a change in legislation can be a material change, a transformation in social perceptions. This reference to the movements and language of the bodies of domestic workers when at work, interacts with Foucault's (1995) notion of "docile bodies", a result of a process of discipline exercised over certain bodies in order to "control the operations of the body, which assured the constant subjection of its forces and imposed upon them a relation of docility-utility" (Foucault, 1995:137).

In this sense, a bodily rhetoric is created in which the body's positions and manners arise according to a given social status, and vice versa. In other words, the domestic worker is confined to, in Bourdieu's (2000) terms, a social field of low status, as a result of the stigma that surrounds her because of her labour activity, and the discipline exercised on her leads her to perform certain bodily movements. This type of power exercised through the body is reflected in previous testimonies, such as Olivia having to take her shoes off, being the only one in the house having to wear a mask, or not having a place to sit or enough time to have her lunch break. At the same time, the docility instilled in her body makes her internalise a position of social subalternity that makes it even more difficult for her to escape or rebel against the control she experiences. In this way, the non-physical, but more emotional relations between the body and domestic work, imply an added symbolic violence to the perpetuation of the traditional imaginary that makes care work inferior, making domestic workers inferior too.

In this sense, the discussion around the research questions partly finds an answer here. We see how the legislative reform positively affects the thought of domestic workers occupying an inferior social position, and their bodies a reflection of this oppression, which is framed within the abstract and symbolic oppressions around domestic work. This shows us how, even though a change in legislation is not completely sufficient, it can be, in some cases, strong enough to create social change.

From a more medical perspective and in relation to the physical impacts on the body, the reform in legislation has been a more effective way in battling the damages that domestic workers were experiencing. Virtually all the interviewees had a health history highlighting health problems associated with their work. These go from the postures when cleaning toilets, floors, or windows, where the body's positions and repetition of movements can provoke serious distress; to other aspects of the job, such as not having enough time to eat, not being able to sit down to have lunch, or not having access to a healthy diet at the employer's house:

It happened to me that by making so much effort since I was a child, my spine became a bit deformed, because of the bad posture I had when cleaning floors and bending down to make beds. I always insist: we have to support the continuation of the professionalisation courses for domestic workers. It is very important and it is good for both the employer and the worker; the worker will be more professional and perform better and will last longer in good health. If you work without pain, you work happily. (Rocio, 65 years old, retired domestic worker and former *SUTD* member).

Flor gives several other examples of health-related problems due to the activities within domestic work and the lack of attention that institutions and individuals have historically given to this matter:

There are no occupational diseases¹⁶ because they [the authorities] have not dedicated time to our field, but we know that there are diseases that do come from our work, such as arthrosis, tendinitis, spinal problems, lung problems, and also stress. And why? Because we work, often in very tense work environments, with very strong chemical products, with repetitive movements and we never had the habit of taking care of our body. (Flor, 56 years old, domestic worker and *SUTD* member).

The workers' stories find the valorisation of the professionalisation of the job, through specific education and vocational training, as the means to take care of their bodies. The body of the domestic worker is a place where the stigma materialises, not only symbolically, but physically as well, and the professionalisation of domestic work becomes a way of tackling both these issues; it instructs domestic workers on the ways of moving their bodies at work without damaging it at a physical and medical level; and it seeks a way out of the immutable connotation of inferiority attached to domestic work through a diploma that recognises it as a professionalised job, giving it a different status and constructing the possibility of adopting an identity that is no longer based on such a marked social hierarchy.

¹⁶ An occupational disease is any chronic illness that develops from a labour activity. It is typically recognised when it is demonstrated that it is more common in a certain group of workers than in the general population or in other worker groups.

6. Conclusions

The idea of conducting this study arose from a set of questions around domestic work that touched on several intertwined aspects of this profession. Some of the questions regarding the identity building process and the role of the union have been studied through the particular example of Uruguay, but many of the realities observed can be projected into the domestic service scenes in any other parts of the world, as the ways we have thought of care as societies are very similar worldwide. Learning from the legislative process that aimed to improve domestic workers' rights in Uruguay, and the years of experiencing these legislative changes, there are several conclusions that can be taken from this study.

From the angle of identity building within the *SUTD*, it is possible to observe that union members are aware of the social status they are assigned due to their identities as domestic workers, and they have a political consciousness in their active struggle for equal rights. This struggle may not be strongly characterised, from a political perspective, by the concepts of gender and race, although they are still a fundamental part of the struggle and the reality of domestic and care work. However, there is a prevalent marker of difference in the narratives of domestic workers and unionists in the Uruguayan context, which is class, and the cultural and economic factors determining each social place.

The consciousness of unionists to the rights they are entitled to, is combined with the perception that these rights could be removed at any time. The two main fears perceived from unionists to losing their rights have to do, on the one hand, with the new arrival of the right-wing to power:

“We have lost valuable time, we did not know how to take advantage of all the good conditions of the progressive government, now we have a government that rules for the markets and workers' rights are being cut back.” (Sofia, 67 years old, retired domestic worker and former *SUTD* member).

And, on the other hand, to the felt passivity from other *compañeras* who do not participate in the union, who are not affiliated, nor interested in the union's work. As shown through many narratives from union members and leaders, a frequent complaint or concern is the fact that most domestic workers are not motivated to actively get involved in the movement, that they do not have a political conscience on their social status and what they represent within society. The social place of domestic workers has been a turning point to the political action

carried out within the union, becoming a major symbol of collective identity that has allowed to unite and reinforce the feeling of belonging to a social field from which resistance is initiated.

The conditions that domestic workers experience through their identities attached to their professional activity are embodied and lived physically and emotionally, and there are two main consequences of this embodiment that can be observed through this study. On the one hand, the oppressions domestic workers have historically experienced and live until today, situating them in an inferior social position, have had a way of materialising through the political action and the struggle of the *SUTD*, which continues to defend the rights of domestic workers through their awareness of their realities. On the other hand, the weight of history prevails in the collective worldview, explaining why many domestic workers do not actively join the struggle and support their union, through either fear of losing their jobs at an already vulnerable economic situation, or disinterest towards the continuation of the struggle due to political unawareness.

Taking into consideration the observed thoughts and experiences from domestic workers who also belong to the union, as well as what the years after the implementation of the law show us, it is possible to affirm that the position of the government plays a fundamental part in the success of the struggle for equal labour rights. This is an example of the importance of the government advocating for change, in this case, shaking old and patriarchal visions of care in order to create an institutional shift. The reorganisation and redefinition of care has been in the centre of academic and feminist debates for many years. It has however, taken a longer time to enter the institutional and political debate, an essential place to be discussing new ways of delivering and receiving care. In this sense, change from above becomes relevant and significant. However, change coming from above is not enough. A grassroots' movement with a politicised consciousness is necessary from within the collective of domestic workers in order to avoid change just falling top-down. A transformation happening collectively will strengthen the movement and make it harder for already acquired rights to disappear.

To answer the initial question on the impacts of legislative reform in culture and social common thought, it is important to note that legislative change is absolutely necessary for any sort of social change, in fact, it can be a reflection of social change, but on its own it is not enough. As it has been observed through the narratives of the women interviewed for this study, the stigma created through years of sexual division of labour, coloniality and the constant feminisation of care work, has created notions on what domestic work is and who domestic workers are, that are very integrated in the social fabric and that are difficult to overcome. It is possible to perceive a moderate cultural change departing from the transformation of

legislation, particularly from the self-perceptions of domestic workers themselves. However, it is important to have space for a strong collective identity building that can allow for the support of the struggle from within and from outside, and to continue to challenge the oppressive assumptions relegating domestic workers to a secondary place in society.

(Re)thinking care and care work is absolutely necessary as it is the pillar that sustains our societies. Without care, nothing else can function. Care and domestic workers become, essentially, the possibilities for the productive system and, therefore, our lives, to continue existing. Ultimately, it is necessary to cut the gap between the theory and practice; that the dreams of the abstract world penetrate the material parts of life allowing for a reorganisation of care based on social co-responsibility.

Uruguay shows us a process of collective resistance in the search for equal labour rights for domestic workers, uniting the action of the workers, the union, the government and the employer part, in order to reach a common and valid agreement. Learning from this case, what remains is to ask ourselves: In what ways must we question the very notion of work in order to turn it into a tool for emancipation within the productive system and the capitalist social relations? How must we redefine reproduction and care so that these tasks cease to fall almost exclusively on women and begin to be understood in communal ways that seek a balance for the sustainability of life?

Continually thinking about care becomes necessary when we realise that this work will not disappear as it is the basis for life. I, therefore, conclude this study thinking about care and asking myself: what are the steps to follow in order to deconstruct the stereotypes of gender, race and class, so deeply internalised after decades of supremacy of colonial and sexed logics?

7. Appendix

The main questions for the interviews were divided into five categories:

Categories	Questions
<p style="text-align: center;">Personal life</p>	<ol style="list-style-type: none"> 1. Can you tell me a little bit about yourself? Name, age, where you were born, education, marital status, children. 2. How did you start in this job? Did someone in your family do it, were you recommended?
<p style="text-align: center;">Work life</p>	<ol style="list-style-type: none"> 1. What is your employment contract like? Working hours, what tasks are defined, salary, holidays. 2. Is it important for you to be registered in the <i>BPS</i>? Why? 3. Have you ever had issues with the employers to register you in <i>BPS</i>? What excuses were you given? 4. Have you ever been told that you are part of the family? What do you think about this? Do you feel part of the family? 5. How is your relationship with the employers? 6. Why do you think there is so much informality in domestic work?
<p style="text-align: center;">Work in the union</p>	<ol style="list-style-type: none"> 1. What is your link to the union? When did you join, how did you get there, what does it bring to you? 2. What activities does the union carry out? How do you participate in these activities? 3. What is the internal management of the union like? 4. What is the relationship between <i>compañeras</i>? 5. Does the union follow any specific ideology or line of thought?

	<ol style="list-style-type: none"> 6. Who are the main supporters of the union?
The tripartite negotiations	<ol style="list-style-type: none"> 1. What was your role during the negotiations? 2. How did they happen? Who took part, what was discussed. 3. What made the law reform possible? 4. How did the situation change after the law reform? Do you think it improved the lives of domestic workers? 5. Do you think that cases of abuse decreased or increased after the law reform? Do you think there are more or less complaints?
The working body	<ol style="list-style-type: none"> 1. Have you had any work-related health problems? How did you pay for medical expenses? 2. Are you entitled to sick leave? 3. Do you eat where you work? Time, place and type of food. 4. Have you had any physical impairments at work? Not being able to do a required task, aches and pains after certain work-related activities? 5. Do you consider your body important in your work? Why?

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