

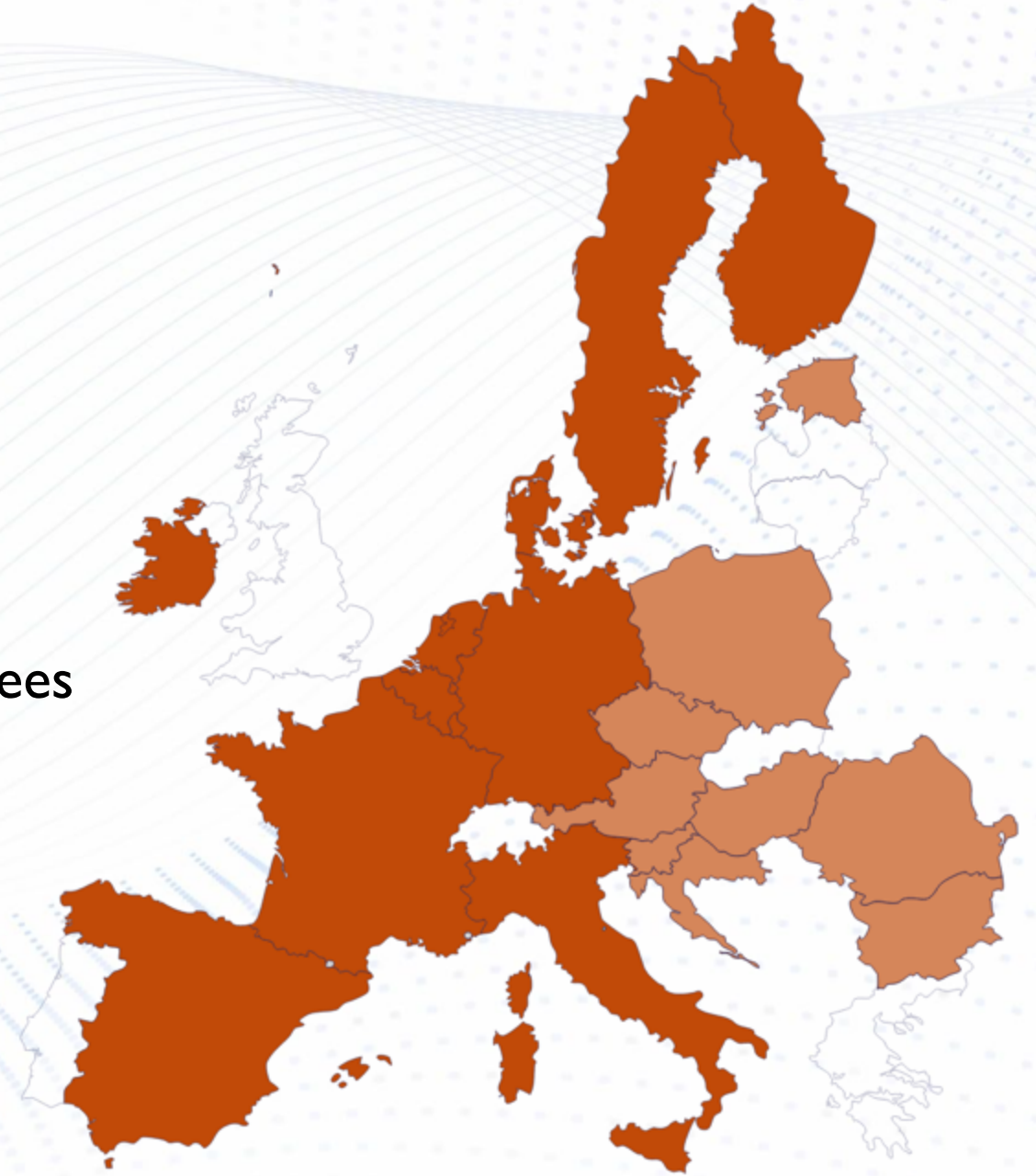
Ad-PHS FINAL CONFERENCE

10th December 2020

From 14:00 to 17:00 CEST via ZOOM

Roundtable 2: Social rights for PHS workers
Rights and obligations of employers and employees

Kerstin Howald, EFFAT



PERSONAL AND HOUSEHOLD SERVICES



■ Numbers

- 6.3 million workers in Europe
= 3.4% of employment
- 9.5 million workers incl. undeclared
= 1 out of 3 PHS workers in informal labour market

■ 2 PHS sectors: care and non-care

- 60% = care related services (elderly / children / disabled)
- 40% = household support services (cleaning / cooking / gardening)

■ workplace = private home



EMPLOYERS – EMPLOYEES



■ Definition

- employee = person who provides household support or care services in peoples' homes
- employer = depending on employment relationship
 - direct employment
 - employment via intermediary, e.g. agency / service vouchers
 - home support provided by public authorities

■ 3 stakeholders

1. end-users / clients who get services in their home
2. employer - 1. & 2. can be the same
3. employee

■ Employees can work for one or for multiple users / clients



ISSUES AT STAKE



- **work contract** (wages, working time, social security, benefits, leave)
- **workers rights** (join a trade union, collective bargaining)
- **safe work environment** (supply of working tools, PPE, distancing)
- **occupational health and safety** (cleaning products, medicine)
- **protection against sexual harassment, violence, abuse**
- **insurance of employee against work accidents and damage**
- **multi-client services** (travel time between clients = paid working time)
- **right to privacy and to time off** (esp. live-in carers or domestic workers)
- **cross-border workers / 3rd country nationals / migrants:**
 - host country principle
 - decouple work permit from employer
- **training**



LEGISLATION / COLLECTIVE AGREEMENTS



In the best case, all issues are covered / dealt with by

- legislation / regulation on e.g.
 - employment
 - social protection
 - occupational H&S
 - workers' rights
- or collective agreements

But: PHS workers / workers in private homes are often

- excluded from legislation, e.g.
 - EU OSH
 - EU Transparent & predictable working conditions
- not covered by collective agreements



RECOMMENDATIONS



- ensure that domestic / home-care workers are covered by all (EU) labour and social legislation, including occupational health and safety regulations
- guarantee equal rights & protection for all domestic / home-care workers, including those providing services in non-standard forms of employment or via platforms
- support the setting up / strengthening of social dialogue structures in care and non-care PHS sectors, and sectoral collective bargaining
- support the setting up of schemes / frameworks to facilitate the ‘purchase’ of PHS services while respecting legal obligations of employers and workers’ rights
- pay particular attention to (undocumented) migrant PHS workers e.g. with regard to migration status, work permits (not to be linked to ONE employer)





Thank you.



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