

Paid Domestic Workers in Brazil – an analysis of the political and cultural conjunctures of labor rights

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As the 14th Latin American country, Brazil has ratified the ILO Convention on Decent Work for Domestic Workers, No. 189 (2011) on 31 January 2018. Brazil has the largest share of domestic workers out of all Latin American countries. The majority of the around 7 million paid domestic workers are Black women from economically poor backgrounds who face intersectional injustices based on their gender, race and class. Nevertheless, Brazilian domestic workers have been organizing and making their voices heard since 1936. Ever since, their movement has been crucial to the amplification of rights for paid domestic workers.

Paid domestic work in Brazil had been at the margins of labour legislation for centuries. Not only were domestic workers explicitly excluded from the 1943 Brazilian Labour Code, but through these exclusions, conservative discourses were predominant, which did not recognize the social and economic value of this type of work. Alexandre Fraga (2016) points out how paid domestic work was practically completely unregulated until the first labour rights for this sector were outlined in the Law nº5.859 in 1972. Only after the military regime ended, and as a result of the democratisation process and the formulation of a new constitution in 1988, did domestic workers achieve real progress in terms of legislative expansion. The full professional recognition of paid domestic workers as part of the working class with the same benefits as all other workers remains the core vision of the paid domestic workers' movement. The amendment of the constitution to end second-class treatment of domestic workers, with the Complementary Law 150 of 2015, is a milestone in the history of equality in Brazilian democracy. However, many inequalities persist, such as low wages and the small number of workers without legal contracts (65%).

In our paper, we would like to outline the structural challenges for paid domestic work and the movement of domestic workers in Brazil with regards to legislative changes which have taken place. In this analysis of the historical configurations surrounding the legal processes concerning this category of workers, we highlight how the advances were won by the struggle of paid domestic workers, while conservative structures persist and impede their gaining of full labour rights. Thus, our main objective is to understand how the legislative advances have been negotiated in favor of the employers, not considering totally the working class.

To achieve this goal, the research is conducted through qualitative methodology, analyzing the legislative, cultural and economic aspects and each moment of progress of labor rights for this category. Interviews have been conducted in the year 2017, with trade unionists of the category in relation to their history, struggle, current challenges and their political points of view.

Thus, our article aims to contribute to critical thinking about social movements, the advances of democracy, as well as the complexities of dialogues and alliances between the feminist movement, the black feminist movement, and the trade union movement.