




Exploration of the Experiences of Lesotho Sleep in Domestic Workers in a Semi-Urban Settlement in Mthatha, Eastern Cape, South Africa

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 10.46303/ressat.2025.10

Article Info

Received: August 22, 2024

Accepted: November 3, 2024

Published: January 12, 2025

How to cite

Ngcobo, S., & Magadla-Mateyise, A. F. (2025). Exploration of the Experiences of Lesotho Sleep in Domestic Workers in a Semi-Urban Settlement in Mthatha, Eastern Cape, South Africa. *Research in Social Sciences and Technology*, 10(1), 179-190.

<https://doi.org/10.46303/ressat.2025.10>

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ABSTRACT

This study, conducted through a combination of interviews, surveys, and direct observations, examines the exploitation of sleep-in domestic workers from Lesotho who work in South African households. Based on data collected from 15 participants, the research brings to light the difficult living conditions these workers face, including a lack of privacy and inadequate working environments. The study identifies several key issues, such as the absence of written contracts, leaving workers susceptible to exploitation, unpaid overtime, and widespread non-compliance with minimum wage laws. The research shows that domestic workers encounter major obstacles in getting necessary healthcare and support services, which worsens their already unstable situation. The study also emphasizes the lack of chances for training and skills improvement, which hampers the workers' ability to enhance their lives and find better job opportunities. Many of these domestic workers are the main providers for their families and single parents, making the importance of fair pay and good working conditions even more crucial. The study highlights the significance of fair pay and good working conditions, stressing the urgent need for these rights and immediate policy interventions to be upheld. The research aims to bring attention to the systemic exploitation faced by this vulnerable group and advocate for essential reforms to protect their rights and improve their living and working conditions. Overall, the study emphasizes the pressing need for policy interventions and support mechanisms to empower domestic workers and enhance their quality of life in South Africa.

KEYWORDS

Domestic workers; employer; exploitation; unskilled labor; migration; challenges.

INTRODUCTION

In accordance with Dawood and Seedat-Khan (2023, p 5), a domestic worker is an individual who carries out various household services within a residence for a person. These services may include cleaning, household maintenance, cooking, laundry, ironing, caring for children and elderly dependents, and other household errands. There are approximately one million domestic workers in South Africa, mainly consisting of black women. The Basic Conditions of Employment Act (BCEA) is the main piece of legislation that governs wages and working conditions for unorganized workers in South Africa. This act, among other things, stipulates the minimum wage, working hours, and leave entitlements for domestic workers (Casale & Posel, 2020). Domestic workers who are natives of South Africa have essentially always functioned as migrant workers because of economic and racial laws that forced them to live separately from their families in suburban maid's quarters or 'backrooms' (Stiegler & Bouchard, 2020). The apartheid laws required domestic workers to live far from their workplaces, as their presence in the cities was illegal. As a result, domestic workers have been living in poor accommodation for decades. While the living conditions in the mining sector's single-sex hostels have been well documented, the migration of domestic workers for employment is less researched and known (Jochelson et al., 2020). The laws regarding domestic work include provisions for 'sleep-in workers,' a term used to describe workers who live in their employer's home, often in a separate room, and are on call 24 hours a day. The sectoral determination offers some protection for their physical well-being. However, their social and family life is the most affected, and their constitutional rights to dignity are the most violated. According to Deshpande (2020), employing workers in private homes presents unique challenges that differ from the traditional workplace. These challenges include the absence of formal employment or labor regulations governing working conditions, which serves as a stark reminder of the lack of protection for domestic workers. The isolation of domestic work in a separate space and the prevalence of exploitation due to the informal nature of the work further underscore the need for labor regulations in private homes. The latest estimates indicate that almost 3.25 million women worldwide work in domestic roles, with 90 percent of them being employed informally. This number reflects an increase in the absolute number of domestic workers, independent of the global recession (Neetha, 2021). The International Labor Organization (ILO) is a United Nations agency committed to promoting social and economic justice through the establishment of international labor standards. It unites governments, employers, and workers from 187 member states to tackle global work-related challenges, enforce labor standards, and promote the decent work agenda through various projects and programs (Priyadarshini et al., 2022). Over the last decade, the International Labor Organization (ILO) estimates indicate that domestic service workers have experienced a considerable increase since 2000, resulting in nearly 53 million individuals. Most employees are female (83.9 million), but the increase was also quite marked among male employees, increasing by approximately 3.3 million (Priyadarshini et al., 2022). In South Africa, there are three primary labor laws: the Basic Conditions of Employment Act, which sets out the

minimum labor standards for employees; the Labour Relations Act, which governs collective bargaining and industrial relations; and the Employment Equity Act, which aims to promote equal opportunity and fair treatment in employment by eliminating unfair discrimination (Vyas-Doorgapersad & Bangani, 2020). In 2019, Murray and Durrheim reported that approximately 5 million workers were employed as domestic workers in private homes in rich or Western countries (specifically South European countries). Additionally, around 5 million workers were employed in regions categorized as 'non-Western' (including South Europe, East Europe, the Middle East, Asia, Australia, Oceania, and parts of South America). The number of workers in the so-called southern or poor countries was estimated to be 33 million (spanning South America, Africa, South Asia, and Central Asia), and 8 million in Eastern Europe and the Baltic countries (McKinney et al., 2022).

The private nature of their work enables the exploitation of domestic workers, and it's likely that the actual number of domestic workers is higher than the reported estimates (Andrew et al., 2022). Many domestic workers are not counted because of the secretive nature of their work and the often-hidden relationship between employer and employee (Neetha, 2021). Domestic work service in South Africa continues to be the largest source of employment for black women (Dawood & Seedat-Khan, 2023). Scholars often domestic work represents up to ten percent of total employment in some countries. Despite this, domestic work is looked upon by many as unskilled and remains undervalued and under-regulated. Economic and social pressure and a lack of education compel women to migrate for lucrative employment abroad (Pereira-Kotze et al., 2023).

This study was interested in investigating the living conditions experienced by Lesotho sleep in domestic workers. There is a growing interest in employing Lesotho domestic workers, as they are believed to be people who are not required to take leave because they are far from home (Ngcobo & Magadla, 2022). Many sleep-in domestic workers of Lesotho endure physical, mental, and sexual abuse, have their salaries withheld, and are confined to their employer's household (Dabala & Sefara, 2020). Thousands of Basotho domestic workers employed in the Republic of South Africa (RSA) stand to lose from the imminent minimum wage increase, as they do not have work permits. Many Lesotho sleep-in domestic workers are likely to face serious exploitation from employers, who may take advantage of the situation (Domínguez, 2024). Sleep-in domestic workers from Lesotho are at high risk of abuse and exploitation, including forced labor. This is due to the specific nature of working in a private household, the lack of legal protection and regulation, and their status as migrants living in a foreign country (Descatha et al., 2020). Their vulnerability is further increased when they arrive in the destination country, as they often do not speak the language of their employers, lack knowledge of their rights, and are frequently mistreated. Additionally, they are often forced to work long hours for very little pay or food. Lesotho sleep-in domestic workers are particularly vulnerable to exploitation as they are isolated and totally under their employers' control (Kässi et al., 2021). Moreover, when they do face such exploitation, they have little recourse. Under normal circumstances, employers in

the sector are unwilling to increase salaries. Instead, they would rather threaten, abuse, or torture employees under the notion that they are desperate for employment (Andrew et al., 2022). Employers do not pay overtime when a domestic worker works over 40 hours in a week (Siu, 2020). People worked from sunup to sundown. Sometimes, employers do not give domestic workers time off for any reason (Chan-Yeung, 2020). Today, the law applies to domestic workers as it does to other workers. All domestic workers are entitled to earn overtime (Jackson & Ho, 2020). Domestic workers, like all other workers, have rights. For this research article, "domestic workers" refers to housekeepers, cooks, chauffeurs, nannies, babysitters, people who care for the elderly, and gardeners (Xu et al., 2024. p 9).

According to Law and Fong (2024), domestic workers are a large part of the workforce in South Africa. The most up-to-date records for 2020 show that there were 400,000 such workers in South Africa, accounting for 2.4% of the working population. These workers, who often come from African countries, are classed as foreign workers and migrants because they were not born in South Africa. Almost all come to South Africa on a temporary employment contract (Chong & Li, 2020).

Aims and objectives of the paper.

This research article aims to document the challenges Lesotho sleep in domestic workers face in Sibangweni households. To achieve this aim, the paper is guided by the following objectives:

- To find out which domestic workers, in terms of gender, are more exploited in their places of work,
- To explore the living conditions of sleep-in domestic workers in their workplaces.
- To identify the available support structures for domestic workers in South Africa.

Research questions of the paper

- Which domestic worker, in terms of gender, is more exploited in their places of work?
- What are the living conditions of sleep-in domestic workers in their workplaces?
- Which support services are available for domestic workers in time of need in South African households?

THEORETICAL ORIENTATION OF THIS STUDY

Dual labor market theory

Dual labor market theory is a sociological and economic concept that suggests the existence of two distinct segments or markets within the labor force. Different employment conditions, wages, and opportunities characterize these segments (Berghammer & Adserà, 2022). The theory suggests that the primary labor market segment typically consists of jobs that offer higher wages, job security, better working conditions, and opportunities for advancement. Workers in the primary labor market often have access to employment benefits, legal protections, and social security. These jobs are usually associated with skilled and formal employment. However, according to Khanna and Agarwal (2020), the secondary labor market segment is characterized by lower-paying jobs, less job security, poorer working conditions, and

limited opportunities for career advancement. Workers in this segment often lack access to employment benefits, legal protections, and social security. Jobs in the secondary labor market are often informal and may involve lower-skilled or unskilled work. This theory posits that Lesotho domestic workers are classified as belonging to the second labor market group because of their informal, low-paying, unprofessional, and lower-skilled labor (Hershbein & Stuart, 2024). Lack of education for a professional job is the reason for most, if not all, people pursuing a career in domestic service. Lesotho domestic workers are subjected to work and endure terrible working circumstances without the possibility of advancement. Domestic employees still endure mistreatment at work and put in long hours for meager pay. Job descriptions for domestic workers are typically ambiguous from the start, leaving room for interpretation over what should and shouldn't be done. As a result, women were subjected to injustice (Zhang & Banerjee, 2021). The exploitation of Lesotho sleep-in domestic workers in South African households under this theory occurs through the division between more formal, skilled employment (such as professional or managerial positions) and less formal, lower-skilled domestic work. Often engaged in household tasks like cleaning, cooking, and childcare, domestic workers may find themselves in the secondary labor market.

METHODOLOGY

According to Byrd (2020, P 9), qualitative research refers to “techniques of investigation that rely on nonstatistical and nonnumerical methods of data collection, analysis, and evidence production, it is also a technique that provides a lens for learning about nonquantifiable phenomena such as people's experiences, languages, histories, and cultures”.

Qualitative research involves collecting and analyzing non-numerical data such as text, video, or audio to understand concepts, opinions, or experiences. It is also used to gather in-depth insights into a problem or generate new ideas for research and is commonly used in the humanities and social sciences, in subjects such as anthropology, sociology, and education (Hennink et al., 2020). Therefore, this study was best suited to be qualitative research because it is based on social science discipline and solicited experiences of Lesotho domestic workers in their places of work.

This paper is born out of a post-graduate research project. The research was carried out using the qualitative research method. The target population was fifteen Lesotho sleep-in domestic workers who reside in New Brighton, Sibangweni, in Mthatha in the Eastern Cape. These fifteen domestic workers were sampled through a sequential sampling method. This paper aims to examine the exploitation that Lesotho sleep-in domestic workers face in South African households or their workplaces. The semi-structured focus group and structured interviews were used to solicit information regarding the living conditions, employment conditions, and social support services rendered to domestic workers in South Africa. To ensure validity and reliability, data and methodological triangulation were performed to approach the same topic.

The required ethical procedures were followed, and an ethical clearance (REC/ 12(xxiv)/ 2022) was obtained from the Faculty Research and Higher Degrees Committee. For the benefit of this study, the raw data was coded and analyzed using thematic analyses. Data from this analysis was displayed in themes such as prevalences of exploitation and living conditions, low wages and economic vulnerability, healthcare and safety standards, and training and education opportunities that emerged from the focus group discussions conducted with the Lesotho sleep-in domestic workers.

DISCUSSION OF FINDINGS

The data analysis produced three themes, as follows: 1) the prevalence of exploitation in female domestic workers, 2) the Living and Economic Vulnerability of domestic workers, and 3) the support services available for domestic workers.

Prevalence of exploitation in female domestic workers

The findings of this study reveal that it is female domestic workers who tend to render domestic services such as cleaning and caring for children and elders in the Sibangweni location. The study also found that when these female domestic workers are performing these duties, they face various forms of inhuman treatment both from parents and children. Some of them reported that they are made to wash the underwear of all the members of the households, while others reported that when they are cleaning, children of the household mess up the house because they are not the ones cleaning. Also, factors of physical abuse were cited by the participants, narrating that, at times, they are beaten by the children of the home, claiming that they are playing. These findings are supported by the findings of Węziak-Białowolska et al. (2020), who reported that domestic workers face a wide range of grave abuses and labor exploitation, including physical and sexual abuse, forced confinement, non-payment of wages, denial of food and health care and excessive working hours with no rest days.

Lesotho domestic worker's living conditions

Lesotho sleep-in domestic workers perceive their living conditions in South Africa as harsh and unfavorable. This confirms previous findings by Constable (2019), who reported that “migrant domestic workers are forced to stay in backrooms that do not have proper sanitation services, inadequate accommodation (small rooms, poor lighting, lack of furniture), and inadequate food (quantity and quality) are frequent complaints of sleep-in domestic workers”. A survey conducted by Neetha (2021) showed that 70.4 percent of domestic workers did not have a room and were forced to share a room with the employers’ children or sleep in the corridor, the living room, dining room, storeroom, kitchen, laundry, ironing room or any other available space. This paper also reports that sleep-in domestic workers suffer from a lack of privacy and interference in personal matters because of long hours at work, the close supervision by household members, and the normal conditions of accommodation. This study’s findings contradict the findings by Mabaso (2017), who reported that migrant domestic workers feel integrated and

comfortable living in their employer's household if the employer is wealthy because they experience luxurious living conditions and feel like they are part of the family.

This study found that most domestic workers complain about unfavorable working conditions, with no work signed written contract, overtime work with no compensation, and unforeseen retrenchment. It also revealed that the lack of a binding labor contract makes it difficult for dismissed workers to obtain an assessment of severance pay and other obligatory fringe benefits. It was also revealed that the working contract is often oral, presenting the workers with the extra difficulty of proving the existence of a contractual working relationship in case of controversy. These findings are supported by Crush and Frayne (2010), who opines that domestic workers are vulnerable workers and are exposed to abuse. Subjective changes in work contracts, pay cuts, or even non-payment of salaries is facilitated by the irregular nature of the employment relationship.

This study found that Lesotho sleep-in domestic workers are aware of the minimum wage put forward by the South African government. However, the employers of Lesotho sleep-in domestic workers do not comply with the minimum wage the South African government has put forward. This finding is consistent with the findings reported by Deport (2018), who found that domestic work is a low-paying activity in general terms. Domestic workers' salaries are often far below the minimum wage when it exists. For instance, a survey by Clarke (2000) reported that in ten cities in South Africa, men and women working in domestic service jobs had the lowest average income. This finding is also inconsistent with (Valletta et al., 2020), which states that employing someone more than 24 hours a month is considered full-time. If a domestic worker works 8 hours a day, 5 days a week, they should be paid at least R4,067.20 a month.

Support services available to domestic workers in South Africa

Healthcare and Safety Standards

This study found that Lesotho sleep-in domestic workers do not receive any support services in time of need; specific standards are not in place to protect workers, such as fitness to work requirements, controls on working and rest hours, peak workloads, access to protective equipment, sickness, and injury leave language in contracts, safety training, health information, and protective measures, and provision of medical care and medicines. This finding is consistent with Williams and Kayaoglu (2020), who reported that the lack of working benefits is a common trend in domestic work. Many countries explicitly exclude domestic workers from the scope of the law, such as by granting maternity protection to women workers. They typically receive less compensation, benefits, and social or legal safeguards. This study found that access to adequate health and safety standards for domestic workers is not part of the oral contract between the employer and the employee. This finding is supported by Bhattacharjee and Goswami (2019), who revealed that no contractual language waives the right to injury compensation, training programs on how to do safe work, and first aid courses. Physical safety measurements include

injury/illness rates, days lost per employee, costs incurred by the employer, and the existence of workplace safety regulations

This study found that access to healthcare services is an important support service that is not available to domestic workers. Domestic workers, particularly women, are employed at home as babysitters and cleaners; even if they are not feeling well, they are expected to continue working. However, they are not released to the clinic because they don't have medical aids to attend hospitals and doctors. This finding is consistent with Huang, Burtch, Hong, and Pavlou (2020), who revealed that domestic workers are often illiterate, unskilled, and come from poor families. Due to their poor financial and educational status, they undergo exploitation at every level of society. The employers take undue advantage of their socio-economic and educational status.

The study revealed that some domestic workers work in low-income families, and these families are unable to provide these health care facilities since domestic workers lack stringent employment contracts, which makes it difficult for them to demand their rights, especially health care rights. Due to high client dependency, it is difficult for domestic workers to terminate contracts where there is a lack of access to healthcare facilities or hazardous conditions. This finding is consistent with (Chen et al., 2022), who revealed that many domestic workers face specific health problems due to the complex nature of work. Lack of access to health care services maintains a vicious cycle, where food and nutritional intake fall because of ill health, compromising the ability to work. Because of hard work, domestic workers are prone to many health ailments.

Training and Education Opportunities

This study revealed that training and education opportunities are vital in enhancing domestic workers' skills and the empowerment of workers in general. However, domestic workers do not enjoy the benefit of upskilling themselves. This finding is supported by Salgado de Snyder et al. (2021), who claimed that training involves planned activities organized and designed to promote learning and aims at enlivening workers' skill acquisition, thus enhancing their skills in carrying out job functions, boosting their capabilities and competence, and improving productivity

CONCLUSION

Domestic workers play a crucial role in households around the world, yet they often face significant exploitation and abuse due to their social and economic invisibility. This invisibility stems from factors, including societal norms, legal frameworks, and economic conditions that marginalize these workers. Many domestic workers endure long hours and heavy workloads, often without the protections and benefits afforded to workers in other sectors. They frequently receive low pay, which does not reflect the demanding nature of their work and is subjected to inadequate living conditions that can further exacerbate their vulnerability. Job insecurity is another pressing issue for domestic workers, who often lack formal contracts or legal protections. This precarious employment situation leaves them open to exploitation, as they

may fear losing their jobs if they speak out against unfair treatment. The power dynamics at play in domestic work can lead to situations where workers are subjected to various forms of abuse, including verbal, physical, and emotional mistreatment, particularly from their employers and their families. This abuse is often compounded for illegal migrants, who face additional layers of discrimination and exploitation. In South Africa, for instance, prejudiced employers may treat these workers inhumanely, taking advantage of their vulnerable status and lack of legal recourse. The intersection of race, gender, and immigration status further complicates the experiences of domestic workers, making it essential to address these issues through comprehensive policy changes and societal awareness.

Recommendations

The study recommends the following:

Monitoring Workplace living conditions

The government should actively monitor safety measures for domestic workers in the workplace. Monitoring measures such as regular inspections and assessments can help ensure that domestic workers are provided with safe working environments similar to those in other professions. This includes checking for adequate living conditions, safety protocols, and access to emergency services. This monitoring is essential for advocating for the rights of domestic workers and improving their working conditions, and understanding the challenges they face is crucial for creating a more equitable environment for all workers, regardless of their occupation or status. Quarterly inspections on whether employers pay domestic workers a reasonable and fair wage. South African government has established a minimum wage for domestic workers, yet some do not benefit from that. Therefore, quarterly inspections can help ensure they receive compensation reflecting their labor and contributions. Employers should also be educated about the financial responsibilities many domestic workers bear, especially if they are primary breadwinners or single parents, as the study revealed. Fair wages are fundamental to dignity and respect in the workplace. Many domestic workers face financial hardships, and a fair wage is essential for their well-being and the support of their families.

Employers should treat domestic workers with respect and decency. Training programs for employers can promote awareness of the rights of domestic workers and the importance of respectful treatment. This includes fostering a culture of mutual respect and understanding in the workplace, as the study highlights that domestic workers often endure inhumane treatment, including physical abuse and exploitation. Respectful treatment is vital for improving their working conditions and upholding their rights.

Support services in terms of respect and treatment

Domestic workers should be entitled to public holidays as prescribed in the Public Holiday Act. Employers should implement policies that guarantee domestic workers time off during public holidays, ensuring they are not coerced into working during these times. This can also include provisions for paid leave. Recognizing these rights contributes to a healthier and more productive workforce. These recommendations aim to enhance the overall working conditions

and rights of domestic workers, addressing the various forms of abuse and exploitation they face.

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