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Social and Legal Empowerment of Domestic Workers in Brazil

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**SOCIAL AND LEGAL EMPOWERMENT OF DOMESTIC
WORKERS IN BRAZIL**

Master Thesis

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Ås 2014

CREDIT PAGE

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DECLARATION

I, Kateryna Byelova, declare that this thesis is a result of my research investigations and findings. Sources of information other than my own have been acknowledged and a reference list has been appended. This work has not been previously submitted to any other university for award of any type of academic degree.

Signature.....

Date.....

To my dear Eric, without your inspiration, continuous support and encouragement this thesis would not have been possible. Thank you, my angel! And to my beloved grandpa, who is now smiling at me from the stars... If I know what love is, it is because of you.

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ABSTRACT

Working daily inside middle-class and, mostly, white families' houses, domestic workers in Brazil constantly face the social and economic inequalities embedded in their lives and routines. The various intersections of gender, class and race are intrinsically linked to this professional occupation, as well as to the low social status that it entails. Moreover, the gender role of women who work as domestic workers still positions them as the main actors in charge of activities in their own household. The research aims, thus, at analyzing the dynamics of domestic workers' access to equal opportunities in both social and legal terms and in the light of larger socio-cultural context of Brazil. Through the lenses of feminist intersectionality, I explore hierarchical structures, which have been affecting domestic workers' social positioning, and analyze perceptions of domestic workers, employers and domestic workers' union of this professional field and its transformation. Through semi-structured individual interviews conducted in Goiânia with 15 female domestic workers, 5 female employers, 4 male employers and one female representative of the union, this investigation highlights the changes which have been occurring with domestic work in Brazil on the way to achieving more social justice and legal equality.

Key words: domestic workers, empowerment, feminism, intersectionality, gender, class, race, labor rights

ABBREVIATIONS

ACMUN	Associação Cultural de Mulheres Negras (Cultural Association for Black Women)
CLT	Consolidação dos leis do trabalho (Consolidation of Labor Laws)
DEPEC	Departamento de Pesquisas e Estudos Econômicos (Brazilian Department of Economic Research)
FENATRAD	Federação Nacional das Trabalhadoras Domésticas (National Federation of Domestic Workers)
FGTS	Fundo de Garantia do Tempo de Serviço (Guarantee Fund for Length of Service)
IBGE	Instituto Brasileiro de Geografia e Estatística (Brazilian Institute of Geography and Statistics)
ILO	International Labor Organization
INSS	Instituto Nacional do Seguro Social (National Institute of Social Security)
IPEA	Instituto de Pesquisa Econômica Aplicada (Institute of Applied Economic Research)
PEC	Proposta de Emenda Constitucional (Constitutional Amendment)
PNAD	Pesquisa Nacional por Amostragem de Domicílios (National Household Survey)
STDG	Sindicato dos Trabalhadores Domésticos em Goiânia (Domestic Workers` Trade Union of Goiânia)
WIEGO	Women in Informal Employment: Globalizing and Organizing

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CHAPTER ONE

INTRODUCTION

The present thesis investigates how the intersection of gender, class and race has been affecting access to equal opportunities for domestic workers in the light of Brazilian socio-cultural context. Brazil has more domestic workers, around seven million, than any other country in the world (Silva, 2010). Having a domestic worker is a privilege and a “necessity” not only for the rich but for middle-class Brazilians. There is even a saying in Brazil: “Be a maid or have one”. The typical domestic worker is black, poor and a woman. Thus, domestic service reflects the main problem of Brazil – social inequality. This is also one of the major issues in the development field. Exploring the dynamics of achieving social justice and legal equality for a group that is multiply disadvantaged is what motivates my research.

In the recent years Brazilian government contributed significantly into economic and social development of the country. Millions of people moved out of poverty into the middle class (*The Economist*, 2013, p.14). Brazilian ideology of racial democracy and rising feminist movements might have improved the situation as well (Silva, 2010). However, domestic workers remain among the most discriminated groups in the country based on gender, social class and race (Anderson, 2000; Blofield, 2012; ILO, 2010; Rezende & Lima, 2004; Rezende, 1995; Silva, 2010). Domestic work is the occupation with the highest percentage (94.3%) of female workers (PNAD, 2012). And the women accepting this job have to take care of both the employer`s and their own families (Rezende, 1995). In many households domestic workers are treated as “second class citizens” because manual work is culturally perceived as “inferior” and is mostly meant for and done by black Brazilians the Afro-Brazilians (Anderson, 2010; Rezende & Lima, 2004). Such form of a hidden racism is present in a modern Brazil and might be a heritage from its slavery past. In addition, since more than 70 percent of the domestic workers in Brazil are not formally registered (IBGE, 2010), it makes even more difficult if one needs to claim for her labor rights. These persisting patterns of inequalities make the topic an important social issue.

The main research question of this thesis aims at exploring the dynamics of social and legal empowerment of domestic workers in Brazil. The research question is analyzed through feminist theory of intersectionality, combining cross-cutting dimensions of gender, class and race, which are crucial for understanding the identity of a domestic worker. In order to carry

out this study, I used a mixed research method applying both quantitative and qualitative analysis and addressing primary and secondary sources. Approaching primary data, I went for a fieldwork to Goiânia, which is the capital of Goiás state located in the Central-West Brazil. At this research site I conducted 25 semi-structured individual interviews with the domestic workers, employers and the domestic workers` union.

As to the structure of my thesis, in chapter two I introduce in more details the methods used, outlining objectives, sampling approach, processes of data collection and analysis, limitations and ethical considerations. Chapter three presents the theoretical framework of my thesis, defining domestic work and its peculiarities, describing concepts of social and legal empowerment and highlighting feminist intersectionality. Chapter four is devoted to the Brazilian socio-cultural context, giving a brief account of its history and changes occurring in society due to economic and political processes. Through class, race and gender dimensions I outline hierarchical structures that have led to various social exclusions of domestic workers and highlight patterns of empowerment occurring to this group of women in light of larger societal processes. Chapter five takes a closer look at regulation of domestic work in Brazil, focusing on efforts of formalization and protection, adoption of the new legislation, which gives domestic workers the same rights as to all other Brazilian workers, and, most importantly, on this law`s enforcement. In chapter six I present my findings from the fieldwork, dwelling upon lived experiences and opinions of my respondents in regards to domestic workers` social and legal empowerment respectively. In the conclusions I emphasize complex nature of domestic work and patterns that have been contributing most vividly into social positioning of this group of women.

CHAPTER TWO

METHODS

2.1 Objectives and research questions

Highly unequal nature of the Brazilian society, with Gini index of 54.7 as of 2009 (*World Bank Databank*, 2013), is the important factor influencing the development and well-being of the people. Inevitably this contributes to how domestic workers perceive themselves and how they are perceived and treated by other society members. Deep-rooted societal divisions based on class, gender and race can create ostensible challenges for women working as the domestics and compromise their access to equal opportunities through legal and social discrimination. However, gradual transformation from patriarchy and democratization trends in Brazil have mobilized and given political windows of opportunity to this invisible group of women by equalizing their labor rights with other workers. By the present study, first, I examine the peculiarities and challenges of being a domestic worker in Brazil, taking into account its history, social structure, cultural norms, changing gender relations and current democratic politics. Within given socio-cultural context I proceed to analyzing the dynamics of domestics` social and legal empowerment. The research group is women working as domestic workers, employers and domestic workers` union in Goiania, Brazil.

Since the study will document how domestic workers perceive themselves, through conversations with them, I find out about their work situation, how and why they have chosen this job, about the problems and challenges they are facing in regards to it, and then, I link them to the labor rights they are entitled to by the new legislation. Also, I explore how they are perceived by others, in particular by their employers. I look at their day-to-day life of social interactions and try to give account how certain attitudes are being shaped bringing historical, cultural and political perspective into the analysis. The study investigates what kind of relationships is established between domestic workers and their employers within the household, how it is perceived from both sides and how it interacts with cross-cutting issues of race, class and gender. I also look at what working as a domestic worker means for the livelihood opportunities of these women, particularly how it affects their income, access to education and alternative job options. Also, I explore why people are choosing to have a domestic worker, who is the major decision-maker in this and what impacts it has on men and women in a household from a gender perspective. Subsequently, the study aims at investigating on how Brazilian national policies and legislation have been affecting the

domestic workers` access to equal rights tracing briefly its history until today, when the new constitutional amendment took effect in Brazil on April 2, 2013 (*International Domestic Workers` Network*, 2013), providing them with the same rights as other workers. Given recent legal changes, this research analyzes how the laws that protect domestic workers are actually enforced, what is the role of domestics` union in this, in what extent domestic workers are aware of their rights and how they claim them. Consequently, by contextualizing my study to Goiania, I explore people`s perceptions and attitudes on domestic work and outline the dynamics of domestics` access to equal opportunities in light of larger cultural, societal and political structures that persist in Brazilian society today.

The research question is analyzed through feminist theory of intersectionality, combining cross-cutting dimensions of gender, class and race, which are crucial for understanding the identity of a domestic worker. Intersectionality is a part of broader approach of the social sciences, critical realism, which seeks to identify social structures that generate the events and discourses of the social world, but, at the same time, recognizes human agency which is capable of consciously reflecting upon, changing and re-producing these social structures (Bryman, 2008). Being methodologically pluralist, critical realism accommodates both hermeneutic and empirical paradigms, and argues from a break between realist ontology and relativist, subjective epistemology (Lopez & Potter, 2001). Thus, in critical realism social reality exists independently and can be explored, but the knowledge about it is situated and depends on context.

2.2 Sampling approach

In order to perform this study, I used a mixed research method applying both quantitative and qualitative analysis and addressing primary and secondary sources. Approaching secondary data, I did a detailed literature review of the relevant materials, such as books, articles, conference papers, other researches, legislation and statistical factsheets available on the topic. Regarding primary data, I went for a fieldwork and conducted semi-structured individual interviews with the domestic workers, employers and domestic workers` union.

About sample size, I had 25 interviews – 15 with domestic workers, 9 with employers and one with a domestic workers` union. Among employers there were 5 females and 4 males, whilst among domestic workers all the respondents were women. As a result, men and women from different socio-economic and educational backgrounds were represented. In this

way my samples were purposive as they were selected “in order to ensure that certain types of individuals or persons displaying certain attributes are included in the study” (Berg & Lune, 2012, p.52). Also, among my respondents were people of young and older age, of light and dark skin color, locals and those who migrated from other states in Brazil. This distribution made my research more comprehensive, as differences in the perspectives and perceptions of my respondents, who have various life circumstances, enabled me to approach the research question from different dimensions.

Timeframes for conducting my field work were from November 18th, 2013 until January 24th, 2014. Some days were lost, however, due to Christmas and New Year celebrations. Regarding a research site, all the interviews were made in Goiânia, the capital and administrative center of Goiás state which is located in Central-West region of Brazil. Taking into consideration that Brazil is a very large country, I restricted the investigated area only to this city due to practical purposes. I have already had the contacts there, which in my case served as gatekeepers and facilitated my entrance in the field. In the large extent due to their kind help I managed to address the interviewees, since the research group is mostly hidden and scattered in the private households. In this sense, together with purposive samples, I also had convenience samples i.e. “relying on available subjects – those who are close at hand or easily accessible” (Berg & Lune, 2012, p.51). However, whenever it was possible, I tried to proceed to snowball sampling technique where respondents I met helped me to find future respondents among their acquaintances.

The more detailed description of Goiânia and the respondents follows in the analysis chapter.

2.3 Data collection and analysis

Prior to the process of data collection, I prepared a plan of issues which I wanted to cover during the interviews with my research group. Therefore, I have made interviews guides (Appendices 1, 2, 3) separately for domestic workers, employers and for domestic workers union, which I tested through pilot interviews in order to assess their validity.

To address the problems affecting domestic workers I wanted to listen to and understand how they perceive their work, how they experience social relationships within employer-employee and men-women context, and learn about their livelihoods. Particularly important within my research question was to get to know about their working conditions and what kind of discrimination they might face in all three dimensions (gender-class-race), to

explore to what extent domestic workers are aware of their rights and existing legal framework aimed at protecting them, how they organize and view the role of the union, and what are their hopes for their own future and the future of their children. Domestic workers' perceptions, attitudes and narratives were my main focus to be explored through conversations with them. I also wanted to hear different perspectives and understand viewpoints on the same issues from their employers. Contacting domestic workers' union helped me to find out about its role in organizing the domestic workers and shed more light on the role of political and social allies in advocating domestic workers' rights in Brazil.

About setting, all the interviews were informal and open-ended conversations with my respondents, each of which lasted on average 30 minutes. Most of the interviews were held at employers' homes either after or sometimes during domestic workers' working hours, but always with the consent from both sides. At the same time, two interviews with domestic workers were conducted at their own homes, which gave me some idea about their living conditions. Seven conversations with both domestic workers and employers were made in a neutral location – in a children's day-care center and in a shop. The interview with a representative of a domestic workers' union took place in its premises.

The interviews allowed me to listen to stories and opinions that outlined the personal narratives of the respondents. Taking into account that interviewing is a dialogical process and that I have chosen to apply semi-structured interviews, the conversations I had with my respondents did not follow exactly the same sequence of topics, as in my interview guides. They also varied in length and in the complexity that certain issues were addressed. Whenever I felt that a respondent had more to say about a particular matter, I encouraged her/him to tell me more about that specific topic. This allowed the interviewee to feel more comfortable with the conversation, since she/he was able to orient the direction of the interaction. The way the interviews were conducted will be better described in another section of this chapter.

As to analyzing the collected data, first, I used the voice recordings to transcribe the interviews into the text documents on my computer. Although some interviews were entirely in Portuguese, I transcribed all the recordings directly into English. Then, I created a profile of my respondents, particularly domestic workers, including their ID numbers, age, place of birth, race (according to self-declaration) and level of education. Applying content analysis, which can be defined as “a systematic, replicable technique for compressing many words of text into fewer content categories based on explicit rules of coding” (Stemler, 2001, p.17), I made several coding frames. They helped to organize and classify the answers I got by main issues e.g. working conditions, employer-employee relationships, men-women division of

domestic chores, rights awareness, opinion about the new law etc., and categories of my respondents i.e. domestic workers, employers and domestic workers` union. Most importantly, the coding frames simplified for me the process of finding the main patterns and trends in the data. I looked at what kind of answers were the most prevalent and which were standing out, providing the quotations of the interviewees. To strengthen the validity of findings and to provide more holistic understanding I applied quantitative analysis as well, by using simple statistics in certain areas of enquiry such as, for instance, race according to self-declaration, geographical origin, educational level, average age of the respondents etc.

Subsequently, while qualitative data allowed me to gain access to the perspectives of the people studied, quantitative data enabled me to explore more comprehensively particular areas relevant to my research question. Also, to make my findings more credible and trustworthy, I triangulated them with secondary sources, approaching my data from different dimensions as “by combining several lines of sight, researchers obtain a better, more substantive picture of reality” (Berg & Lune, 2012, p.6).

2.4 Ethical considerations and validity

As to ethical issue of my research, all the interviews were conducted with the consent of the respondents. Before starting each conversation, I presented myself, explained the intentions of my research, informed my potential informants about their role in it and contribution, and, most importantly, about their rights, such as anonymity and confidentiality. Additionally, I prepared a written informed consent (Appendices 4, 5, 6), which the interviewees were asked to read and to sign in case they agreed with everything. The informed consent was translated into Portuguese. However, in some cases, when the interviews appeared spontaneously, only oral consent was taken.

Also, I did not use any real names in my writing and gave my interviewees only subsequent ID numbers which I applied in the profile and coding frames used for analysis, as mentioned above. Also, during my interviews, I followed privacy mode whenever it was possible, trying to avoid extra audience. Before using an audio-recorder I asked for the permission from my respondent. The audio recordings from all the interviews were not disclosed to anyone, unless it was needed for the purpose of this research. To give something back to my respondents for the conversations and time devoted I symbolically thanked most of them with a box of sweets (except when the interviews happened spontaneously).

Regarding validity of my findings, there are several limitations that could potentially affect the quality of my data.

First, preferably, more interviews with domestic workers should have been organized at their homes, so that they could speak even more freely and I could give better account on their living conditions. This was one of the pitfalls, particularly in the beginning of my fieldwork, since I also needed to consider the time, which people, who were nicely helping me with interpreting, disposed. Many of the domestic workers live on the outskirts of the city and it might take more than one-two or sometimes more hours to get to their places. Not a remote location was a limitation, but rather my dependence on help with the language, as I could not speak Portuguese good enough for communicating freely with my respondents and they in turn could not speak any of the languages I was fluent in. At the same time, some interviews with domestic workers did take place at their homes.

Since I wanted to interview the employers as well, they kindly agreed to receive me in their houses and shared with me a small part of their lives and reality, as many of them were friends of my gatekeepers. Conversations with all the employers seemed to be very open and sincere. Generally, meetings at employers` homes were easier to arrange in a practical sense, in terms of convenience for respondents, help with interpreting and due to existence of already built-in trust. Also, some of the employers could speak English. They often suggested having a conversation with their domestic worker as well, with her consent and agreeing beforehand about a time and a place most convenient to her. Several times these encounters, by choice of domestic workers, also appeared to be at employers` homes, but while the latter were at work. So, the respondents were feeling comfortable. In case employers were home, normally they were not present at the same room during the conversations, to respect the issue of privacy. During two interviews, however, they were in the same room, but I felt it would not be polite to ask them to leave.

Sometimes the interviews happened quite spontaneously and in a couple of cases they were during domestic worker`s working hours. Although I was not sure, whether the conversations would not interrupt their work, employers usually were suggesting this themselves ensuring me that it was completely fine. In those cases, when I asked domestic workers personally whether it was convenient for them to talk in this setting and whether they would prefer another time or location, usually they answered that it was fine for them, as long as their employers did not mind. So, I took the chance. Despite these details, most of the conversations seemed to be honest and I think most of the respondents opened up to me.

A second limitation, however, deals with a language issue. Most of my interviewees spoke only Portuguese and some of my secondary sources were in Portuguese as well. As already mentioned above, when I started the fieldwork, my language skills were not good enough to conduct the interviews independently. So, assistance with interpreting was needed. I received great help with that and English level of people assisting me was very good. Naturally, however, some of the questions might have been asked in a bit different way and the answers of the respondents could not be interpreted word by word. Nevertheless, in a course of time I improved a bit my level of Portuguese, which enabled me to conduct some of the interviews myself and to translate the audio recordings of each conversation into English. I was kindly helped in the latter as well in order to resolve language doubts and eliminate possible inaccuracies, while transcribing the data into the text format. At the same time, all the quotations in the analysis chapter are provided not in the language they were expressed, which inevitably changes a bit the exact answers given.

My third limitation concerns my position as a researcher. Being a young not Brazilian woman, who have never had a domestic worker in her life and who have never worked in a domestic service, I had outsider lenses, which effected my interpretation of reality and the way I analyzed the data. This might have worked as an advantage as well, helping to approach a given socio-cultural context and a research group from more neutral “out of a box” perspective. However, my potential research bias, as belonging to the middle-class, as white and as someone coming from abroad required from me a constant self-reflection in order to ease the power relations which were inevitably present in some encounters between people with different socio-cultural backgrounds. According to Devault and Gross (2007), it is essential to a feminist researcher to maintain a reflexive awareness of the relationships between herself and the respondents, keeping in mind that investigation encounters are shaped by many axes of power.

Consequently, taking into account mentioned limitations, in my research I do not aim at strong objectivity, but rather try to deliver truthful accounts of domestic worker’s world through the lived experiences of my respondents and in relation to a specific socio-cultural context. As one of the most prominent postmodern feminists, Donna Haraway (1998), outlined – all knowledges are partial and located (situated). The same statement holds for the critical realism as whole (Bryman, 2008). Since I am applying this social scientific approach, I recognize the partiality and the situatedness of my academic research, which depends on the human agency and the context and, thus, can be interpreted in different ways.

CHAPTER THREE

THEORY

3.1 Definition of a “domestic worker”

According to Brazilian law No.5.859/1972 (known as domestic workers law, *lei dos empregados domésticos*), domestic workers are defined as the ones who provide nonprofit services on a continuous basis to a person or family within a place of residence. They include cooks, housekeepers, nannies, cleaners, laundresses, chauffeurs, guards, gardeners, elderly caretakers etc. (Gomes & Bertolin, 2009). Since the overwhelming majority (around 90 percent) of all domestic workers in Brazil are women (ILO, 2013), I will not consider men in my research. Additionally, my analysis will be focused on domestic workers who are commonly called “maids” and who are responsible for various types of services within employer’s private residence, such as for instance, cleaning, cooking, washing up, doing laundry, ironing, taking care of children and the elders. At the same time, I will still use the general term “domestic worker”, in respect to the profession of these women, who have recently gained equal rights with all other workers.

This term also encompasses the two major categories of domestic workers in Brazil – *empregadas* and *diaristas*. *Empregadas* is the category that defines women who work full-time, get paid monthly and might sleep (or not) in the house where they work, whereas *diaristas* are part-time workers, who come once-twice per week and get paid on daily basis. If a *diarista* works three days or more in a week per one family, by law she is already considered an *empregada*. If she works less than three days per week for one employer, legally this does not constitute a “continuous basis” service and thus excludes her from being protected by the rights granted for the domestic workers` category. In my research I will use the term “domestic worker” to refer to both *empregadas* and *diaristas* in order to highlight the complex character of domestic service, which is expressed by both social and legal dynamics and challenges.

3.2 Peculiarities of domestic work

In domestic service two spheres - private and public – interact, creating a space where economic logics and social practices cross (Rezende, 1995). Since it is performed at home, which is referred to a private sphere, the working conditions of domestic workers are quite different from those found in a typical workplace. Domestic workers remain to a large extent

in a relative isolation from other workers, often having to negotiate with two (or more) different employers. This makes domestic work sector dispersed and fragmented (Silva, 2010). Moreover, many employers do not perceive themselves as employers in the way they do outside their home, in the public sphere, nor do they view their homes as sites of employment. This is especially common in the case of live-in domestics, because the boundaries between home and workplace, and between the domestic worker's private life and that of her employer, are blurred (Blofield, 2012). Thus, the labor relation within domestic service tends to be complex.

In addition, the sexual division of labor, based on socially constructed gender roles, assigned taking care of household activities as women's major responsibilities (Anderson, 2000; Besse, 1996). Being overwhelmingly feminine, domestic work, thus, is not recognized as a "productive" activity, but rather as a "non-productive" personal care service. Its intangible nature has contributed into decreased social and economic value of domestic work and thereby into its invisibility in a public sphere. Moreover, domestic workers perform these socially and economically devalued duties not only in their own houses, but in the houses of their employers as well. Consequently, by taking domestic labor as both a private and professional responsibility, domestic workers end up facing a double social invisibility (Silva, 2010).

Domestic service is also commonly invisible in regards to legal protection. The fact that it is usually performed by more marginalized groups of society i.e. poor dark-skinned women with low education, might explain why issues related to safeguarding rights of domestic workers tend to remain on the border of legal apparatus. Subsequently, until quite recently domestic workers in Brazil had been suffering legal stigmatization i.e. norms applied to domestic workers were less favorable than norms applied to other categories of workers (Gomes & Bertolin, 2009). Additionally, due to the complex nature of domestic service, evasion from statutory norms tends to be considerably higher than in other occupations. Employment contracts are often verbal, and boundaries regarding the rights and duties of employment tend to be more fluid (Blofield, 2012). Consequently, domestic workers are much more likely than other workers to labor informally.

According to the Brazilian Institute of Geography and Statistics (IBGE, 2012), among 7 million domestic workers in Brazil, only 27 percent are formally registered. What should be noted here, even though the IBGE considers domestic workers to be a part of the informal sector, they are excluded from the IBGE survey of informality. This exclusion, in its turn,

results in an underestimation of the actual number of informal domestic workers in Brazil (Gomes & Bertolin, 2009).

Despite high level of informality, the relationship between domestic workers and employers is fundamentally a labor relation, and a particularly unequal one at that (Rezende, 1995). The familial, informal relations within the household tend to produce effects that reinforce and exacerbate the inherent inequalities intertwined by race, class and gender in this labor relation. While in many cases an intimate and affectionate relationship does develop between employer and employee, they often tend to obscure the very real labor and power relations between the two counterparts (Silva, 2010), thus rendering domestic workers vulnerable to unequal, unfair and often abusive treatment.

3.3 Social and legal empowerment

Since in my study I aim to trace the dynamics of social and legal empowerment of domestic workers in Brazil, it is important to define what I mean by the concept “empowerment”. Primarily, it can be defined as access to equal opportunities which implies leveling the playing field so that circumstances such as gender, race, or family economic background do not influence a person’s life chances (Nussbaum, 1995). Developing within themselves or in the society, thus, should depend on people’s choices, effort and talents, but not on their circumstances at birth. As an all-encompassing and diffuse problem, inequality of opportunities is less visible and harder to target for specific eradication policies, but it may be found wherever we look: income, education, employment, physically occupying geographic space, and even citizenship are stratified and unequally distributed (Scalon, 2013). Empowerment occurs through improvement of conditions, standards, and a global perspective of life, in a sense of opening access to more opportunities (Gottfried, 2008). It encourages people to gain the skills and knowledge that will allow them to overcome obstacles in life or work environment and ultimately, help them to become self-sufficient and self-confident (Esping-Andersen, 2009).

It might be stated that legal protection in a sense of granting equal rights is one of the first conditions of empowerment (Banik, 2007). Although equal rights do not necessarily assure equal conditions or are automatically translated into social equality, discrimination in legal terms can be regarded as an institutionalization of inequality. It does not only maintain and perpetuate, but also reaffirms and warrants an unequal and unjust status quo (Blofield, 2012). In addition, there tends to be a gap between the formal legal entitlements of domestic

workers and their treatment in practice, which has been frequently recognized in the work of the ILO (ILO, 2012). Since more than 70 percent of the domestic workers in Brazil are not formally registered (IBGE, 2010), it makes even more difficult if one needs to claim for her rights, thus, empowering them in this regard is necessary.

Merely legal empowerment, however, is not sufficient, since there are also social stigmas. Through practices of social discrimination and prejudices they might create significant obstacles on a person's life path, particularly if the one belongs to a marginalized group. Performing the same activities in their jobs and at their own houses, domestic workers carry a double burden of domestic responsibility, which increases the social exclusion of these women. Division between public and private sector mentioned earlier can be also indicated as a powerful ideological tool that has been used to justify a lower social position of women. However, their social devaluation does not finish on the gender bias that permeates domestic activities. Incorporated within the dynamics of the private sphere, the sector of paid domestic work also operates in compliance with a social inequality based on race and social class. For instance, 26 percent of economically active black women in Brazil work as domestic workers in contrast to 14 percent of white women which points to a predominance of dark-skinned women in this working sector (PNAD, 2012). Also, the lower number of black women working on a formal basis in relation to the white ones (IBGE, 2012) indicates that racial issues also have impact on their working conditions, particularly payment level, resulting in the self-perpetuating unequal opportunity after generations of forced disadvantage (Lovell, 2000). Thus, marginalized position of domestic workers requires not only the formal protection, but also social empowerment to promote equal opportunities.

Fanon (2008) in his publication about empowerment of black women advocates that it is necessary to go through a process of consciousness-raising and overcoming both wounds and attachment to a painful past, reaching freedom in order to tune into the present social reality and taking action for commitment yourself towards equality. Such authors as Ungar and Liebenberg (2008), link empowerment and resilience emphasizing the role of the cultural context and stressing the importance of racial belonging, positive self-esteem and self-confidence of black women. The research carried out by Carvalho (2008) also links resilience and empowerment, suggesting an aggregate term: autonomy to overcome and emancipate. Martins (2013) addresses elements which might have enhanced empowerment in educationally-successful women, by measuring skills such as self-control, self-confidence, gaining and retaining sympathy, optimism and a sense of life.

As the precarious character of domestic work sector is expressed both socially and legally, exploring domestic workers' empowerment from social and legal perspective can give more comprehensive picture of their access to equal opportunities. Moreover, scholarship done on domestic work tends to focus on migration and globalization issues or challenges in legal regulation of this sector in general, while often failing to cover local matter of paid domestic work. What is lacking are the political and cultural dimensions, values, understandings and perceptions on inequality, changes to the stratification structure and acquiring status, and also social agents' place in social life (Scalon, 2013).

Although it is theoretically and methodologically challenging to grasp all the complexity of social relationships, especially those based on identity-based traits, one might at least attempt to partially fill this gap of knowledge by exploring change in social life and in the system of opportunities. In my research I try to do it through examining the multiple identity of a domestic worker in Brazil and the fluid process of its construction, since what happens in domestic life is constitutive of wider social divisions, working as a universe integral to the national socio-cultural context (Silva & Pinho, 2010).

Consequently, it appears relevant to follow the dynamics of social and legal empowerment of this group of women through the lenses of intersectionality, which highlights various intersections of gender, class and race and thus enables to explore the identity of a domestic worker in different dimensions of social reality.

3.4 Feminist intersectionality

Intersectionality is an analytical tool which stems from the critical theory of postmodern feminism (Pheko, 2011). Intersectional analysis aims to understand and respond to the ways in which gender intersects with other aspects of identity such as race and class that are sources of systematic discrimination (Gottfried, 2008; Pheko, 2011; Riley, 2004). The definition adopted by the United Nations is as following:

An intersectional approach to analyzing the disempowerment of marginalized women attempts to capture the consequences of the interaction between two or more forms of subordination. It addresses the manner in which racism, patriarchy, class oppression and other discriminatory systems create inequalities that structure the relative positions of women, races, ethnicities, class and the like ... racially subordinated women are often positioned in the space where racism or xenophobia, class and gender meet. They are

consequently subject to injury by the heavy flow of traffic travelling along all these roads. (*United Nations*, 2001).

Pheko writes that "intersectionality offers potential as a framework for contextual analysis that may improve development outcomes for women by ensuring that particular groups of women are not excluded in policy and practice". Riley notes that "it takes account of historical, social and political contexts and also recognizes unique individual experiences resulting from the coming together of different types of identity". Gottfried declares that to study all the complexity of cross-cutting issues, "analytical categories should be theoretically driven, but derived from the study of specific social formations in historical context". "Complexity derives from the fact that different contexts reveal different configurations of inequality in this particular social formation" (McCall, 2005, p.1773).

Contemporary feminist theory addresses issues of intersectionality also in such publications as "Feminist Theory from Margin to Center" by Bell Hooks (2000) and "Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color" by Kimberle Williams Crenshaw (1991). Hooks states, "I advocate feminism" rather than "I am a feminist" to avoid the assumption that women's issues should be prioritized over such issues as race and class. Crenshaw argues that intersectional subordination is often invisible, with women who experience multiple forms of discrimination being inadequately addressed by either gender or race discrimination frameworks. To explain both dynamic and structural causes of multiple forms of subordination, she uses the metaphor of roads and traffic:

The roads are the axes of power/subordination (such as patriarchy, racial hierarchy and class system) that structure the relative positions of women, races, ethnicities and classes in the social/economic world. The traffic on these axes/roads is made up of the specific acts and policies that create burden, or the dynamic aspects of disempowerment. Marginalised women are located 'in the cross roads' where two or more axes intersect. Here they are subject to a heavy flow of 'traffic' from two directions, increasing the risk of 'accidents' (Riley, 2004, p.114).

Black feminist, Patricia Collins (2002), highlights the "matrix of domination", which arranges power relations in society in an intersecting system of oppression. She argues that different socially established categories, such as gender, class, race, age and citizenship status are entrenched in the socio-political structure affecting axes of power. Yuval-Davis (2011)

adds to the discussion claiming that social divisions are not only embedded in macro axes of power and are not only reflected in social institutions, but they influence people`s daily lives as well.

Since domestic workers are overwhelmingly women from poor backgrounds with low level of education, which also tend to come from ethnic or racial minorities, the issues surrounding this sector of workers are very much the case of intersectionality of class, gender, and race. The Brazilian case is a classic example: women constitute 94.3 percent of all domestic workers; 61.8 percent of them are dark-skinned and 64 percent have either no education or only partial education at the elementary school level (PNAD, 2012). Given the rigidity of class structures and racial hierarchies and the severity of income disparities and power imbalances in Brazil, specific attention must be paid to the ways in which class and race are constitutive of gender interests. That is, a domestic worker`s gendered life experience cannot be separated out from her experience as a member of a specific social class or racial-ethnic group. Thus, a domestic worker is not Brazilian and black and working-class and female; she is a Brazilian working-class black woman. Class- and race-specific gender attributes determine one`s social position as a woman and therefore must be viewed as integral components of one`s gendered identity.

The multiple and cross-cutting disadvantages place domestic workers in a particularly precarious and powerless position in a society and even vis-à-vis potential advocacy coalitions (Strolovitch, 2006). While domestic workers are women, laborers, and often racial minorities, their problems have tended to remain invisible within labor unions, women`s organizations, and indigenous movements. Indeed, Laurel Weldon (2008) recently stated that study of paid domestic workers is an excellent case for intersectional analysis. Kerr (2004) also argues “an intersectional analysis of identities such as race and gender can inform human rights approaches and make them more holistic, particularly given perceived tensions between respect for diversity and recognition of the universality of (women`s) human rights (Gottfried, 2008). This makes intersectionality an essential methodology for gender, development and human rights work (Pheko, 2011).

Although it is problematic to refer to a legacy of slavery and to mechanically associate that with the present situation of domestic workers, there are certainly issues to be investigated regarding how three and a half centuries of slavery have affected Brazilian society and culture of home life. Given that a racial pattern prevails in Brazil by which most employers are white and there is a predominance of black women employed as domestic workers, this occupation indeed has its roots in the colonial past, representing a space

occupied first by slaves and then by poor dark-skinned female workers. The ordinariness of having a domestic worker to do the everyday domestic chores renders invisible power relations between domestic workers and the families for whom they work. Additionally, the high social inequality that has accompanied Brazil since its construction as a nation-state naturalized the servant position of non-white poor uneducated women (Rezende, 1995).

Thus, the next chapter of this research is devoted to the Brazilian socio-cultural context, describing briefly its history and changes occurring in society due to economic and political processes. Through class, race and gender dimensions I will outline social and racial hierarchical structures that have led to various social exclusions of domestic workers and highlight patterns of empowerment of this group of women who dedicate their lives to take care of other people`s houses and families.

CHAPTER FOUR

SOCIO-CULTURAL CONTEXT

“Be a maid or have one”

A popular Brazilian saying

4.1 Class dimension

4.1.1 Social inequality reinforced by class

Social inequality is one of the most expressive traits of Brazilian society, appearing as “multi-dimensional, transversal (*cross-cutting*) and durable phenomenon” (Scalon, 2013, p.3). Since inequality is largely the result of the way in which social stratification is configured within a given society (Scalon, 2013), the dynamics of domestic workers` empowerment cannot be discussed without also taking into consideration how individuals are allocated within the social structure and how the distribution of wealth is being transformed. According to Scalon & Santos (2010, p.99) “class divisions exercise important causal powers that affect different social processes and results, contributing both directly and indirectly to the existence of pronounced and durable inequality in Brazilian society”. This is why starting analyzing social inequality within class dimension is particularly relevant.

What must be noted is that the patterns of such distinct inequality persist in Brazil despite an accelerated process of development the country has been going through. This trend becomes clearer if to look at the highly elevated rates of income inequality. Even as the Gini coefficient has steadily decreased over the last decade, reaching 54.7 as of 2009 (*World Bank Databank*, 2013), the degree of inequality in income is still quite high. Within the context of domestic workers, this not only creates enormous social distance between the employer and the employee, but also makes overcoming collective action problems and competing with elites for political attention more challenging (Blofield, 2012).

Until 2011, however, the country had been experiencing an economic boom. The level of unemployment had reached its lowest point and the minimum wages were increasing (*The Economist*, 2013). This, together with government programs, such as, for instance, *Bolsa Familia* has contributed into overall decrease of poverty, slightly levelling out Brazil`s social inequality (Salata & Scalon, 2013). As a result, estimated 35 million Brazilians stepped away from the adverse economic conditions into the middle class (*The Economist*, 2013). Yet, one should take into account Brazilian approach to structure society into classes.

4.1.2 Class and social stratification

Social classes in modern Brazil originated in the early 50's, when the country experienced its first economic boom (Ribeiro, 2007). Despite several different concepts of social classes, the one that is mostly adopted by academia and media was introduced by Brazilian Department of Economic Research (DEPEC – *Departamento de Pesquisas e Estudos Econômicos*). This definition classifies society as letters from A to E and is based on the households' gross monthly income, as it follows bellow (Novais, 2011):

Table 1. Social classes in Brazil, based on income (DEPEC)

Class	Gross monthly household income
A	Above BRL* 10.200 (4589 USD)
B	Above BRL 5.100 (2295 USD)
C	Above BRL 2.040 (918 USD)
D	Above BRL 1.020 (459 USD)
E	Below BRL 1.020 (459 USD)

Source: Novais, 2011

**BRL=Brazilian Real, 1 USD=2.22 BRL(03/05/2014)*

This class division also structures people according to their educational level, starting with illiterates and those who have not finished elementary school (“Class E”) and ending with those who usually complete higher education and are fluent in several languages (Novais, 2011). Domestic workers in this case, usually would belong to people who have not finished high school. At the same time, Brazilian government has been implementing policies aimed at tackling inequality in access to education between different classes. Education, especially at the university level, used to be a privilege of white upper middle-class Brazilians (Scalon & Santos, 2010). Up to date, however, due to existence of a quota scheme for black population applying to public universities and a program called *Prouni* (University Program for All) for low-income groups in private institutions (Salata & Scalon, 2013), domestic workers have better chances in getting higher education and, consequently, better career prospects.

Geographic location interplays with class segmentation as well. In some regions, such as North and Northeast, which historically have strong predominance of black and poor population (Levine & Crocitti, 1999), “Class D” and “Class E” are prevalent (Novais, 2011).

There is also an evident cleavage between the regions, with large proportion of population (44.2%) earning much less than would be necessary to lead a dignified life, and the South and Southeast being the richest (Scalon, 2013). These differences are expressed not only from the income distribution, but are also manifested in the lifestyles and opportunities for people. Consequently, many domestic workers who are employed in big cities, especially in Rio de Janeiro and Sao Paulo, are migrants from North and Northeast (Silva, 2010). Today, however, with the overall economic improvements and better employment opportunities, women tend to stay in their home regions and prefer to find alternative job options (*The Economist*, 2013).

4.1.3 Domestic workers – a “new middle class”?

During Luiz Inácio Lula da Silva's (Lula) government (2003-2011), a new definition in class division appeared, bringing a significant change in the social stratification of the Brazilian society and its development agenda. The increasing of the “Class C” together with reduction of poverty rates has allowed the public reference to a “new middle class” (Barros, 2011; *Carta Capital*, 2013; Neri, 2010). This sector represents the majority of the Brazilian population (50.5 percent, Neri, 2010) and, in fact, some domestic workers in the large urban centers could be classified into this class as well (Blofield, 2012). However, “new middle class” definition has been widely criticized by scholars and media (Souza, 2010; Quadros, 2008).

First, from the income-based classification displayed above in Table 1, one might notice considerable difference between the incomes of the classes. “Class C”, which is defined as a “middle class” in Brazil earns almost 5 times less than the highest class. Also, belonging to middle class is characterized by a relatively low income floor. Most people from this broadly defined middle category cannot afford hiring domestic workers, particularly on full-time basis.

Second, the main contributors to the growth of the “Class C” were growing consumption of certain goods historically associated in Brazil with the living standards of the middle class (e.g. technological gadgets, automobiles, domestic air flights) and the increase in access to credit (Neri, 2008 and 2010; Barros, 2011). Thus, consumption potential based on the credit's expansion, becomes central for defining this class. What is obscured, however, is that employment income does not grow at the same rate as expanding credit.

Third, if to look at social stratification in Brazil through the lenses of occupational structure, the growth of the “new middle class” is demystified and becomes essentially

understood as an increase in “new working class” (*massa trabalhadora*) (Souza, 2010). In terms of the labor market, this growth is related to the increase in low wage jobs, such as for instance domestic service. Therefore, occupational classification (Table 2, Novais, 2011) excludes domestic workers from the “new middle class” category, referring them to “Class D”.

Table 2. Social classes in Brazil, based on occupation (DEPEC)

Class	Occupation
A	Bankers, investors, business owners, major landowners and people with extraordinary skills for the industry they operate in.
B	Directors and managers, politicians, judges, justices, prosecutors, well graduated professors, doctors, well qualified engineers and lawyers, etc.
C	Those who provide services directly to the wealthier groups, such as teachers, managers, mechanics, electricians, nurses, etc.
D	People who provide services to Classes A, B and C, such as domestic workers, bartenders, bricklayers, people who work for the civil construction companies, small stores sellers, low-paid drivers, etc.
E	People who earn minimum salaries, such as cleaners, street sweepers, and also by unemployed people.

Source: Novais, 2011

Fourth, in Brazilian context, a traditional standard of middle class assumes access to a quality education, comprehensive medical insurance, foreign language courses, international travel etc. (Pochmann, 2012). Despite some positive shifts, this is still quite far from the conditions experienced by the newcomers to “Class C” which is exacerbated by their ongoing dependence on the inadequate public services (Veloso, 2011). For example, scarcely any domestic worker, who is included now to the “new middle class” can afford to have vacations abroad (*Carta Capital*, 2013) or to buy a car. The buses (the poor quality of which not matching with substantial fares` increase fostered mass street protests in Brazil in June 2013, *Carta Capital*, 2013) in the early morning are mostly filled with the domestics while some of their middle-class employers never in their life took a bus (Quadros, 2008). Moreover, the critical condition of the public transportation is an issue that plays an important role in the daily life of workers who live in the outskirts of the city. The trips are usually very long and the number of buses is insufficient for the demand – which means that is rare to find a free seat in a more than one-hour ride (Veloso, 2011).

Fifth, living conditions of the domestic workers and their employers are still in most cases strikingly different, although they can be united by the same “Class C” category. While

many domestic workers` employers can afford themselves living in the guarded comfortable residences, with the separated elevators, for the service staff and for the residents (O`Dougherty, 2002), domestic workers remain in much more precarious living conditions, with their homes often located far from the city center (Rezende, 1995). However, what must be noted here, if before the majority of the construction plans for middle-class and elite residences included a special service room for the live-in domestic workers (in many cases very small, often without any windows and located close to the laundry, kitchen and not rarely by the pets` area) (Besse, 1996; Rezende, 1995), today, if existing, it is either used for other domestic purposes, e.g. as a deposit room or as an extra bathroom, or it needs to meet certain living standards for a potential live-in domestic i.e. it shouldn`t be smaller than a particular size and should have its own bathroom (Silva & Pinho, 2010).

Finally, in education sphere, although university degrees became more accessible through Brazilian public policies in the recent years (Salata & Scalon, 2013), class and status segregation are still visible (Velo, 2011). Law, medicine and engineering faculties are considered to be the most prestigious, usually located in the convenient or central areas of the cities and are mostly filled with the white middle- and upper-class Brazilians (O`Dougherty, 2002). For a typical domestic worker, who is normally more dark-skinned and from a humble background, to get admitted to these “high status” faculties would be more an exception, rather than a rule, despite her might-be current “new middle class” position (Pochmann, 2012; Velo, 2011).

Following this perspective, the majority of the domestic workers remain on the bottom of class division in Brazil, while their inclusion to the “new middle class” largely works as masking the persisting inequalities. Moreover, Brazilian lifestyle peculiarities and existing culture of servilism permeate their social position.

4.1.4 Lifestyle, servitude or why a domestic worker is so important?

Appearance and importance of the “beautiful image” are at the core of Brazilian culture, being particularly vivid among the upper classes (Levine & Crocitti, 1999; Velo, 2011). Brazilians pay large attention to how they look and what impression their houses make. Their clothes should be flawlessly ironed, their homes should be perfectly shiny and clean. Being as a whole a very food-oriented society, three-course meal for a lunch and freshly squeezed juices every day, all just now prepared and beautifully served is also a norm (O`Dougherty, 2002).

Consequently, meeting these cultural demands requires significant time devoted on daily basis for cooking, cleaning, ironing and other domestic chores. Additionally, the higher the class is the more is the society pressure to keep your image *comme il faut*, which keeps an ongoing demand for paid domestic service among middle- and upper-class Brazilians. This is also a common trend among Brazilians who just recently got access to wealth or those, who are not that wealthy after all, but would like to create a “beautiful image” (*Carta Capital*, 2013). Thus, the issue of prestige and servitude appears, as domestic workers also serve as a symbol of social status.

4.2 Racial dimension

4.2.1 Ideology of racial democracy

Within the confines of the concept of “racial democracy”, Brazilian social life promotes racial integration and multiculturalism, without displaying any racist components (Fausto, 1999; Lovell, 2000; Sheriff, 2001). There is no systematic stigmatization, nor has there been any political party or civil society organization — that directly or indirectly assumed racism as an explicit ideology (Sheriff, 2001). The African roots of Brazilian culture have been openly affirmed in a wide variety of artistic manifestations and Brazilian blacks do not feel that this culture has excluded them. Moreover, dominant Brazilian ideology tends to look towards the future and devalues the past (Needell, 1995), and this deprives the black movement of a reference point from which it can begin to internally process the slavery period (Fausto, 1999)

The major and most widely adopted by the majority of Brazilians concept of race relations in Brazil was first expressed by a classic of modern cultural anthropology and sociology – Gilberto Freyre. In his work *The Masters and the Slaves* (1933), followed by the sequels *The Mansions and the Shanties* (1938), *Order and Progress* (1957), and *New World in the Tropics: the Culture of Modern Brazil* (1959), Freyre argues that Brazil is principally made up of mixed racial and ethnic groups, who live together on equal terms in hybrid culture and racial harmony. His vivid descriptions of affectionate relations between master and slave have effectively established reputation of Brazil as a multi-racial society free from racism. As the main proof of this claim he refers to the main colonizers of Brazil, the Portuguese, and their free mating with the slaves, mostly black Africans and the indigenous women, which

demonstrates open-mindedness and favorable attitude towards miscegenation creating a mix – *mulatas* or brown Brazilians.

Sérgio Buarque de Holanda, another iconic author on Brazilian history, society and culture, in his book *Roots of Brazil* (1936) also focuses on the multiple cultural influences which were transformed into a unique Brazilian culture and society, forming its fluid national identity, which to him represents the future of all countries – multiculturalism. Buarque de Holanda uses Max Weber's typological criteria of "ideal types", creating abstract theoretical construction of a "cordial man", which helps to grasp particular characteristics of "the Brazilian" and to understand through the lenses of "postmodernity" all the complexity of Brazilian society, formed by the Native American, the Portuguese, the African, the European, the Asian etc. (Monteiro, 2012)

4.2.2 Hidden racism

Contemporary scholar Bernardo Sorj in his article *The seven faces of Brazilian society* (2000) states that, although Brazilian "melting pot" society does not include any form of organized or ideological racism, social inequality in Brazil, which is still vividly present, does come associated with racist practices. As to the main factor of this, Sorj also refers to the specificity of Brazilian culture, which has contributed to a dynamic of tolerance, syncretism and the absorption of differences, without eliminating prejudice in practice and thus resulting in so called "prejudice of not having prejudice" (Sorj, 2000, p.27). Also, some scholars claim that in Brazilian case in particular, even if such prejudice exists it does not involve actual discrimination (Hanchard, 1999; Twine, 1998).

At the same time, many sociologists and historians challenge this view by arguing that the blacks and browns have been suffering systematic discrimination and disadvantages throughout Brazil's history, although in more hidden and subtle forms (Azevedo, 1966; Fernandes, 1978; Hasenbalg, 1984; Scalón, 2013). According to the 2012 PNAD, average monthly income of white workers was almost twice those of blacks and browns. Among the 1% wealthiest Brazilians, whites constituted 86.3%, while only 12% were blacks and browns. At the same time, among the 10% poorest blacks and browns made 73.9% of the group, and 25.5% were whites (PNAD, 2012). So, the middle class and the elite are almost entirely white, while Brazil's melting pot exists only among the working class and the poor (Sheriff, 2001).

These disparities between non-whites and whites are visible in education as well. Of just over 14 million illiterates in Brazil, nearly 9 million were black or brown (PNAD, 2012).

Middle- and upper-class status in Brazil is increasingly based on a university education and non-white Brazilians were rarely found in the country's top universities (Sheriff, 2001), until beginning of affirmative action in 2001. Several universities have begun to implement racial quotas in order to redress persistent societal racism and as a response to black social movement (Jaccoud, 2009).

Besides being placed in less favorable positions in the class structure in terms of income and education, and being subjected to human rights abuses, including for instance widespread police violence, blacks and browns also experience a greater disadvantage in the labor market, having more precarious jobs. Non-qualified manual sector, which is the least well-paid and prestigious, incorporates almost a third of the black and brown workers (Scalon, 2013).

Moreover, socio-economic data on non-white women participation in the labor market show that compared to white women and non-white men, black and brown women are unequally concentrated in certain low paid jobs in the service industry, such as for instance domestic work (Lovell, 2000). This demonstrates that racial inequality is added to gender inequality. Black women remain in the worst and most vulnerable position in the power hierarchy in Brazilian society. They are below black men who, in turn, occupy lower position than white women, while white men are the most privileged. The same sequence of disparities is present in relation to payment for the same type of work (Werneck, 2010). Carneiro (2011) describes this as patriarchal racism pointing out on greater vulnerability and instability experienced by black women, and the extent of subordination reflecting the combination of racism and sexism.

As the major factor of the marginal position of the black women in Brazilian society and labor market in particular, many scholars traditionally refer to the end of slavery in 1888, which was not accompanied by any measures enabling the ex-slaves to compete on equal terms with the newly-arrived European, Arab and Japanese immigrants (Fausto, 1999) in a forming capitalist society based on paid wages (Levine & Crocitti, 1999). It must be noted that most of the black African slaves, were originally brought from Nigeria, Angola and Benin to the Northeastern regions of the country, and the original indigenous communities were concentrated in the North, while the influx of mostly lighter-skinned immigrants happened predominantly in the South and Southeast of Brazil (Sheriff, 2001). Groups of mainly Portuguese, German, Italian, Spanish, Polish, Ukrainian, Japanese, Syrian and Lebanese origin, who arrived in the late 19th and early 20th centuries (Fausto, 1999), were particularly motivated to come to Brazil because of its immigration policy, which promised to

provide for each immigrant family a large tract of farm land. Brazil government in its turn sought to populate vast and scarcely inhabited territories in the South with the work force needed for the agricultural expansion and the coffee plantations in Southeast (Sheriff, 2001).

As to the former slaves, after the abolition of slavery they were not employed as wage workers (Levine & Crocitti, 1999). According to Sheriff (2001), this happened because white Brazilian elite did not believe that black ex-slaves were able to develop the country. Also, as Sheriff claims, the elite had the idea of “whitening” Brazil through new immigrant workers and their subsequent miscegenation with the blacks. Thus, non-white ex-slaves, particularly women, were left on the margins of forming labor market. While the paid jobs were mostly offered to the white, for many of the poor and uneducated black and brown women the only possibility was to continue working as domestics in their former masters` homes (Dzidzienyo, 1971).

4.2.3 Colors of Brazil

According to the last IBGE census (2010), for the first time in history of Brazil, non-white people make up the majority of the Brazilian population with the browns forming 43.1% and the black – 7.6%. Whites constituted 47.7%, while the rest are the indigenous and “yellow” (IBGE, 2010).

As to division of ethnicities by region, the largest white population is concentrated in the Southern Brazil (78.7%), particularly in the state of Santa Catarina (86.6%), while the highest proportion of brown and black population is located in the North and Northeast (68.3%), predominantly in such states as Bahia (78.6%), Amazonas (74.8%), Tocantins (74.3%), Maranhão (73.4%), Ceará (65.5%) (IBGE, 2010). Salvador in Bahia state is regarded as the largest black city outside of Africa, with over 80% of its inhabitants being Afro-Brazilians (Theodoro, 2008).

What must be noted here is that Brazilians, if allowed to choose any classification, will have more than two hundred different expressions to distinguish color variations between the two extremes of black and white, since people`s shades are based on self-declaration (Sheriff, 2001). The third middle category was introduced – that of brown or *parda*, to embrace those not belonging to black, white, indigenous or “yellow”. This fluid category is further broken down into light and dark *pardas*, including all the shades that people might refer themselves to, such as for instance *morena* (“tanned” or “with an olive complexion”), *mulata* (“white-black mixture”), *cabocla* (“white-indigenous mixture”), *moreno-clara* (“light brown”),

corada (“colored”), *bronzada* (“bronzed”), *canela* (“cinnamon color”), *escura* (“of dark color”), *preta* (“inky black”) etc. (Twine, 1998; Sheriff, 2001) Additionally, the lightest-skinned *pardas* often refer themselves to the “white” category, and the darkest are being included among the blacks. However, this classification does not mean that the dark-skinned *mulata* would consider herself to be black; quite the contrary. The same applies for the lighter-skinned Brazilians who might not regard it as a compliment to be classified with the black (Dzidzienyo, 1971).

At the same time, Brazilian methods of color classification have been criticized by antiracist activists and scholars for significantly underestimating the number of people of African descent in the country. Nevertheless, recent statistics from the race census (IBGE, 2010), with the increasing percentage of blacks compared to the previous surveys, demonstrates growth of black identity among the Brazilians who before would refer themselves to *pardas* or even to whites. Finally, the Black movement system, in direct opposition to the popular system, groups *pardas*, *pretas* and *negras* in a single category – black (Vargas, 2004).

4.2.4 The shadow of slavery

More than 60 percent of domestic workers in Brazil are dark skinned (Dieese, 2011). A recent study by the International Labour Organization (ILO), based on data from Brazilian national statistics (PNAD, 2012), shows that the difference between black and white women employed as domestics is significant: 26 percent of blacks compared with 14 percent of whites (ILO, 2012). Every third Afro-Brazilian woman works as a domestic servant (ILO, 2013) White women are twice as likely, as compared to the dark-skinned, to be employed in the highest paying administrative and professional occupations (Lovell, 2011). This group constitutes the majority of employers of domestic workers.

Some scholars believe that Brazil’s cultural background of four hundred years of slavery up to date defines manual work as inferior and reserves it for the dark-skinned people – especially women, legitimizing the widespread presence of domestic workers (Rezende & Lima, 2004). By this, the origin of the relationship between employers and domestics – “*patroa/empregada*” – can be traced to the relationship between the master and the slaves who worked as domestics in the farmhouses in colonial Brazil (Freyre, 1933; Graham, 1992).

Silva and Pinho (2010) explain this kind of relationship by associating whiteness and authority, which also originate in the slavery times. The blacker a woman was, the lesser threat she posed to the authority of her *patroes*. This connects dark skin colour of the black servants to one of the qualities highly valued by the *patroes*: obedience, a strong indicator of good conduct. Sandra Lauderdale Graham (1988) in her analysis of mid-nineteenth-century Rio de Janeiro, comments that the skin color of maids mattered, serving as a sign of supremacy, command and status of white *patroes*.

Suely Kofes (2001) argues that there are many connections between slave labor and today's domestic work in Brazil. She refers to the maids that use images and metaphors of *trabalho de escravo* ("slave job") describing their job. To Kofes, this indicates undervalued labor, which semi-illiterate and low-skilled, mainly black women are obliged to do, since they do not have other employment options.

In contrast, Claudia Rezende (1995) puts that Brazilian domestics tend to attribute differential treatment some of them receive, as a product of their little education rather than their skin color. This moves focus from phenotypical characteristics, which cannot be changed, to years of education and class position, which can be altered.

Emphasis on the class factor is a strong characteristic of Brazilian racial ideology, which makes many people consider racial discrimination to be an issue of class (Ribeiro, 2007). Perception of color becomes associated to the social position of the person, so that social mobility can "alter" a person's skin color. There is even an expression in Brazil to describe this phenomenon – "money whitens" – meaning that once an individual of dark color acquires money, she gets access to all the social benefits which are commonly associated with whiteness and success in Brazil (Ribeiro, 2007). Simultaneously, this tendency of reducing race to class has many opponents (Hasenbalg, 1979; Silva, 1985) claiming that racial discrimination and inequalities in social mobility between whites and non-whites do remain an important factor of social stratification in Brazilian society regardless their classes of origin.

"I am not only a woman or only a black. I am both."

A member of Black feminist movement

4.3 Gender Dimension

4.3.1 Transformation from patriarchy

According to Susan Kent Besse (1996), the mid-1910s are marked with the beginning of gradual patriarchy's restructuring in Brazil. Women, dressed in the most modern styles imported from abroad, filled the covers and pages of the abundant new glossy magazines. A normative literature outpoured defining their "duties" as wives, mothers, and housekeepers. Novelists and social critics commented on the behavior of "modern" women, expressing fear for blurring gender distinctions. Labor unions started to demand protective legislation, and the Ministry of Labor undertook the task of defining and regulating appropriate female employment. Brazilian intellectuals, professionals and political authorities began participating in the debates over gender roles' redefinition. Thus, the "woman question" started to be under consideration in Brazil (Besse, 1996, p.2).

With the rapid expansion of industrial economy, urban white middle- and upper-class women seized new opportunities to expand their social participation. They started to enter the public sphere through education and professions formerly closed to them, and formed first feminist organizations to press for juridical and civil rights. They increasingly began to question traditional definitions of "female nature" and to protest against men abusing power inside and outside the family (Anderson, 2000; Besse, 1996).

Simultaneously, as the monopoly of power of Brazil's traditional rural oligarchy was crumbling, emergent urban ruling classes envisioned "progress" as happening through the application of modern European scientific theories to Brazilian realities. In the 1920s-1930s eugenics, concerned with the "race" improvement, was one of them. Its enormous influence in Brazil and its vision of "hygienic" reproduction, together with revitalized Catholicism, as a powerful reactionary force, emphasized wifedom and motherhood as women's primary and essential roles. Since white middle-class women were exposed to growing educational and professional opportunities, men were dreaded to lose their power as the heads of households, which was still considered to be fundamental to Brazilian social order (Besse, 1996).

Particularly when Getulio Vargas seized dictatorial power in 1937, the Brazilian state, represented by urban white male elite, played an increasingly active role trying to redefine gender system: prescribing appropriate male and female employment opportunities, public

roles and family responsibilities. The ideal envisioned was an “organic” society hierarchically bound together by ties of solidarity, where each social group had its proper place (rights and duties). The domestication of labor and the domestication of women became complementary goals of the state (Alvarez, 1990).

Despite this authoritarian policy, by 1950s a great number of well-educated women of elite and middle-class families entered into the professions, especially by taking new “respectable” white-collar jobs in the expanding service sector. Urban middle-class families started to regard women`s paid work more favorably, as long as it did not compromise their femininity, threaten the authority of the male-headed household or damage ladies` reputations by associating them with working women of lower social status, such as for instance domestic workers (Alvarez, 1990; Anderson, 2000; Besse, 1996). As Anderson (p.18) expressed it:

“The employment of domestic workers meant women could negotiate the contradiction between domesticity, requiring physical labor and dirtiness, and the cleanliness and spirituality of feminine virtue. “Ladies” need servants. The idealization of white middle-class women as the pure, pious, moral and virtuous centre of the household required a splitting of women and their functions into two mutually dependent but antagonistic stereotypes: pure/dirty, emotional/physical, each drawing their identity from the opposite, and these stereotypes were expressed and reproduced in the employer/domestic worker relationship. Servants met manual demands, freeing wives to meet the emotional demands of husbands and children. Once established this relationship worked to maintain difference: workers proved their inferiority by their physicality and dirt, while female employers proved their superiority by their femininity, daintiness and managerial skills. Male employers proved their superiority by never having to consider domestic drudgery, while enjoying the home as a refuge, a well-deserved rest from the stresses and strains of productive work.”

Up until the 1950s, domestic service was the largest category of female employment, with most other women engaged in government bureaucracy, social services, as well as other informal labor. Working-class women and particularly the dark-skinned, remained segregated in the least-skilled and poorest-paid jobs, due to the combination of social prejudices about women`s “natural” roles, limited educational opportunities, the economic interests of employers to keep low-paid workers, and protective legislation helping to sustain sex segmentation in the workplace (Alvarez, 1990; Anderson, 2000). Domestic service, in

addition to “female” factory work continued to be the major source of employment for poor and non-white women (Besse, 1996). Thus, while redefined gender norms mostly affected and were influenced by white urban middle and upper classes, social and economic devaluation of women`s domestic labor left domestic workers on the outskirts of female empowerment. As Besse (1996, p.8) outlined:

“While domestic servants freed middle-class women to pursue careers, they themselves remained trapped in the domestic sphere under the tutelage of their wealthier female employers. Not only did they suffer from a lack of legal protections, very low pay, and exploitative working conditions, but the nature of their work reinforced disempowering stereotypes of female nature”.

4.3.2 Rising feminist movements

The military regime, which lasted in Brazil from 1964 till 1985, perpetuated social and political invisibility of domestic workers through continuing practices of racial, gender and class domination. The dictatorship silenced the majority of social movements through jailings, exile, torture, and fear. Any political organizing at that time had to be underground. However, in the mid-1970s opposition to the regime began to grow, enabling larger number of Brazilians to challenge socio-economic and political injustices and to transform cultural stereotypes and discriminatory societal norms through social movement participation. Most women`s groups, like other civil society`s opposition organizations, engaged exclusively in the politics of protest and in promoting critical consciousness on a grassroots level (Alvarez, 1990).

The democratization process of 1980s opened up new channels, through which feminist movements could impact existing structures of domination. By 1980, number of women enrolled in Brazilian universities surpassed men in absolute numbers. During this time women`s labor force participation dramatically increased, reaching 35.6 percent by 1983, as compared to 13.5 percent in 1950, and 20.8 percent in 1970 (Scalon & Santos, 2010). But since university education continued to be the privilege of white, upper- and middle-class Brazilian women, it was middle-class women who were trained to become the white collar and professional workers. However, 70 percent of all women workers remained employed in stereotypically female jobs, primarily in the service sector – jobs which extended their roles

as mothers, nurturers, and helpmates in the private sphere. And paid domestic work in private households was still disproportionately performed by racialized groups (Scalon, 2013).

Many university-educated Brazilian women became the cadres of the Brazilian feminist movements. By expressing women's gender interests, they attempted to push and redefine the boundary between the public and the private, the political and the personal, the "natural" and the "artificial" (Alvarez, 1990). But while white middle-class women's social positioning as women was significantly influenced and altered dramatically through their class- and race-specific access to professional roles and educational opportunities, black femininity remained devalued and sidelined (Hooks, 2007). This reinforced both racism and classism within the movement, as to omit paid domestic labor in women's empowerment, then, is to ignore the divisions of race and class in reproductive work (Anderson, 2000).

The emergence of the black feminist movement in the final years of the military regime played a key role in contesting gender and racial oppression. With the objective to resist and overcome sexism and racism in the demand for better conditions, the Brazilian black women's movement attempted to draw attention to the race, gender, and class specificities of black women (Rodriguez & Prado, 2013). Comprising of associations and groups whose specific agendas serve the needs of the communities in which they are located, it has significantly succeeded in empowering black women and their communities (Oliveira & Brito, 2011). Feminist consciousness became associated with distinguished Brazilian icons, including Benedita da Silva, a former governor of the state of Rio de Janeiro, and Lélia González (1935–1994), an anthropologist, feminist, researcher, and black militant. González is referred to as one of the Afro-Brazilian women whose determined efforts transformed the lives of many (Rodriguez & Prado, 2013).

Additionally, working class women's organizations, such as the Mothers' Club of São Paulo and the Housewives' Association of São Paulo, became increasingly important arenas for women to express protests concerning informal care work and the cost of urban living. As to women's involvement and leadership among trade unions, it has been less successful, as is the case in other Latin American countries (Tarlau, 2006).

4.3.3 Intersection of gender interests

In today's Brazil skyrocketing demand for high-level professional workers continuously increases women's participation in corporate professional jobs, demanding from them long working hours and intense engagement. Women occupy more and more spaces in

socio-economic and political senses, gaining greater personal autonomy and more equal positions with men (Silva & Pinho, 2010). The number of domestic workers in the country has almost doubled between the early 1990s and 2008 (ILO, 2013), reaching today 7 million (IBGE, 2012). This sector remains overwhelmingly feminine (women make up 90 percent of all domestic workers) and racially divided (more than 60 percent are dark skinned) (ILO, 2013).

One of the reasons of the continuing cycle of the demand for domestic work is that a dually employed household with children places a heavy burden on women. According to PNAD the number of hours spent in housework per week by working women is three times the number of hours that working men spend (PNAD, 2008). For instance, in couple households with or without children, on average, a Brazilian woman spends 27 hours per week, nearly 4 hours every day, cooking and cleaning, while men spending on this just around 10 hours per week (less than 1.5 hours per day) (PNAD, 2008). This data refer to unpaid labor and exclude the labor of third persons and it places Brazil second in the ranking of most time spent on domestic labor, behind only Chile, among thirty-four national contexts surveyed by the International Social Science Programme (Knudsen and Waerness, 2008). Also, according to Ana Claudia Polato & Fava (2008) the unfair division of time in housework (without the domestic labor of a third person) is one of the biggest concerns of Brazilian women.

Working-class women who work outside home remain main producers and reproducers within the family. Even when they perform paid labor outside the home, it is women who are responsible for cleaning, cooking, ironing, taking care of children, and performing other tasks necessary for family subsistence. Thus, they end up working “a double shift”, performing both domestic labor outside their homes and doing the majority of domestic tasks for their own family. And they have no economic bargaining power to pass it on someone else (Rezende, 1995).

This situation could be an opportunity to take the feminist struggle one step further, challenging men`s patriarchal attitude towards domestic affairs. The burden of heavy domestic chores would not result in such a large demand for outside paid help if men and women were providing equal levels of effort in domestic work and child rearing within their own home. That is, women could advocate a more balanced and equal distribution of domestic tasks between the couple (Alvarez, 2000).

However, paid domestic service enables middle- and upper-class women and men to avoid the conflicts of interest in the gendered division of domestic labor and personal and political challenges that this poses to the nuclear family. Ehrenreich and Hochschild in their

volume *Global Woman* (2002) give several descriptions of middle-class women transferring their gendered responsibilities as mothers and wives to other women. Unwilling or unable to argue with a male partner and children over sharing domestic chores, or unable to manage the house to everybody's satisfaction, women employ domestic workers and thus avert gender and generational conflict, transferring it to relations between female employer and female worker (Rezende, 1995). Therefore, male domination over women has been partially shifted to wealthy white women's domination over poor black women.

Another option, of tolerating untidy rooms and dusty shelves, might be also not acceptable in Brazil because of the pressure to maintain culture-driven "standards" from relatives, friends and others who visit the household and, crucially, from her husband (Anderson, 2000). So, the employment of a paid domestic worker enables middle-class women to negotiate contradictions, not just the public/private divide, but gendered identities and societal demands placed upon them:

"The employment of a paid domestic worker therefore facilitates status reproduction, not only by maintaining status objects, enabling the silver to be polished or the clothes to be ironed, but also by serving as a foil to the lady of the house. The hired domestic worker is reproducing social beings and sets of relationships that are not merely not her own but also deeply antagonistic to her own interests." (Anderson, 2000, p.21)

Inevitably, the conflict of strategic gender interests is arising. A Brazilian white, middle- or upper-class, university educated woman's practical gender interests might include, for example, the continuation of domestic service as an occupation, while coming into direct conflict with the strategic gender interests of the dark-skinned, working-class, less-educated woman who is her would-be domestic worker (Alvarez, 2000). For poor and working-class non-white women, strategic gender interests aim at elimination of oppression based on race and class, as well as gender oppression. Thus, their strategic interests are far broader (Alvarez, 2000; Hooks, 2007).

Consequently, in spite of great feminist achievements made in Brazil in the last few decades, mainstream feminism by and large had been failing to address the vulnerability of those people who, in addition to being women, are part of other socio-ethnic groups as well. Mainstream feminists have helped indeed to emancipate Brazilian women, although mostly middle and upper class, and white.

At the same time, according to Rebecca Tarlau (2006), new wave of feminism appears in modern Brazil acquiring inclusive power and becoming more flexible through including multiple aspects of a person`s identity. Although the feminist movement in Brazil is much stronger than the black movement, since the former began much earlier, it became clear that without a ‘racial’ consciousness the feminist movement in Brazil was too limited. The number of various nongovernmental Afro-Brazilian women`s organizations with their activities focusing on raising “Black Consciousness” (*Consciência Negra*) is continuously increasing, with the biggest ones located in the cities of São Paulo, Rio de Janeiro, and Bahia. By organizing black women, who are exposed to inequality and vulnerability, today`s black feminist movement in Brazil is not homogeneous, but rather diverse and widespread (Oliveira & Brito, 2011; Rodriguez & Prado, 2013; Tarlau, 2006).

CHAPTER FIVE

REGULATION OF DOMESTIC WORK IN BRAZIL

5.1 Efforts of formalization and protection

For a long period of time domestic workers in Brazil had been suffering from legal stigmatization in a sense that norms applied to domestic workers were less favorable than norms applied to other categories of workers. They were staying at the margin of various rights and protective norms and their level of evasion from statutory norms was much higher than in other occupations (ILO, 2010, 2013). For instance, Consolidation of Labor Laws (CLT – *Consolidação dos leis do trabalho*) came into being in Brazil in 1943, but excluded the domestic workers. Laws aimed at formalizing and protecting sector of domestic work started to be on the national legislation agenda in Brazil quite recently. It was only in 1972 that a federal law No.5.859 (known as domestic workers law, *lei dos empregados domésticos*), was promulgated, regulating domestic work and guaranteeing some labor rights to these workers (Gomes & Bertolin, 2009). The adoption of further laws was mostly fostered by domestic workers` trade unions, which domestics were permitted to form by the Federal Constitution of 1988 (Conde, 2013). Since then, the regulation has followed a trend towards the inclusion of domestic workers in the labor and social security systems (Gomes & Bertolin, 2009).

On February 10, 2000, Decree No. 3.361, issued under Act No. 5.859 of December 1972 enabled domestic employees to benefit from the Guarantee Fund for Length of Service (FGTS – *Fundo de Garantia do Tempo de Serviço*) and the Unemployment Guarantee Programme. On May 31, 2000, Directive No. 23 of the National Social Security Institute included domestic workers in the FGTS. Resolution No. 253 of October 4, 2000, established procedures for granting unemployment insurance to domestic workers (ILO, 2010).

Since 2005, Brazil has been implementing a three-stage government programme focusing on social and occupational skills of domestic workers, in order to improve their level of education and strengthen their ability to organize. In so doing, it has made human rights, health, child domestic labor and combating violence against women a matter of public policy. A pilot project of the first stage of this programme (educational component) was run in seven key Brazilian regions with support from the Fund for Assistance to Workers and in collaboration with the Ministry of Education. In addition, the Decent Work Agenda of Bahia and the Citizenship Programme for Domestic workers contribute in promoting initiatives to

integrate social and professional qualifications of domestic workers, to enhance their education, formalize domestic work and extend social protection to this category of workers (ILO, 2010).

In 2006 Brazil combined two mechanisms to foster the entry of domestic work into the formal economy: simplified social security payment procedures and income tax deductions linked to the payment of social security benefits on behalf of the domestic worker to the National Institute of Social Security (INSS – *Instituto Nacional do Seguro Social*). The formalization of domestic work and the increase in contributions to the social security scheme were believed to offset the tax incentives to employers (ILO, 2013).

Law No. 11.324, approved on July 19, 2006, entitled domestic workers to at least a minimum wage every month, paid vacations (30 days per year), sick leave, 120 days of maternity leave, and at least 1 day off per week (Silva & Pinho, 2010).

On March 12, 2008, Ministerial Directive No. 77 established social security contribution quotas for domestic employees. Decree No. 6.841 of June 12, 2008, regulating Articles 3(d) and 4 of Convention No.182 of the International Labor Organization (ILO) concerned the prohibition and immediate action for the elimination of the worst forms of child labor and prohibition of domestic work for workers under the age of eighteen years (Gomes & Bertolin, 2009), as provided by Legislative Decree No. 178, of December 14, 1999 (ILO, 2013).

5.2 “The second abolition of slavery”

On March 26, 2013, the Senate in Brazil, under pressure from trade union representatives and domestic workers` federations, and following the ILO Convention No. 189 concerning decent work for domestic workers, passed a Constitutional Amendment (PEC – *Proposta de Emenda Constitucional*), which expands labor rights of domestic workers. The PEC modifies article 7 of the 1988 Constitution and guarantees a maximum of 8 hours working day, a working week of no more than 44 hours, 50 percent overtime pay for each extra hour exceeding eight hours per day and double payment for extra work on Sundays and holidays. If a domestic worker works three or more days per week for one employer, a written employment contract and a signed labor card (*carteira assinada*) are required, which should assure statutory minimum wage for domestic workers (should not be less than for other workers) and employment benefits entitlements such as, for instance, maternity leave, sick leave, and annual paid vacation (should be also equal to other workers). Also, deductions for

lodging and meals should not be included in the wage, therefore avoiding in-kind payments. Consequently, the PEC gives domestic workers the same rights as to all other Brazilian workers (*Carta Capital*, 2013; Conde, 2013; *Veja*, 2013).

The president of the Domestic Workers Union (*Sindoméstica*), Eliana Menezes outlined the passing of the new Constitutional Amendment as “the second abolition of slavery” since there were cases of domestic employees being subject to exploitation by their employers such as, for instance, working 18 hours per day (De Cicco, 2013, online resource). Also, a few days prior to the PEC vote, human rights organization Cultural Association for Black Women (ACMUN – *Associação Cultural de Mulheres Negras*) exposed to the public other cases of often racist and sexist treatment, which Afro-descendant domestic workers in Brazil are often suffering from their employers (Conde, 2013). Subsequently, the President of Congress, Renan Calheiros, summoned the new law adoption: “Today, 125 years after the end of slavery, only today we are closing the last slave’s house and throwing away the key” (Conde, 2013, online resource). Finally, Manuela Tomei, Director of the ILO’s Conditions of Work and Equality Department, welcomed the vote in the Brazilian Senate by saying:

“The passing of this law culminates Brazil’s process of recognizing the dignity and value of domestic work and domestic workers, who are to large extent black women. Today’s Senate decision is one additional step towards narrowing the historical divide between the richest and ‘whiter’ stratum of society and the poorest and ‘darker’ lower end of the social ladder” (*ILO Newsletter*, 2013).

5.3 Law enforcement

Despite a significant legal breakthrough in a sector of domestic work, there are issues which remain unresolved and wait for parliamentary approval, i.e. obligatory payment to social security fund (8 percent of month wages plus overtime hours), payment in case of dismissal without a justified reason (a minimum of 40 percent of the time at work must be paid) and 20 percent extra payment (including 50 percent as for overtime hours) for domestic work performed during the night hours (from 22:00 till 05:00) (Guerreiro, 2014). Additionally, what has been discussed in the parliament but there is no clear picture of its implementation, is childcare assistance and security from work-related accidents (*Veja*, 2013, p.76).

What also must be noted, the employment conditions of domestic workers do not only depend on the degree of protection granted by law but how far the laws are respected. Given

the private and hidden nature of domestic service, it is difficult to control how the law is enforced in the daily reality (Blofield, 2012; ILO, 2010, 2013). Also, interaction of two rights creates additional challenges for its enforcement: the duty of the State to protect the basic rights of the workers and the right of employer to protect their intimacy and their family. Thus, the private character of a household limits possibilities for the labor inspectors to act on their own authority, leaving the request of one of the parties as the only means to intervene (Ramirez-Machado, 2003).

Domination of the personal factor in the relation employer-employee makes it complicated to distinguish, for instance, when to make a tea for the employer or to play with the children is considered a work and when it is out of good will. According to the law, what is ordered is the work, but what is done on voluntary basis is not. Also, some employers wonder whether they should include into the payment time spent by a domestic worker on watching TV or chatting by a cup of coffee with the employer during her working hours (which can be quite normal for full-time domestic workers). Therefore, what happens within the house environment, where there is usually no place for great formalities – everything gets mixed and the issue of controlling the working hours, particularly of full-time and live-in domestic workers, generally remains uncertain (Veja, 2013, p.79).

Since employment conditions vary widely, some employers exploit their employee but others treat their domestic worker in a fair and humane way. Often domestic workers receive such informal benefits from their employers as, for instance, legal, medical, financial assistance; help with buying an accommodation or with the education for their children etc., as discussed earlier in chapter four and expanded further in analysis chapter. Some employers believe that formalization of domestic service will influence negatively this “system of kindness” and thus working conditions of the domestic workers, who are considered to be lucky with their employers (Veja, 2013, p.79).

At the same time, some employers prefer not to pay attention to the law or find the ways to adapt to the new legal realities, since hiring a domestic worker, particularly on a full-time basis, became both, more complicated and more expensive. Some of them are just reluctant to have a written employment contract and *carteira assinada* with their domestic worker. The others substitute full-time *empregadas*, they used to have, with two or three *diaristas* (Guerreiro, 2014). For *diaristas*, who come only once or twice per week, the new law does not change anything (Veja, 2013, p.76), although the issue of subjecting two days (per week for one employer), instead of current three, for a written employment contract and *carteira assinada*, is under discussion in the Brazilian parliament (Guerreiro, 2014).

Consequently, this historic law, although widely considered a positive and aimed at increasing formalization, in reality might expand the void of informality within domestic work in Brazil. By pushing domestic workers into informal agreements with their employers, the proportion of the domestics, who work informally, might increase. Domestic workers with a formal employment contract constitute today less than 1/3 of a total number and this also depends on the region. While in the South and Southeast around 33 percent of domestic workers are working formally, in the North and Northeast it is only 12.5 percent. Also, according to Institute of Applied Economic Research (IPEA – *Instituto de Pesquisa Econômica Aplicada*), around 30 percent (2 million) of total number of domestic workers in Brazil are *diaristas*, while in 1999 there were 1.2 million of them (*Carta Capital*, 2013, p.44). The number of domestic workers working with a formal contract was also increasing, but very slowly. From 1979 till 2009, number of domestics with a written employment contract and *carteira assinada* was increasing every year by around 0.8 percent. If to follow the same rhythm, it will take 120 years for Brazil to cover all the domestic workers with social and employment protection (*Carta Capital*, 2013, p.47). What complicates the issue even further, some of the domestic workers refuse themselves to work formally with *carteira assinada*. The more detailed discussion on their motivations and potential implications of this, based on my findings, follows in the chapter six.

5.4 *Carteira assinada*

The labor card (*carteira de trabalho*) is both an important part of any Brazilian worker's identity and a symbol which is manipulated to different ends. The Brazilian labor card is a document which employers should sign to attest the specific occupation a worker has, the employment duration in a particular job and the deduction of a certain percentage from the wages to the government administered pension fund. The signed labor card entitles workers to have a one-month paid vacation as well as the so called "13th salary", which is an extra month's salary in the year (Rezende, 1995). It is in some way similar to the Norwegian social security number, with the difference that it has to be signed by employers stating the present occupation of the employee.

In largely informal sectors such as in domestic service, it is common to find employers who are not willing for their domestic workers to have *carteira assinada*, since they, among other reasons, will also have to pay the contribution to the pension fund. Until recently, before the PEC was adopted, this was indeed a matter left to the employer's own discretion, but it is

now a legal right which domestic workers are entitled to (*Carta Capital*, 2013, p.47). As a legislative instrument, *carteira assinada* plays an important role in clarifying the rights, obligations and entitlements of parties to the employment relationship and, therefore, it makes a significant contribution to moving domestic workers from informal and often uncertain work arrangements to a formal employment relationship (ILO, 2013).

CHAPTER SIX

FINDINGS AND DISCUSSION

6.1 Goiânia

My research site, Goiânia, is the capital and administrative center of Goiás state which is located in Central-West region of Brazil. Goiania is one of the most economically developed cities in Brazil with a population of 1,302,001 (IBGE, 2011), making it the 12th-largest in the country. Goiania`s economy is based on agricultural industry, the vehicle sales and services, the governmental sector and modern telecommunications (Pereira, 2009). Among Brazil's metropolises, Goiania has the lowest number of favelas as of 2010 census, according to the Brazilian Institute of Geography and Statistics. However, several sectors of the city, located mainly on the outskirts, are low-income (Mergulhão, 2011).

The idea of creating the state capital of Goiás first came from D. Marcos de Noronha who in 1753 wanted to establish it in the municipality of Pirenópolis. Then, in 1863 José Vieira Couto de Magalhães suggested to move the capital to Vila Boa (today City of Goiás) located by the edge of the river Araguaia, where gold extraction was based. When agriculture and cattle-raising started to dominate the state's development, the need to move its capital appeared again, in accordance with the new economic interests. In 1933, during the government of Pedro Ludovico, appointed as the governor for the state of Goiás after the military revolt of 1930, the present location of the state capital was decided (Jornal o Hoje, 2010).

Since Goiânia is a planned city, its name was chosen as a result of a contest held by a local newspaper. In 1935 Pedro Ludovico used this name for the first time, signing a decree creating the municipality of Goiânia. In 1942 the official inauguration occurred with the presence of the president of the republic, governors, and ministers (Jornal o Hoje, 2010).

Goiânia's vicinity to the capital of the country, Brasília, spurred the growth of the city and made the axis Brasília-Goiânia's third largest agglomeration in the country, bringing together about nine million people. The city became multiracial as the result of intense migration from the interior of Brazilian center-west and the population coming from the other states, predominantly Minas Gerais, Bahia, Tocantins, Maranhão, São Paulo and Pará, respectively. Thus, people migrated from diverse backgrounds, contributing to a mixed population of Goiânia (Jornal o Hoje, 2010).

Likewise Brasília, Goiânia was conceived to be the catalyst element to achieve economic and social development for the historically forgotten and mostly underdeveloped

Brazilian inland, symbolizing thus the efforts supposedly made towards socioeconomic equality. The founding of Goiânia is now considered a fact of successful settlement of the Brazilian interior (Jornal o Hoje, 2010).

6.2 Respondents

A majority of the employers, among my respondents, have one domestic worker – a *diarista*. All of them, however, used to have an *empregada* before. Also, one of the employers currently has two domestic workers working for her at the same time – an *empregada*, who is responsible for cleaning and who comes every day except weekend, a *passadeira*, who comes once per week only to iron the clothes, plus a former domestic worker, who is living at the employer's place and who is helping with cooking. Additionally, there was one more employer who has two domestic workers – an *empregada* and a *passadeira*.

Among the domestic workers I have interviewed, eight of them work as *empregadas* and seven of them are *diaristas*, including one *passadeira*. *Diaristas*, among my interviewees, on average work at three different places. As to *empregadas*, several of them spent 15-20 years working for one family. Some of the women have in total around 40 years' experience working as a domestic worker.

The main responsibilities of the women interviewed normally include cleaning, ironing and cooking, although this varies from household to household. None of them currently needs to take care of the children in a family they work for but almost all of them used to do it before. Most of them, however, are responsible just for doing a more profound cleaning in the house.

The average age of domestic workers studied is 43, with the youngest being 26 years old and the eldest – 65. All of them have only primary or unfinished secondary education. One of the respondents is illiterate and has no education at all. Becoming a domestic worker is something that for most of the women was related not with a particular choice among many, but with the lack of options.

As to the geographical origin of the interviewees, the majority of the domestic workers migrated to Goiania either from the interior of the state of Goiás or from the other states, such as Minas Gerais, Bahia, Tocantins, Maranhão and Ceará. Since these states belong to North and Northeast of the country, most of the women, referred themselves either to black or to brown race.

Regarding families of domestic workers, most of them have children and more than one. The kids of most of the women study at school and live together with their mothers. Three domestic workers have also children of a pre-school age. And three respondents have children studying at university but still living together with them. Two interviewees have economically independent daughters and sons. As to marital status of domestic workers, six of them are married and live together with their husbands, while the rest are either divorced or not married.

6.3 Social empowerment

6.3.1 Relationships between domestic workers and employers

6.3.1.1 Type of relationships

6.3.1.1.1 Domestic workers

Regarding the relationships with their current employers, all the domestic workers answered that they are good and friendly. For most of them these are more than merely the employment relationships but rather a friendship. Some of the interviewees, particularly those who work for their employers for many years already, consider themselves a part of a family. For instance, for some of the domestic workers the children of their employers become like their own and this affection is mutual. One of the *empregadas* shared that the children of the family, which she used to work for before, up to date call her their granny. Another *empregada* confessed that the employer became like a second mother for her own son: “At that time I was working here almost whole week, from Monday till Friday. And I came here with my son. She (*the employer*) helped to take care of him. So it’s like he has two moms.”

Also, the domestic workers, particularly the *empregadas*, pointed out that their employers help them a lot. For example, one of them, who was 26 years working for one family, stated: “They were helping me a lot, especially financially. Thanks to them I managed to buy my house... Also, it was them who helped with that work as a secretary, because they were the owners of the company.” Another one put: “For example, in my case, my employer is even more than a friend for me. She is like my sister. She helps me a lot.”

There was also a case, among my interviewees, of the domestic worker living together with her employers. She was working for them as an *empregada* most of her life until she started to have problems with the health. She needed an operation on her knees and the

employers helped to arrange it for her. After the operation she became disabled and could not work as much as before. The employers suggested her and her son to move to their place. Now this lady is officially retired and receives a disability pension, which the employers also helped to fix for her since she cannot write or read. At the same time, up to date she keeps on helping in the apartment, especially with cooking. This help is more on a voluntary basis, because these employers have two more domestic workers, an *empregada* and a *passadeira*. Recently the son of this domestic worker got admitted to the university, also with the big help from the employers, according to her. She considers them being her family and admits that she depends on them a lot: “When she (*the employer*) is travelling, I am even afraid to go out, because usually she takes care of me.”

Some of the domestic workers, however, acknowledged that, despite them personally having friendly relationships with their employers, they either have heard of the negative cases or have friends who experience a bad treatment. For example, there was an *empregada* whose friend, also a domestic worker, was sexually harassed by her male employer. Another respondent informed:

“Well, two employers that I’ve had, for me they were great. I have nothing to complain about. But I know that horrible employers do exist as well. There are different cases... For example, I’ve heard about the case here in Goiania, when a woman imprisoned her domestic worker in the house... So there are these cases as well.”

Nevertheless, according to the answers of the most of the domestic workers, their current employers treat them in a fair and respectful way. As to what makes a good or bad employer for the domestic workers, most of them answered that this depends on the temperament and, thus, varies from a person to a person. To them, there are people who are good or bad by nature, and the same applies to what kind of an employer they represent.

The potential negative qualities of the employers, which I heard most often from the workers, are being too demanding, not giving a proper value to the domestic service and creating a distance “I am here, the *empregada* – there”. The ironing lady (*passadeira*), for example, shared: “One of the houses I’m working for, the employer sometimes doesn’t greet me at all when I come and she depends on her mood very much. When she is in a good mood – she greets, when in a bad – no.”

A good working place, according to the respondents, is where an employer receives a domestic worker well, appreciates her work, pays appropriately and in time, and overall treats her with respect. As one of the *empregadas* expressed it:

“A bad one won’t value your service. I was working in a place where a husband of my employer was too rigid with me. I didn’t feel comfortable working there. She was fine, but him – I didn’t like. So, there I was treated a bit different. But I think all of us are equal. I like to work at the places where they treat me equally. Not like an *empregada*, but as a human equal to them. Because the only difference is in class – they are better financially. This is the only thing that makes us different.”

6.3.1.1.2 Employers

From the employers’ point of view, their relationships with the domestic workers are good and friendly as well. As one of the employers, who has three domestic workers, replied: “I have good relationships with the people who are working for me, because I have respect towards them. But I also like when they respect me. So, my relationships with all the employees that work for me – I treat them in a very friendly way, with big care and dedication. And I always receive it in turn, because I think, what we give equals to what we get.”

Many of the employers emphasized that their relationships with the domestic workers are both an employment and a friendship. The majority of them do not feel themselves as a *patroa/patrao* in relation to the worker. For instance, one of the female employers was stating:

“Together with having normal employment attributes, we always managed to establish a friendship as well. The same with the *diaristas* we were having during the last 3 years. So, we manage to have good relationships, good co-existing. It is not much this kind of the relationships “*patroa-empregada*”, which have a distance. It is not like this. She is with us, sitting by the same table, sometimes we are going for a walk together... I think these are more close relationships.”

The other respondents supported this statement of friendly employment relationships: “In everyday life I’m almost never at home. I leave in the morning and when I come back, she is already gone. That’s why I don’t have much time to communicate with her. But when, for

example, I come home for a lunch, I also bring a lunch to her. So, the relationships we have are friendly. But they are also employment relationships, because I pay wages, I give her duties...”; “I’ve never felt myself as a patron. When a person comes first day to work, I’m just explaining everything, but then I leave her to decide herself what and how to do. So it’s more like a friendship.”

Also, some of the employers informed that the domestic workers became like a part of their family and vice versa. For example, one male employer told:

“I have a *diarista* only for the last two months. But before that, I’ve always had a fixed *empregada*, whom we paid every month. And also, there was a girl, who was living in our house since 14 years old, until I got married. So, she was with me during a big part of my life, taking care of everything. She was living with us and was collecting money for her future studies. She was like a daughter for me. And for her I became a family, a base. She had her own room, her own TV, her own clothes and she was studying at school. Now she is married and has two children. And our relationships with her are still family like.”

Some of the male employers, however, replied that for them the relationships with the domestic workers are more professional and they do not consider them being a friendship. For instance, one of them put: “It’s a professional relationship but I don’t feel like a *patrao*... We don’t talk about a personal life. We don’t mix the things”.

Only one among all the employers pointed out that he feels himself as a *patrao*: “My wife is only giving me the bills to pay. I’m not allowed to do anything else. So, I don’t feel myself as a friend to them. No. I am always separating these things. I don’t think I’m a friend. I am a *patrao*.”

Also, occasionally the employers mentioned the cases of their help to the domestic workers. For example, one of the male respondents told: “She (*empregada*) became like a second mom for our son. And my wife helped her a lot, for example, to buy an apartment.” Another lady emphasized her teaching contribution:

“So she came here without knowing anything. I was teaching, teaching, teaching her how to do her work. Even if today sometimes she is doing something wrong I will correct her. But it’s always like teaching in a kind and polite manner. We never quarrel with her. And she knows this. If she leaves our place, working conditions at another place won’t be the same. Because she doesn’t know anything – how to read,

how to write, even her own name... How will she manage to reply a phone call and write a note? In our home she almost never needs to reply a phone call. But at other homes – nobody would like to hire her, because she doesn't have any education.”

The same employer shared her negative experience with one of her former domestic workers. According to her, she helped him a lot, but in the end she needed to fire him because of the following:

“He was here with me for 10 years. I was doing everything for that boy. I was always bringing him presents from abroad, from all my trips. But what happened in the end – he started to steal things. I also bought a motorbike for him...But he started to steal. We couldn't believe this in the beginning because he was like the son for us. We were sure that it was him. And then, I didn't want to involve police because they usually beat up people with a brown or dark skin color. I even talked to a chief of the police and he said that he would make him return everything. He even stole pearls and things like that. I don't value the material possessions that much and I didn't want to register that he did such things in his *carteira* in order not to harm his future. And I talked to him almost crying because I couldn't believe it was him. But he confessed it.”

6.3.1.2 Prejudices and discrimination

6.3.1.2.1 Domestic workers

Most of the domestic workers acknowledged that nowadays they face much less prejudices and discrimination in regards to their job, compared to the past. They agreed that many improvements have happened and that today domestic work is more valued than it used to be: “There are no prejudices nowadays. Before it was a lot of them. When you were telling that you are an *empregada*, it was equal to being an animal. But today – not. Today people look at you with different eyes”; “The service we do became more valued. Before there were a lot of prejudices. It seems that before employers didn't trust that much to *empregadas*, but today it is different.”

To most of the domestics, their current employers are more like companions, who respect the domestic service. One of the women, who has 37 years of working experience as an *empregada*, informed:

“In the past it was very bad. Everybody had disrespect for the domestic workers. We were not paid well, we were mistreated. It used to be like this – an employer is an employer, and an *empregada* is an *empregada*. We didn’t talk with each other that much. But nowadays the situation has changed a lot. Everybody treats me well. I have very nice relationships with my employer. Now it’s more like a friendship.”

Another *empregada* added about the reasons of more value for this job today:

“People put more value because nowadays it’s also much harder to find an *empregada*. Less and less women want to do this job. Women are getting education, develop themselves. So, today we are valued, because it’s not many of us left. It’s as I see it. And we earn good money, because employers need to pay well not to lose us.”

One of the *diaristas* confirmed that nowadays the domestics feel more empowered than before:

“Now it has improved. Before women had more fear and were embarrassed to say something to their employers. Now it is better. Of course, there are still people who judge only from the appearance, but generally *diaristas* nowadays earn more than women of the other similar professions. So, generally the employers value us more nowadays, make the efforts to hire us because this is beneficial for them.”

Majority of the domestic workers admitted that today they are not ashamed anymore to say what they are doing, as it used to be before: “Before a woman didn’t want to say anyone that she works as a domestic worker, because it was so bad. Nowadays it’s better. Women don’t feel ashamed about this anymore”; “Today domestic service is like any other job. It’s like the people who work for the companies. But before it was not like this.” One of the *diaristas* also mentioned:

“Before there was a lot of discrimination and prejudices against the domestic workers. And now it’s OK to say somebody that I’m working as a domestic. And, for example, in a bus today it’s more common to hear that somebody is a *diarista*. Before women were saying “I’m working autonomously”. Nowadays everybody’s saying “I’m a *diarista*”. It’s the same as to say that “I’m working in the shop”, “Oh, and I’m working there”. People are not ashamed and not hiding this anymore.”

At the same time, some of the respondents referred to the still existing practices of a non-equal treatment in different social contexts: “There are many employers which think that the domestic workers are like the animals who they can abuse. They treat them as somebody very low, with disrespect. But there are also good employers, like in my case, who treat you well, with respect, as a friend. So it’s 50/50”; “Society treats us with the inferiority because of the nature of our work. Because we are the cleaners, we clean after other people, we are nothing...It is difficult for them to respect this as a normal job.”

Answering about the disadvantages of their job, some of the interviewees, particularly the *empregadas*, mentioned discrimination and a lack of recognition for their work: “And disadvantage, I think it’s discrimination. We are seen with the bad eyes”; “In general, I think that our work is not recognized and this passes from generation to generation. I don’t know anyone who says that this kind of work is recognized... Only a few people recognize it and see its importance.” As to what they perceive as discrimination, one of the *empregadas* shared: “You can feel it sometimes in this *condominium* (gated community). Also, when you are entering the gates, you can feel it even from the guards, like “It’s just a *domestica!*”. For me this is discrimination.”

6.3.1.2.2 Employers

According to the employers, there are many domestic workers who are not treated equally nowadays and are viewed through the hierarchy lenses. To them, this job is still not valued enough and the prejudices do exist: “There are still prejudices in the society about them. Because who is a domestic worker? They are not valued enough. Some professions in our society have a lot of value, and others – not.”

Some of the respondents were pointing out on the issue of status, particularly in relation to the *empregadas*. For example, one of the employers mentioned:

“In Brazil, to have an *empregada domestica* is a status as well. In my case, I have a *diarista* because I’m whole day not at home. But today you still have the domestic workers who are cooking, washing, cleaning every day. I don’t see it as being normal, because people also can do many things themselves. But some of them have this opinion that domestic work is a slaves` work. And with this mentality, for example, they don’t want to wash a plate, to wash their clothes, to clean in the bathroom, because they think that this is not for them. This is for a domestic worker.

So, this mentality I don't support. If a person just comes once-twice per week to help, with this I agree."

Many of the employers were referring to the class difference and slavery past of Brazil as to the main factors of the existing prejudices towards the domestic workers: "They are still like a more inferior class. Not as much valued as a class of professionals. People see them as unqualified workers, who are doing the service. Probably the reasons of this you can see as well in the Brazilian slavery in the past"; "Today the Brazilian government adopted the new law which sees the domestic workers with the rights and duties. But still, culturally we have with us today our slavery past. And this law appeared only recently."

Also, as one of the employers put it:

"Many people think that it's a work designed for a different class, they don't look at it as just any other work. It has to do with the slavery period that has been gradually disappearing but still, has not disappeared completely. So the mentality, the prejudices have to do with that somehow. They still exist because a lot of people that earn less think that they have less value as the human beings as well. The history of the country is like a ghost over the people. Sometimes it's like they have to remember it. Some people think that only they themselves deserve certain rights while the other people don't deserve them. Slavery period marks the country's history. And although it seems that it was so long time ago, it is still here, creating things that sometimes are not real."

However, the employers emphasized the positive developments as well, telling that generally the domestic workers experience less discrimination today: "I think that before they were more discriminated, didn't have any rights. It was more like slavery. But today they already have their rights. I think we need them in the same extent they need us. And we need to value their work. I put a value on their work because I need what they are doing"; "I think there are positive changes today. Better than before. But still have a lot of discrimination. People need to have conscience about this."

As to the main reasons of the gradual shift in the attitude towards the domestic workers, the employers stressed the new legislation and education. For example, they mentioned: "Not everybody is recognizing their work and paying appropriately. So it's not valued enough. However, it has improved a lot through the laws which are directed to protect the domestic workers"; "Nowadays education gives people an opportunity to think more

about this. It helps to break this hierarchy which divides the jobs on good and bad ones. But still it's very far away nowadays. It's very difficult to break totally this hierarchy. So, in Brazil it's still very unequal. But, for example, as I see among my friends, they already give much more value to the work of the domestics.”

One of the respondents added one more reason – travelling. She informed:

“Middle and upper classes travel a lot to Europe and they see that there this kind of mentality to have *empregada* doesn't exist. So, they travel and become more aware, start having other references. And population is changing, changing in a cultural sense. Yet these changes are happening slowly. But I think in some years, maybe in 5-10, and also my children, they won't have this mentality to have an *empregada* at home every day.”

Some of the interviewees also pointed out that it became harder to find a domestic worker nowadays. Thus, the employers tend to value their service more: “Also, there exists a lot of competition on the market. So if an employer today starts to treat an *empregada* badly, with discrimination, she will just leave and will find another place to work. So the tendency now is to treat them normally, as any other worker.”

6.3.1.3 Discussion

The relationships between domestic workers and employers are generally characterized by a high level of informality and intimacy. This has double-sided effects for both.

On the one hand, this type of relationships is mutually benefiting. The employers receive the domestic service they need and the domestic workers have a job, payment and other employment attributes. What comes additionally and what makes these employment relationships more complex is a friendship and a family affection which sometimes appear between a domestic worker and an employer. This might be as beneficial as a friendship and the family ties can be, for instance, creating an emotional and a psychological retreat for the two sides.

On the other hand, a combination of employment and personal traits in these relationships makes them mutually dependent. Their close nature might inspire actions of help, particularly from the more empowered side – the employers. This can be especially seen between the upper classes and their *empregadas*. They can help domestic workers with

buying an accommodation, arranging appointments to the doctors, financing education for their children etc. From the humanistic side, this seems to be good and helpful indeed for the domestics. However, this might create a dependency of the domestic workers on a good will of their employers which in the end does not contribute to the social empowerment of these women, not taking into account help with education for their children, which might provide future opportunities for the next generation.

So, through the lenses of intersectionality, this keeps the position of domestic workers on the unequal grounds with their employers from the different angles. Women of the lighter skin color help women of the darker skin. The more wealthy upper classes help the poorer lower classes. Thus, belonging to a particular class or race might still determine the level of women`s empowerment, first of all in a financial sense. And the higher is the class of the employer, the more this dependency and intersections with the race are visible.

Also, these gender, class and race intersections were particularly observable when during my fieldwork I visited one of the *condominiums* (gated community) in Goiania, the elite living area separated from the rest of the city by a huge electric fence, with the guards by the gate. At around 4 pm., when most of the *empregadas*, *diaristas*, *passadeiras* are usually done with their job, one could see groups of them flocking to the entrance and then to the bus stop located in nearby. And one could not but notice that most of those women were of the darker skin, while the residents of the condominium were mostly white.

At the same time, the mutual character of the dependency between domestic workers and employers, make the latter value more the domestic service and contribute in providing decent working conditions. Since it becomes harder to find a woman agreeing to work as a domestic worker, especially on a full-time basis, the employers gradually start looking at this job with the new eyes – with more respect and the attitude they have to any other worker. So, employers are dependent on the domestic workers because they need what the latter are doing. And employers have to pay well to the domestics not to lose them. This gives the domestic workers a new bargaining power in the employment relationships.

However, some of the employers, particularly from the middle class, start also reconsidering their actual need of having somebody working in the house for them every day and prefer hiring *diaristas* instead. As to the upper class Brazilians, despite that for many of them *empregadas* still remain an issue of status and a “beautiful house” image, a new legislation regarding domestic workers makes it more challenging and expensive for them as well. Additionally, their travelling to the other countries, particularly to Europe, might also contribute to the gradual cultural shift in “*patroa-empregada*” mentality. By this, the middle

and upper class` dependency on constantly having someone doing all the domestic work for them might be slowly decreasing.

Thus, there are positive developments as well in the relationships between employers and domestic workers, according to my research group. Domestics are becoming more empowered. They strive for and have better access to education. Subsequently, they become more aware of their rights. Also, they have more variety today to choose from the alternative job options on the formal market. In case they remain working in the domestic service, their wages and labor rights are increasing. Generally, they face less prejudices and work-related discrimination from the other classes. Consequently, their financial and working conditions, their level of education are becoming more equal with their employers, particularly from the middle class. So, social distance is becoming smaller.

6.3.2 Racial and geographical specifics

6.3.2.1 Racial distribution

Most of the domestic workers, if to combine black and brown categories together, referred themselves either to belonging to the black or to the brown race (Figure 1). The brown racial category here includes several Brazilian shades, which I received in the answers, e.g. *moreno* (brown), *pardo* (brown), *moreno-claro* (light brown), *preto* (inky black). Also, some of my respondents, before referring to a particular shade, answered “I’m a Brazilian”.

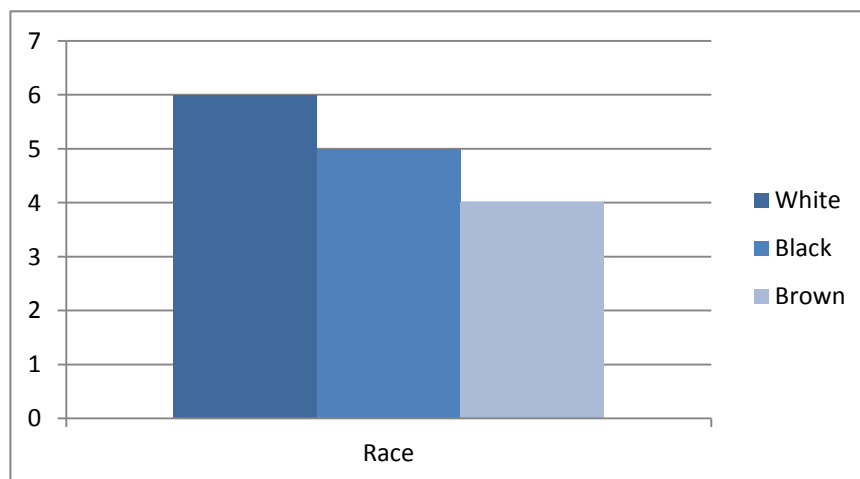


Figure 1. Racial distribution of the domestic workers interviewed (by self-definition)

Additionally, among domestic workers interviewed, there are more women, who declare themselves black, among the *empregadas* (Figure 2). Among the *diaristas* most referred themselves to the white racial category (Figure 3).

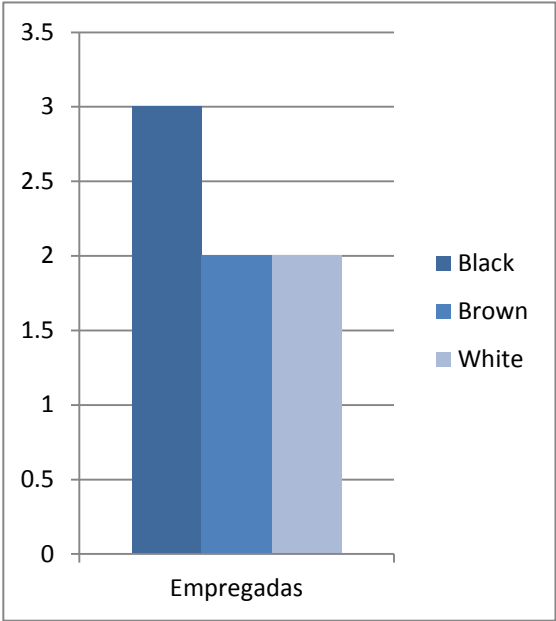


Figure 2. Racial distribution among the *empregadas* interviewed (by self-definition)

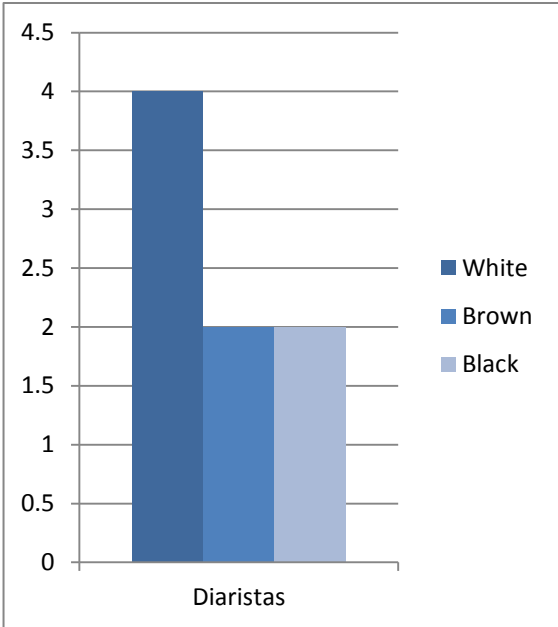


Figure 3. Racial distribution among the *diaristas* interviewed (by self-definition)

6.3.2.2 Geographical origin

As to the geographical origin of the interviewees, the majority of the domestic workers migrated to Goiânia, which is located in the Central-West of Brazil, from Bahia, Tocantins, Maranhão and Ceará regions (Figure 4) i.e. from the North and the North-East of the country.

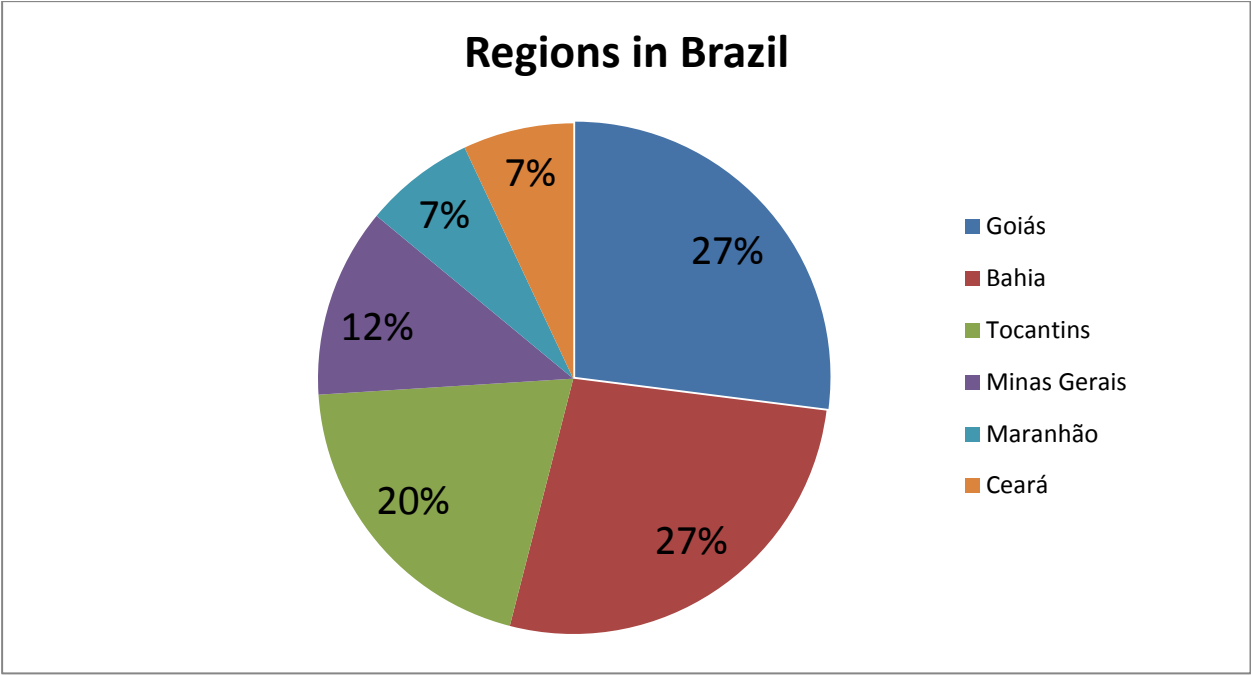


Figure 4. Geographical origin of the domestic workers interviewed

At the same time, if among the *empregadas* the majority of the domestic workers come indeed from the North or the North-East (Figure 5), among the *diaristas* the geographical origin according to the regions is divided equally (Figure 6).

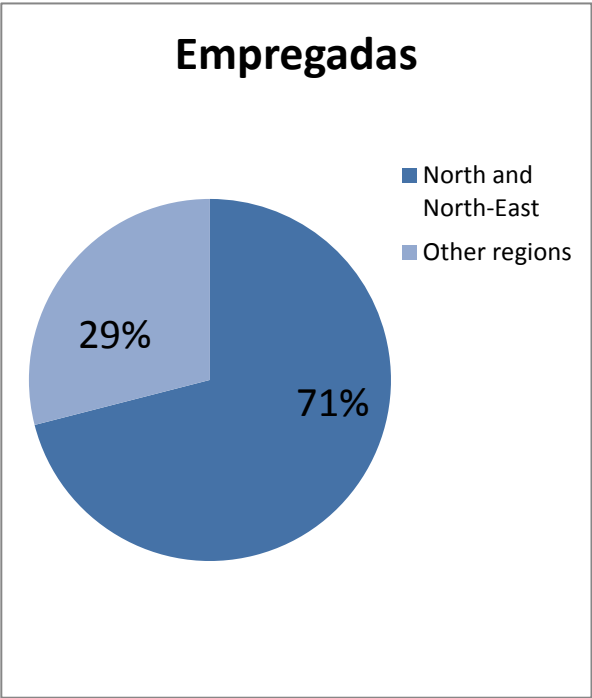


Figure 5. Geographical origin of the *empregadas* interviewed

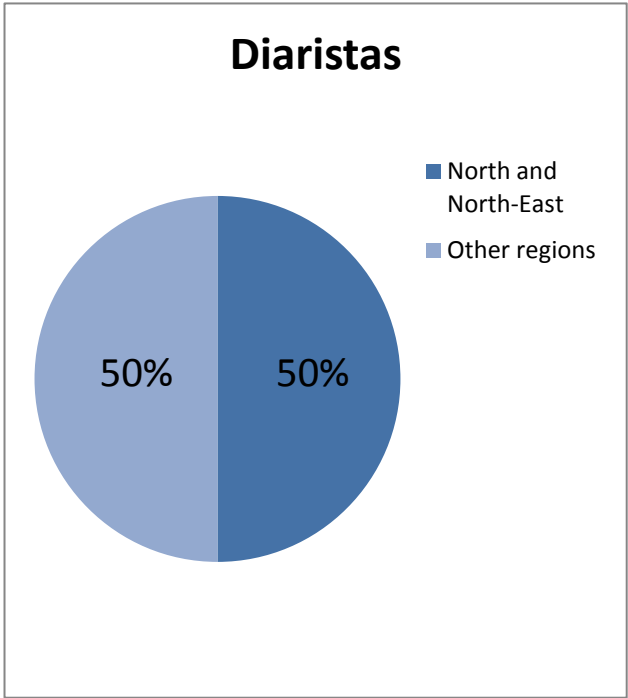


Figure 6. Geographical origin of the *diaristas* interviewed

This statistics corresponds with what I have heard from one of the employers:

“The majority of *empregadas* that we have here in Goiânia are from Bahia. Others are from Maranhão. And they don’t know how to do this job. Not because they don’t want to work, but they just don’t know how. I needed to teach her (*empregada from Bahia*) how to do everything, how to use vapor for ironing etc. They don’t have these things there. So, here all the *empregadas* are from the North East. Because this state is the latest in its development, so they start working here.”

The majority of the domestic workers moved to Goiânia, one of the most economically developed cities in Brazil, searching for better life. They acknowledged that it is much harder to find a job in the regions they are coming from. Payment and working conditions, according to them, are also much better in Goiânia, while in the North and the North-East they can hope only for a minimum wage or, in some cases, might experience absence of any payment. Generally, the domestic workers are more exploited in these regions of Brazil, compared to Goiânia. For example, as one of the domestic workers mentioned: “But, generally, in Goiânia it’s not that much, like, for example, in Bahia, the North-East... There it can be common, that 13-14 year old girls start working for the families in almost like slavery conditions.” Also, one of the employers stated:

“...deep in the countryside or in some states, for example, like Maranhão, there still can exist practices when the domestic workers are working just for food. And the plate costs, let’s say, around 10 reais. So, these girls are working for 10 reais per day that will give 300 reais per month. And here (*in Goiânia*), for example, they work for a daily wage which constitutes...the minimum I know is 70 reais. It is for cleaning, ironing and cooking.”

Also, some of the employers emphasized that the domestic workers coming from the North and the North-East tend to have less education and often do not know their rights. For example, one of the employers mentioned: “...Like the one I have now, she comes from Maranhão. She doesn’t know how to write, how to read, even her own name”. Another employer said: “For example, I’ve heard that in the North-East, with one minimum salary you can pay for 2-3 helpers. In Goiânia, I think, they (*domestic workers*) have better comprehension of these rights.”

6.3.2.3 Discussion

Examining the racial distribution of the domestic workers interviewed in Goiânia, the majority of them self-define themselves as belonging to the black or the brown race. Thus, the statistics above might show that the racial divides are still displayed in Brazil, although in the more hidden forms i.e. low-paid, manual jobs, which the domestic work might belong to as well, is done mostly by black or brown Brazilians. At the same time, what brings complexity into the analysis is existence of the vast brown skin category. As a result of the racial melting pot, many Brazilians have a very mixed skin color and they can refer themselves to the variety of brown shades, as described in chapter four. This means that in such multiracial countries as Brazil, this racial division is very subjective.

Despite this, there is a pattern of a bigger quantity of the black women among the *empregadas* than among the *diaristas*. This also correlates with their geographical origin. So, the majority of the women willing to work as the *empregadas* in Goiânia are the black migrants from the North and the North-East of Brazil. As outlined in chapter four, these regions are known as being the least developed in the country as to the economic and social indicators. For the women migrating from these regions to Goiânia and other big and more economically developed cities domestic work becomes one of the only options.

Lack of the alternative job opportunities and more adverse working conditions at their native regions contribute to the women's choice of becoming an *empregada* in Goiânia. Lower level of education, compared to the workforce in Goiânia, and, subsequently, less awareness about their labor rights, make these women also less demanding in regards to the type of job, its payment and working conditions.

Thus, one might see the prevalence of interregional migration among the domestic workers in Brazil, in contrast to many other countries e.g. Qatar, Taiwan, the United Arab Emirates, where they are mostly foreign migrants from poor countries (ILO, 2013). Today, however, as already mentioned the chapter four, with the overall economic improvements in Brazil better employment opportunities appear, including in the North and the North-East of the country. Women tend to stay in their home regions and prefer to find alternative job options (*The Economist*, 2013). There is also a trend that the number of women, among all the skin colors, who are willing to work as *empregadas*, is gradually decreasing. However, working on the part-time conditions, as a *diarista*, might still be relevant. Nevertheless, some of the well-off households, particularly in the big cities, still need the domestic workers on a full-time basis. At the same time, gradually it becomes harder to find them among Brazilians.

Therefore, the cases of hiring foreign domestic workers, e.g. *empregadas* from Haiti in Sao Paulo, are increasing (Veja, 2013), which also continues the pattern of domestic workers being black.

6.3.3 Gender triangle in the household: women, men and domestic workers

6.3.3.1 Transformation of women`s position

As to women`s position in the Brazilian society today, most of my respondents both among the domestic workers and the employers, men and women, acknowledged that it became more equal. Women`s labor rights and their overall capacities in Brazil have been experiencing a significant evolution. Women are conquering the working spaces that before used to belong only to men. Some women manage to earn more than men and help financially their husbands. They do not need now only to stay at home, washing the dishes, ironing and cooking. There are many women who are heads of the family and main decision-makers, while before, within a patriarchal context, it was impossible. Brazilian woman of today is a fighter, achieving what she wants. As one of the female respondents put it: “I think now women are more visible, although we are still living in a very *macho* society. We also have many women in politics, like our President, for example. Some men don`t like this fact, but still it brings changes, changes in the heads”.

6.3.3.2 Dividing household chores

About sharing household responsibilities, according to my interviewees, there is also a tendency towards more equality. Generally, today men are helping women more with home duties compared to the past. Men are becoming more like companions for their wives. As one of the domestic workers put it: “In the past men didn`t even wash a spoon but today they wash dishes, take care of the children...So today it`s more equal”. Men respondents among employers confirm that they help more at home: “Perhaps not with ironing, but we`ve learnt how to wash dishes”, “But, for example, my father, only when he became 75 he started to wash the dishes as well. Just because he saw that his sons are doing this. Me and my brother we divide household responsibilities with our wives”.

So, these changes are happening gradually and refer particularly to the younger generation. In today`s Brazil, there are more chances to find women who are submissive and

men who do not want to accept their duties at home among the older generation. New generation learns at school that women`s position is equal to men`s. They learn that women can do the same things as men. Domestic work itself, according to both the workers and the employers, has more value today compared to the past. As one of my female respondents expressed it:

“...But new generation, they are already better prepared for relations with men. And men are also better prepared how to behave with women. I can already see it on the example of my sons. There are improvements I can see in their relations with women. Their relationships are based on equality. In my generation, however, you still can find women who suffer a lot because of men.”

6.3.3.3 Gender stereotyping

All the interviewees among the domestic workers are women and this is culturally perceived as being natural and more acceptable. As one of the male respondents mentioned:

“It is even hard to comprehend how a man could be a domestic worker. The word *domestica* itself is female, designed for women...It is difficult to understand how it can be *domestico*. ...Or imagine a man comes and starts to iron the underpants of your wife!”

Other male employers pointed out that women have more abilities and more patience for domestic service. One of the female respondents, however, put that men, if they are well prepared and get more experience in this, are capable to do the domestic work with the same quality as women. Also, one female employer informed that in the past she used to have a man working for her as a domestic worker: “I already had a man who was working for me for 10 years. He wasn`t white, he was black. And 10 years he was working for me, cleaning the all house, doing everything”.

6.3.3.4 Decision-making and negotiating duties

Regarding decision about hiring a domestic worker, as I could conclude from my interviews, it was mostly taken by women. As to negotiating duties and responsibilities and communicating them to the domestic worker, although this also used to be mostly on women,

today there is a pattern of increasing men`s participation in this. Some respondents among women pointed out that their husbands join in giving comments to the domestic workers, complaining when needed and help them e.g. to make menu for the lunch.

6.3.3.5 Discussion

With the first wave of women`s emancipation in Brazil in 1950s, as described in chapter four, when many of them have entered the professional market, the burden of doing household duties remained on the women with the darker skin color from the poor backgrounds i.e. domestic workers. So, one group of women became liberalized with the back-up from another group of women who continued to perform their culturally natural role – taking care of home. Women, most often less-educated ones, help the other women, while men were usually let free from sharing household responsibilities. Thus, in this household triangle, the domestic workers appeared as a buffer between men and women gender positions.

A new scenario, however, is being manifested. Another feminist wave, as outlined in the fourth chapter, is opening more space for all groups of women, including the domestic workers. They are becoming more visible and more empowered. With this trend it is harder today to find a woman willing to work as a domestic worker on a full-time basis. Women, who got professional liberalization during the first feminist wave, have to start working on the two fronts – professional and also being actual *donna da casa*. The same applies for the former domestic workers stepping on the alternative career path. Performing this double shift might lead to the work overload for all groups of women. And this is the main contradiction. With more power and more social inclusion come more responsibilities, which not all the women might wish to undertake.

Nevertheless, according to my research group, there is also a trend, particularly among the younger generation, of the gradual inversion of gender positions. Despite existing patriarchal traces, transformation of values is taking place in the minds of both men and women. In the context of the domestic work, men are becoming more responsible for household chores and are willing to share them with the women on the more equal basis. This process of change, although being very slow, has a potential of balancing the gender roles in Brazil and contributing to the social empowerment of both current and former domestic workers.

6.3.4 Livelihoods of the domestic workers

6.3.4.1 The role of education

All the domestic workers, among my respondents, have only primary or unfinished secondary education. One of them is illiterate and has no education at all. According to the interviewees, lack of education became one of the main reasons of choosing this job. Although some of them chose domestic service because they also like it, for most of the women still this job remained the only option. For instance: “I didn’t have other options, because most of the jobs require education. I don’t have enough, so I had to choose domestic service”; “I can’t read, so for me it was hard to find another job. And I also like it”; “There were a few conditions to study. I had only a little education and it became one of the only job options for me.”

From the employers’ side, many of them pointed out that a lack of education is one of the main reasons of the low level of rights’ awareness among some of the domestic workers: “But sometimes they also don’t know their rights. They don’t have education, don’t know the law...”; “I think the less education a person has, the less she (*a domestic worker*) knows about her rights. So it’s a consequence of a lack of education. Without education she doesn’t have this conscience about her rights.”

Some of the employers emphasized that education helps to affect in a positive way the young generation’s mentality regarding domestic work. For instance, they mentioned: “But these changes are happening very slowly. Very slowly. Especially this takes place through education. New generation learns at school that women’s position is equal to men’s”; “Nowadays education gives people opportunity to think more about this. It helps to break this hierarchy which divides jobs on good and bad ones.”

According to both, the employers and the domestic workers, education contributes into decreasing number of *empregadas*, since women would like to develop themselves further. One of the *empregadas* stated: “For sure there will be more *diaristas* than *empregadas*. Because what is happening today – we get more and more education and set our goals well ahead. Today women have more spaces (*to develop*). Nobody wants to work as *empregada domestica* anymore.” And one of the *diaristas* shared: “I think it’s because nowadays women are thinking more about getting education. They study even more than men. If a woman wants to get a degree, she gets it. So, because of this it (*domestic work*) changed a lot. Women nowadays want to succeed as well, through education.”

The employers added: “Yes, now women occupy more and more space. They become more serious, get education...I think that the level of education of the domestic workers is increasing. Today they are not as illiterate as they used to be before. Because usually *empregadas* are the ones with a very low level of education”; “Women generally are paid less (*than men*), and it’s also because of a lack of education. That’s why I think the decade of this type of job (*domestic work*) is coming to an end. At all schools, universities 80% of students are women. Women are already more qualified than men here in Brazil.”

Also, all the domestic workers who have children, mentioned the importance of education for their future. For instance: “First step is to get education. And then – to have a life better than I have”; “I always push my children to study. As to me, I ended up staying behind”; “Much better (*future*) than mine. My daughter is already studying at university, thanks God. And another daughter is finishing secondary education”; “To study, study, study a lot.”

6.3.4.2 Alternative job options

The majority of the domestic workers I have interviewed would prefer to continue their education in order to find another job. For example, they mentioned: “It is one of my dreams. Until today I haven’t realized it but still would love to. In the near future I would like to finish my education and find a new job”; “Next year I’m planning to finish high school and then try another job. I don’t want to work for 30 years, like my mother-in-law or some other friends, as a domestic worker”; “I would like to do something else in the future. When my children become grown-ups, I would like to continue my education”; “I would like to work as a nurse. I already have some experience of taking care of the old people, so I would like to continue...But I also think that I need to have some special education for this”; “When my conditions improve, I will study at university. Because I don’t see myself entire life working as a domestic worker. Yes, I want to change my life in the future. Not because life I’m having today is bad. But just to develop more, to learn more, to earn more... I have my dreams as well”; “I haven’t obtained any degree but now, for example, I would like to attend some courses. I would prefer nurse courses. Generally, I think it is a nice idea, because they will give an opportunity to employ myself in another area.”

As mentioned in the beginning of this chapter, the average age of my respondents is 43. Among younger generation of women, including the children of the current domestic workers, most of them already prefer the alternative job options. The young women who do

not have higher education also would not like today to be the domestic workers, like their mothers. For instance, one of the employers informed:

“They prefer the other types of jobs, with the official contracts. And even with having little education, they would start, for example, to work in the pharmacies, as the sales assistants in the shops, supermarkets...Because a formal market has opened a lot. And even in this area of cleaning, they look now for a job in the companies, where they might earn less, but will be employed formally. That`s why it is hard to find even *diaristas* today. This reality became more dissolved. So now we need to look for them because they prefer the other spaces.”

6.3.4.3 Discussion

From the answers of my interviewees education appears as one of the main factors to empower women working as the domestics. First, it contributes to a gradual change in the mentality of young Brazilians. As the respondents were mentioning, through modern education their children get understanding about more balanced position of men and women and their complementary roles, they learn to have respect and value for all professions and tend to have better idea today about the equality of all human beings, despite how much they earn and what skin color they are. So, education helps to break the hierarchy and class-race-gender divisions in people`s mind.

Second, education has a potential of increasing rights` awareness among the domestic workers. As many of the respondents were pointing out, a lack of education is one the reasons of still existing practices of discrimination towards domestic workers. This particularly tends to occur with those domestics who are not aware enough about their rights and proper working conditions they can have. However, if they were more educated, they might not be willing to endure unequal and disrespectful treatment anymore.

Additionally, getting more education would potentially allow domestic workers to have more opportunities with employing themselves in other areas, which can provide better payment and working conditions. Many women among the domestic workers realize this, collecting money to pay the university while working in the domestic service. Some of them have it as a part-time job while they are studying. So, they can provide education for themselves, using the money they earn working as domestics. And, according to my research group, they want to study more nowadays.

Through easier access to education, more and more women from all the classes and races are able and are willing to take a degree in order to have alternative job opportunities. With this trend it is harder today to find a woman, who wants to work as a domestic worker. The daughters of the domestics are not willing to do the same job as their mothers anymore. Thus, education is indeed an important tool for both, cultural change and social empowerment of this group of women.

6.4 Legal empowerment

6.4.1 Implications of the new law

Most of the respondents, both employers and domestic workers, expressed positive attitude towards the new law (the PEC), but admitted that it came too late: “This law is necessary. Throughout the history of Brazil domestic work was not respected and this category of workers was abused a lot, without receiving what they deserve. So, it is very good that they have the rights now. But I think they came very late”; “Today Brazilian government adopted the new law which sees domestic workers with the rights and duties. But culturally we still have with us our slavery past, even today. And this law appeared only recently”; “They approved it only now after many-many years. Only now domestic workers sign a *carteira*, have the same rights.”

There also were other skeptical replies in regards to the PEC. For instance, one of the employers put: “I think that in reality, it (*the new law*) was created to impose them (*domestic workers*) with more taxes. There are not that many real benefits for domestic workers from it. Who will use this money is the government. And it also has effect on demand for domestic workers”. And one of the domestic workers informed: “Brazilian people like to break the law. Even before the law gets there, they are already thinking about the ways to avoid it.”

All the studied employers were aware that the new law requires from them to have a formal employment contract and a *carteira assinada* with their domestic worker (if she is an *empregada*). For example, some of them mentioned: “It became obligatory, because before we decided ourselves if we want our domestic workers to work with a formal contract or not. Today it is not like this anymore. It is obligatory”; “And if, let`s say, somebody wants to hire an *empregada*, now it is obligatory to have a formal contract with her and to follow all the conditions within it”; “Firstly, all *empregadas* are obliged to work with a contract and a *carteira assinada*. *Carteira assinada* gives them all the rights, like vacations, FGTS etc.”

Despite these PEC's requirements, the majority of the employers, who have *empregadas*, do not follow what they are obliged to do by law. One of the interviewees explained this with the following:

"She (the *empregada*) made an agreement with my wife. They agreed on not having fixed working hours. Some days she has to come or to leave later, some days – earlier. And when we are travelling, she does not need to come to work. And we travel a lot. Also, she does not need to work on Saturdays. So, we tried to make a kind of compromise. Because if we require her to work according to the new law, it will be 8 hours per day, plus, 4 hours on Saturdays, which together will make 44 hours. We reacted to this negatively, because she is usually working only 30 hours per week. And we decided not to require her to work more because of the law. That is why everything is not like it should be. She is working without a contract and a *carteira assinada*, but she is working less than she is supposed to."

And another employer stated that she used to have *empregada* working for her for 7 years without *carteira assinada* because of this reason:

"In reality she did not want to have "*empregadora domestica*" in her *carteira*. She was a girl who had secondary education and she wanted to study at university. And we understood that. She was young and we could realize that she would not stay with us for a long time. And the recent news we have got from her – she has graduated and now holds a Master degree in education. So she had perspectives in life indeed. She had that clear vision how to organize her life. She was working for some time as an *empregada*, but it was not ideal vision of her life."

As to the interviewed *empregadas*, the majority of them would prefer to work formally, but in reality continued working informally for various reasons. For instance, some of them stated: "I would love to have *carteira assinada*, but it does not depend only on me"; "No, I have not signed my *carteira* yet. My employers wanted it to be signed but I never brought it to them, because I think that my salary will be discounted. And I receive *Bolsa familia*¹."

The PEC also became one of the main reasons for employers to prefer hiring *diaristas*, instead of *empregadas*: "If she (*a domestic worker*) works just for 2 days per week we do not need to have a formal contract with her. You need to have it only when she works 3 days or

more. Because the expenses are less and also, our apartment is not that big, we decided that we do not need a domestic worker to work for us every day”; “Another thing has to do with purchasing power, because today it is expensive to have an *empregada*. Nobody in this building has so many domestic workers as I do, because it is difficult from the financial point of view. And also all the rights that the law requires now... It made things more difficult for many employers”; “I believe that legacy of the laws, rights they have today – this also has its effect. And employers want to decrease the costs. The cost of having an *empregada* today will be around 1400 *reais* (635 USD) per month. And this is very significant for our economic reality”; “Yes, it is more difficult today. People simply do not have this money they need to pay to *empregadas* now. The tendency is that people hire more *diaristas*, because in this case you do not need to pay any taxes.”

All the studied domestic workers confirmed this trend of hiring more *diaristas* than *empregadas*. Some of them, for instance, outlined: “Today they prefer *diaristas* more. That is for sure. And sometimes they hire them only for one or two days in order not to sign a *carteira*”; “I think there will be more *diaristas*. Nowadays it is more difficult to find a domestic worker, who wants to work all week long at one place. Many women just do not want to work like this anymore. They do not want to be in the servitude for another person”; “With the new law, nobody wants to hire an *empregada* today. Nowadays a lot of employers prefer to do domestic chores themselves than to pay a lot somebody else to do it. Today it is much more expensive for employers to keep an *empregada* every day. So it is better for them to have *diaristas*”; “Women today prefer develop more as professionals. And also because of the new law, it is more expensive now for an employer to have an *empregada*. So they prefer to have *diaristas* once or twice per week”; “I think it will be more and more *diaristas*, because now there are more rights for them (*employers*) to follow.”

At the same time, most of the interviewees, both employers and domestic workers, acknowledged that the new law leaves *diaristas* much less legally protected, compared to *empregadas*: “For *diaristas* who work just one-two days in a week (*for one employer*), it (*the new law*) won’t change anything”; “And concerning legal rights, *diaristas* do not have them.

¹ *Bolsa familia* (Family Allowance) is a social welfare programme of the Brazilian government aimed at reducing poverty by direct cash transfers to poor Brazilian families. If families have children, they must ensure that they attend school and are vaccinated. In case of the domestic worker interviewed, if she signs a written employment contract to work as an *empregada*, the new minimum wages for this type of job guaranteed to her by the new law, will not entitle her to receive cash transfers any more, since she will not be officially regarded as poor.

Their working conditions do not guarantee access to INSS, to medical treatment in case of sickness... And medical costs are very high. Their situation is not the same as with *empregadas*. *Empregadas*, for example, have right to vacation, to overtime payment, to a weekly day-off etc.”; “She (*diarista*) does not have any rights. I pay her for each day she works. This kind of relations – today she is here, tomorrow not – are not like a real employment”; “In case of *diarista*, labor rights do not exist. She comes only once or twice per week. So, she does not have much. Her only rights are payment and covered costs for food (*at a working place*) and transportation. But if she is an *empregada*, she has a right to a formal contract and so, access to the same rights as all other workers have”; “*Diaristas* do not have rights. They do not have a right to vacation, to health insurance; do not have access to INSS... They have only money they earn”; “Yes, I (a *diarista*) have fewer rights. For example, my husband works as a chef in a restaurant, and he works with a formal contract. When he got sick, he had access to INSS, to health insurance, to treatment in a hospital. So, he got support. And I do not have it. For example, if something happens with me, I have nothing.”

Despite this, most of the domestic workers answered that they would prefer to work as *diaristas*. Those who already work as *diaristas*, pointed out the advantages of their work. For example, one of the *diaristas* informed:

“There are a lot of employees that choose themselves not to work with a formal contract, so that they could earn more money. Last week I had a proposal to work as an *empregada*, but I declined it. I calculated that it is better for me and I will earn more money working as a *diarista* every day, than working as an *empregada*. As an *empregada* I would receive 1200 *reais* (544 USD) per month, without taxes and INSS. And as a *diarista* I receive more. Also, I have more freedom to choose whether I want or not to pay to INSS. I am paying it autonomously every month, to my own account. So, basically I am having the same as those who work with *carteira assinada*. And I earn more money.”

And one of the *empregadas* shared:

“I think that women prefer to work as *diaristas* because they can choose themselves how much and which days they would like to work. They have more time to fix their own things, to take care of their own family, to study at university or to attend some

courses. So, I think all this is much easier for those who work as *diaristas*. I am also considering switching to a *diarista* this year.”

Other domestic workers added: “I would love to work with *carteira assinada*. But in this case I would need to have more working hours and it will be stricter with the schedule. Also, now I have enough time for my family”; “For me it works well because I do not need to stay in the same environment every day. I come and go. I can change the days I am working. So, I think to work as a *diarista* is better”; “I will definitely prefer to be a *diarista*. Not *empregada*. No. I used to work as an *empregada* before, but now I am tired of this. Even if I would have more rights. I do not want to stay with a one family at home every day. Also, *diaristas* are more respected by the society, compared to those domestic workers who work every day for one employer”; “Other advantages – I have more time for my family. I have enough time to take care of my home because I do not work every day. I work just enough to cover my expenses. And this helps, because I have more time for myself. I do not have depression. I have enough time for a rest. And I think this is also an advantage”; “One of the advantages is that I receive more money. I work less but receive more. And also payment conditions are better because I get money every day, after I am done with my service. For me it is better like this.”

6.4.2 Rights awareness

All the domestic workers I have interviewed know about most of the labor rights they are entitled to by law. The knowledge about these rights had been acquired through the media as well as through colleagues and sometimes even employers. Also, all the interviewees acknowledged that today they have more labor rights than ever before, referring to the new legislation: “For sure. We have more rights today than before. And I hope that this new constitutional amendment will change the situation for the better. So I am optimistic about new rights”; “I think that the new law they (*government*) adopted is good. It gives us the same rights as to workers in the companies”; “Yes, labor rights increased significantly and it improved a lot. But still, many things have to be improved more. It is for sure”; “Because of the new law our wages became higher and our rights increased as well. Today domestic work is more valued than ever before”; “Now we have rights we have never had before. For example, when I was working for another family, there was no right to maternity leave, to FGTS... Now we already have them, because the new law requires these rights”.

Also, one of the domestic workers shared:

“Today with this new law it improved a lot, but before it was similar to slavery. We did not have vacations, did not have a fixed schedule, did not have time for having a lunch... I already have an experience of working at one place, where I came early in the morning and left late in the evening, but they still paid me as I was leaving at 15:00. And to clean the house is a hard job as well. It is equal to all other jobs. But today people have more conscience and this new law helps to treat us more equally.”

And another interviewee added:

“Through the last years our rights and working conditions have improved a lot. For example, my mother-in-law, she was working for 15 years in one house. She was coming there early in the morning and could leave only when her employer wanted. Sometimes it was from 7 o`clock in the morning till 10-11 o`clocks in the evening, without any overtime payment. And now in a lot of houses they have a notebook. You can write the time you come and the time you leave. So today people take more care. But still, it happens nowadays as well, that employers say: “Oh, sign here that you left at 5 o`clock in the afternoon”, but in fact you stay until 9 p.m.”

So, at the same time, some domestic workers pointed out that these rights granted by the new law, might remain only on the paper, while in reality some employers just ignore them and the cases of exploitation persist. For instance, other respondents also mentioned: “In legal terms, of course, you can say that there are more rights for us today than before. But I do not know any friends who told me that for them it became better”; “The employer thinks that I have no rights. And even if I say something, the employer will not agree”; “Government makes efforts but most of the times, who do not comply with the rules – are the employers. A lot of them do not take it (*law*) seriously”.

As to the studied employers, all of them were also aware about labor rights domestic workers have and about the changes the new legislation brought. For instance: “If she is an *empregada*, she has a right to a written employment contract, to FGTS, social security, maternity leave etc. They have access to all these rights nowadays, but before they did not have them. Beginning from this year (2013), if they have a written employment contract, they have the same rights as other workers”; “Today it became much stricter, you need to have a written employment contract with her and to follow all the conditions within it. Because of

new rights they acquired, you need to pay for vacation, overtime, medical service... In the past we paid for all this to our *empregada* but informally. Today it is mandatory to all the employers and not to pay or to pay informally is at our own risk”; “I think that if before they almost did not have any rights, now it became better. The new law helps to see that all kind of workers have their rights. And domestic work is a hard work. I remember, when I was a housewife, it was extremely tiring. So this work should be recognized indeed”; “Firstly, all *empregadas* are obliged to work with *carteira assinada* and a written employment contract. This gives them all the rights, like vacations, FGTS ... Here in our house we are paying all these rights for our *empregada*, even if she does not have the contract and *carteira assinada*. And I think it will still take some time for this law to work in a full force. Its implementation is still in the process.”

And another employer said:

“I believe that every time it becomes more favorable for them and their labor rights are guaranteed more today. Work of the unions, increasing amount of the tertiary cleaning companies and the new law have already made it clearer for them. Clearer in terms of rights and conditions they have. Every time brighter and brighter, setting values of justice with their rights – vacations, working schedule, breaks... So this work is becoming more and more formalized. And before it used to be in a more messy form. Before it was much more informal and there was more exploitation as well. So I believe the government became more favorable for this sector of workers taking into account these new aspects of legitimacy.”

Some of the respondents among employers also admitted that either they personally or other employers they heard of, did not follow the new law for various reasons. For example, they mentioned: “From theory to practice you sometimes need to do a giant step. Our Constitution is full of rights and duties of citizens, but not everybody, not every employer follows it. But at least it is written that something is a right. I think it is good. It is a base for future achievements”; “Until today the law is still not working. Until today my *empregada* is still working without *carteira assinada*. But I am paying for everything she is entitled to. I am paying for vacations, paying properly and well in advance.”

Also, one of the employers outlined:

“And there are many employers, for example, many lawyers who do not pay according to the new law, who do not follow all labor rights. And they are lawyers,

who are supposed to know the law. And many domestic workers work without a formal employment contract and without *carteira assinada*. So, today there is still a lot of discrimination. Many employers are not happy with the government because of this law. They got used to have domestic workers whose hours of work are not regulated, who come at 8 o'clock in the morning and leave at 10 o'clock in the evening or something like this. Yes, that is why many employers do not want to follow all these rules. Many want their domestic workers to work as many hours as they want and stay there during Christmas, New Year... And many domestic workers still work like this. They need money. They do not have education. Sometimes they also do not know their rights. Especially in some parts of Brazil – North, Northeast, there it is more difficult. They are exploited there very much.”

Some employers also expressed their opinion that increasing labor rights should come with increasing duties for domestic workers and that the latter do not perceive it this way: “I think most of them (*domestic workers*) know their labor rights. But we also have such a practice in Brazil, that people can know well about their rights but not about their duties”; “Apart of that they know more about their rights, when you hire somebody, you usually expect that a person knows how to do her work. Because I have already seen many times that they come to clean at your house as domestic workers, but they do not know how to do it properly”; “I think their working conditions are improving, but the level of responsibility, not only of domestic workers, but of all workers in general is falling down. Nowadays people tend more to work only for earning money, not caring that much about the quality of their work”; “Now there is a new law for them and they have more fixed working hours. This has both positive and negative sides. Positive – is that they can leave work earlier. Negative – is that they leave their work unfinished. So the government just increased our obligations to them.”

Another interviewee added:

“Today they have more labor rights but the requirements should be higher as well. They also need to know how to work better and become more professional. For example, my *empregada*, she should work not more than 8 hours per day, according to the new law. And she does not work 8 hours. Sometimes she does not finish all work she is supposed to do. Sometimes does not show up at all. And she does not understand that, according to the new law, she will not receive anything for the days and hours that she did not show up. Also, sometimes she is doing things wrong. And

I do not discount anything from her wages because of this. So, I think the rights should improve but together with duties. They should complement each other. With this new law, if a woman just stays there (*at work*) without doing nothing – employers just do not like this anymore, you know. We have more requirements now as well.”

6.4.3 Working place issues

All interviewed domestic workers responded that in case of having working place issues they prefer either to resolve them with their employers or to leave the job. None of them ever needed to address the union or to appeal to the court. The interviewees informed that they have more freedom today to choose a working place which fits them best: “Today it is easier. If I do not like the employer I will not work for him/her”; “I have a possibility to choose. If I do not like a place, I just say that I cannot work there because of these and those reasons. So, actually I am just choosing the places that fit me”.

As to employers, many of them pointed out that domestic workers either do not know how or are afraid to claim their labor rights, if some working place issues appear: “And some of them know about their rights but are not sure how to claim them. Or some of them do not have enough courage to do this. They are afraid of their employers”; “Sometimes they do not know how to claim their rights. And it happens quite often. Sometimes it is very hard for people to believe that they really have a right for this or that. And there is also a risk of being fired”; “There is a big gap for them from being aware about their labor rights to succeeding in following them. And if they have an idea to go against their employer, many of them are afraid of losing their jobs”.

Also, one of the employers mentioned:

“Today there are still cases, when a domestic worker works without receiving any payment. These cases exist even here, in our building. And they continue working like this for a certain amount of time until they leave one day. But if they were more instructed, they could go and complain, for example, to the court or to the union. To fix it they need to let people know about this. But they prefer to just leave, because they are naïve, they are afraid of the chief.”

At the same time, another employer informed that some domestic workers do appeal to the court in case of working place issues and emphasized lawyers` contribution into this:

“And today domestic workers constitute the biggest percentage, around 40 percent, among all the workers appealing to the courts regarding their labor rights. It is according to the data from Ministry of Labor. But it is also a lawyers` practice. A lot of lawyers just go and search for the processes. And especially now, with new law for domestic workers...They just approach domestics and start asking, for example: “For how many hours do you work? Aha, and does your employer pay you for these extra hours? No? If you want, I will help you to sue him. We will definitely win the case, and let us agree that I get 40 percent of fee after that.”

6.4.4 Collective organization

Collective organization of domestic workers in Goiânia is mostly represented by the Domestic Workers` Trade Union of Goiânia (STDG – *Sindicato dos Trabalhadores Domésticos em Goiânia*), which evolved out of the association in 1992. The STDG has around 1000 affiliated members, most of whom are *empregadas*. Alongside one lawyer, the trade union is staffed by one former domestic worker, *dona Rozária*, who now receives a pension and who has been leading the STDG for the last 14 years.

The trade union is located in a quite old building, occupying one small room with a waiting area and sharing premises with the shop`s sales stock. It is open for visitors from 13:00 till 17:00, Monday till Friday. Domestic workers usually come here to get legal and general advice and support in dispute resolutions with employers. The Brazilian Constitution is the main legal document, which the trade union`s staff base their help and consultations on.

The main goal of the STDG, as defined by *dona Rozária*, is to defend the category of domestic workers from exploitation by employers. She acknowledged that the situation has improved significantly, since today domestic workers have more rights and their working conditions are getting better overall. Particularly, she pointed out that there are more and more domestic workers who receive FGTS and that their working hours become more defined.

At the same time, some traces of exploitation do persist nowadays. Many of domestic workers, in *dona Rozária*`s opinion, are still being humiliated. For instance, some of the women still get slapped in the face by their employers. As the trade union`s president shared, sometimes domestics come to her with this kind of words: “I`m not a dog to do what the employer wants from me”.

In spite of being a help and a support for some domestic workers within the state of Goiás, the overall activity of the STDG, compared to the domestic workers` trade unions in

the other Brazilian states, is quite weak. It has few resources and little voice and this is caused by several reasons.

First, the STDG works without receiving any support neither from the government, nor from the non-governmental organizations. Along with the relatively small number of its affiliated members, their financial contribution in terms of membership fees is almost equal to none. The union is not cooperating with the other domestic workers' trade unions in Brazil. Also, it does not receive any help from international organizations. As *dona* Rozária informed, before the new legislation was adopted, she tried many times to contact the Ministry of Labor with the questions regarding protecting domestic workers against exploitation and received either no reply at all or a direct reply, that that cannot help. When she attempted to meet in person with some of the governors regarding the same issues, she got an impression that they do not want to deal with this category of workers either. As to, for instance, Brazilian human rights and feminist organizations, they are also not willing to help, according to the trade union's president. Thus, the STDG remains the only organization which represents domestic workers' interests in Goiânia and within the whole state of Goiás.

Second, according to *dona* Rozária, domestic workers in Goiânia are quite passive and indifferent to the activities of the trade union. As she stated: "They want to have the rights but they do not want to fight for them". So far, none of domestic workers either wants to help her with the current activities or to take over her position in the future. When she tried to suggest this work to some of them, they rejected because it is not paid. At the same time, their refusal to work on volunteer basis is understandable for her, since many of them have children to take care of and do not live together with their husbands to help financially.

As to domestic workers I have interviewed, most of them had no idea about existence of the trade union. Only a few knew some friends who addressed the STDG on certain issues and received good help or advice. And only one woman among my respondents once visited the union herself to get help with calculating the wages.

About other forms of collective organization, such as, for instance, strikes, there have never been any ones organized by the domestic workers in Goiânia. According to the STDG's president, the main reason of this – fear of the domestics to lose their jobs. Among domestic workers, none of my interviewees has ever thought about organizing with the other domestics to improve working conditions and get access to more rights. The main reason they provided was a lack of time and too hectic life to think about participating or organizing this kind of collective social action. Some of the women mentioned as a reason their satisfaction with the working conditions they have and the fact that their employers help them a lot. Also,

there were those, who indeed have a fear to lose their job in case of participating in some sort of collectively organized action.

6.4.5 Issue of professionalization

Several employers outlined that there is a need to make domestic service in Brazil more professional. For instance, one of them mentioned:

“It is better to introduce more professional courses for domestic workers, to professionalize more the job they are doing. Like for example, a baker needs to complete special courses before he starts working in a bakery, and there are a lot of courses for other professions as well, but domestic workers don't have them. So, I think the government needs to improve this sector of workers.”

Another employer pointed out on the new law as the potential factor of professionalization:

“With the implementation of this law (*PEC*), it (*domestic service*) becomes more professionalized. Now employers expect more from a domestic worker. So, the government has to give them more professional education. And this is going to raise the value of a domestic worker.”

The same employer expressed her opinion on the trend of increasing amount of tertiary firms in Goiania, which provide cleaning services on a more professional level:

“Here in my building only a few people still have *empregadas*. The majority has *diaristas*. And I think that number of *diaristas* will decrease in the future as well because of the tertiary companies. With time it (*domestic service*) will become more and more tertialized. The companies will have to take responsibility of their workers; they will have certain obligations for their service. And they already start with these tertiary firms here in Goiania. And the people from these companies, who come to your place to clean, they are not eating anything, even refuse to take a glass of water. They bring their own lunch boxes. Very similar like it is in the USA. Because to a classical domestic worker you need to provide food – lunch, breakfast, everything. But these tertiary companies they cover food expenses of their cleaners. And they

clean everything very well. The house is shining after their work. Also, they do everything much faster. But you need to pay for their work appropriately as well.”

6.4.6 Discussion

The new law, aimed at equalizing rights of domestic workers with other workers, has ambiguous consequences. On the one hand, it leads to more formalization by obliging employers to have written employment contracts and signed labor cards with their domestic workers. On the other hand, it pushes this category of workers into more informality by making employers prefer to hire part-time domestics, with whom they are not bound by any legal obligations. Domestic workers, however, also prefer to work part-time, despite labor rights and legal protection, which the new law guarantees to those who work on formal basis.

As a result, when it comes to law enforcement, both, employers and domestic workers, often choose to avoid the law, having their own motivations and reasons. For employers, the new law made it more expensive and difficult to hire a full-time and, particularly, a live-in domestic. For domestic workers, with increasing rights come increasing duties e.g. stricter working schedule, which not all of them are willing to undertake. Such advantages as autonomy, flexibility, higher wages, more time for taking care of a family and for having rest, receiving *Bolsa familia* also contribute to their choice of a part-time domestic service.

Additionally, a Brazilian tendency to avoid the law and overall lack of trust to the government in terms of not willing to pay taxes, also affect the current trend of increasing number of part-time domestic workers and decreasing *empregadas`* number. Moreover, as it was mentioned in the answers, many women also prefer to work part-time, because they do not want to be in servitude for their employer and believe that *diaristas* are more respected. Also, more and more women want to develop professionally and working part-time enables them to attend university or professional courses at the same time. Thus, not surprisingly, some *empregadas* have already switched or are considering switching to *diaristas*, despite current legal protection.

When it comes to labor rights, it seems that all the studied domestic workers are aware of the ones they are entitled or not entitled to, and acknowledge the role of the new law in providing them. Media, particularly television and magazines, appeared to be the main source of rights-awareness for both domestic workers and employers. At the same time, in some cases these labor rights still remain only on paper. At times this happens because employers, especially the more conservative ones, are not willing to follow them, thinking that the quality

of domestic service should increase together with wages and rights of domestic workers. And domestic workers, particularly those who work as *empregadas*, can tolerate not following the law either because they benefit themselves from continuing informality and/or kindness of their employers or because they do not know how and/or are afraid to claim their labor rights.

However, it also seems that domestics feel more freedom nowadays just to leave a working place in case they do not like their working conditions. It might be explained by the pattern, mentioned in the interviewees' answers, that the demand for domestic workers still remains high, while there are less and less women willing to undertake this job, particularly on a full-time basis. Women might increasingly start feeling that they do have a bargaining power to choose a "good employer". Consequently, some of domestic workers also do feel empowered enough to appeal to the court in case of working place issues and their number has significantly increased since the adoption of the new law.

As to collective organization of domestic workers in Goiânia, it has been weak, taking into account hidden and scattered nature of the work place. Since they often have no co-workers, it makes particularly difficult for these women to meet up with fellow workers to exchange experiences and information and to organize collectively. A lack of time and a fear to lose a job add up to a considerable challenge of organizing domestic workers. At the same time, improved working conditions and greater access to labor rights brought by the new legislation, generally might decrease the need of a collective social action today.

For the same reasons, the domestic workers' trade union of Goiânia appears more as an organization assisting to solve individual cases, rather than a power base, which contributed into improving the situation of domestic workers in general. Despite the difficulties, such as having few resources, little voice and lack of labor organizers, it provides a legal and general help to domestic workers of the whole state of Goiás and facilitates their access to justice. Also, what should be noted here, at present there are 35 unions in Brazil (ILO, 2013), which represent domestic workers. The biggest and the most active ones are located in São Paulo, Rio de Janeiro and Salvador, which is caused by these cities' considerable population and traditionally more adverse working conditions of domestic workers there. Together with the National Federation of Domestic Workers (FENATRAD – *Federação Nacional das Trabalhadoras Domésticas*), which was founded in 1997 and which promotes the visibility of domestic work under the banner "*Respect begins at home*" (ILO, 2013), these unions do represent a collective bargaining power and they played a significant role in pushing forward the new law regarding domestic workers (Conde, 2013).

Regarding the issue of professionalization, in the absence of effectively enforced labor legislation properly regulated tertiary companies or employment agencies might provide the means of formalizing the domestic work relationship by dividing costs and obligations for domestic service with the workers and by ensuring monitoring and enforcement procedures.

CHAPTER SEVEN

CONCLUSIONS

This research has presented the complexity of domestic work. I have illustrated how gender, class and race intersect with each other within domestic workers' lives and establish their position in society. Moreover, taking into account the various social connotations that the professional field of domestic work entails, the research evaluates the perceptions female workers and employers themselves hold of domestic work. Feminist intersectionality perspective allowed me to encompass various dimensions embedded in domestic labor.

The practice of domestic work entails social invisibility and high level of informality related both to its noneconomic scattered character and the conviction that it relates to an innate women's responsibility. This has contributed into decreased social and economic value of domestic labor. Once it is performed not in one's own house, but indeed in someone else's home, domestic work gains gendered nuances that interact with other axes, such as social class, race and also migration background. These are indispensable to the understanding of how paid domestic work is organized and the arrangements it perpetuates. Brazilian case shows specific dynamics, since the practice of resorting to other women who perform domestic work was common throughout history. Domestic work was a female slave's duty, particularly after the arrival of the Portuguese colonizers. This links its cross-cutting disadvantages to the colonial past, as the group of domestic workers is mainly comprised of poor, nonwhite, internally migrant women.

The Brazilian socio-cultural context, presented in the fourth chapter, demonstrates how various hierarchies were created to justify domestic workers' social exclusion and to indicate low social value of this labor. Brazil's cultural background of four hundred years of slavery up to date defines manual work as inferior and reserves it for the dark-skinned people – especially women, legitimizing the widespread presence of domestic workers. While every third Afro-Brazilian woman works as a domestic servant, white women are twice as likely, as compared to the dark-skinned, to be employed in the highest paying administrative and professional occupations, constituting the majority of employers of domestic workers. In terms of level of education, living conditions, occupational characteristics and income, the majority of the domestic workers remain on the bottom of class division in Brazil, while their inclusion to the “new middle class” largely works as masking the persisting inequalities. Moreover, Brazilian lifestyle peculiarities, such as the importance of “beautiful image” and

status, interlinked with the existing culture of servitude, permeate their social position. Also, mainstream feminism by and large had been failing to address the vulnerability of those people who, in addition to being women, are part of other socio-ethnic groups as well. While white middle-class women's social positioning as women was significantly influenced and altered dramatically through their class- and race-specific access to professional roles and educational opportunities, black femininity remained devalued and sidelined. Working-class dark-skinned low-educated women who work outside home remain main producers and reproducers within the family, ending up working "a double shift", performing both domestic labor outside their homes and doing the majority of domestic tasks for their own family. Thus, domestic workers appeared to be in one of the worst and most vulnerable position in the power hierarchy in Brazilian society, experiencing lack of recognition, respect and value.

The intersection of class, race and gender has also influenced the lack of regulation for domestic work, which was present throughout many years in Brazilian history. As chapter five illustrates, until quite recently domestic workers in Brazil had been suffering legal stigmatization i.e. norms applied to domestic workers were less favorable than norms applied to other categories of workers. However, in March 2013 a historical Constitutional Amendment was passed, which expanded labor rights of domestic workers. At the same time, despite a significant legal breakthrough, there are issues which remain unresolved and wait for parliamentary approval. Additionally, due to the complex nature of domestic service, evasion from statutory norms tends to be considerably higher than in other occupations. Thus, the employment conditions of domestic workers do not only depend on the degree of protection granted by law but how far the laws are respected. Given the private and hidden nature of domestic service, it is difficult to control how the law is enforced in the daily reality. Employment contracts remain often verbal, and boundaries regarding the rights and duties of employment tend to be more fluid. Consequently, domestic workers are much more likely than other workers to labor informally, which can bring certain advantages for both, workers and employers, as I found out during my fieldwork.

In the light of above-mentioned context and analytical tools, through the conversations with 15 domestic workers, 9 employers and one representative of a domestic workers' union who live in Goiânia, chapter six outlines the outcomes developed through the investigation.

Complex and ambivalent character of the relationships between domestic workers and employers makes them both mutually benefiting and mutually dependent. A combination of employment and personal traits in these relationships, on the one hand, may be helpful for the domestics in many life circumstances, but on the other – it permeates inequality between them

and their employers, making them dependent on the good will of the latter. And the higher is the class of the employer, the more this dependency and intersections with the race are visible. At the same time, the actions of help, particularly with arranging higher education for domestic workers` children, works as an empowerment tool for the younger generations, daughters and sons of the current domestics.

Simultaneously, the mutual character of the dependency between domestic workers and employers, make the latter value more the domestic service and contribute in providing decent working conditions. It becomes harder to find a woman agreeing to work as a domestic worker, especially on a full-time basis and the employers gradually start looking at this job with the new eyes – with more respect and the attitude they have to any other worker. This gives the domestic workers a new bargaining power in the employment relationships.

If to look at the racial distribution of the domestic workers in Goiânia, the majority from my research group are nonwhite. There is also a pattern of a bigger quantity of the black women among the *empregadas* than among the *diaristas*. This also correlates with their geographical origin, as most of them migrated from the North and the North-East of Brazil, which historically have strong predominance of black and poor population. Lack of the alternative job opportunities and more adverse working conditions at their native regions contribute to the women`s choice of becoming an *empregada* in Goiânia. By this, paid domestic labor in the city also refers to a refuge for poor dark-skinned migrant women to achieve emancipatory economic and personal endeavors that could not be reachable if migrating was not an option. Today, however, with the overall economic improvements in Brazil, better employment opportunities appear, including in the North and the North-East of the country. Women tend to stay in their home regions and prefer to find alternative job options.

There is also a pattern, particularly among the younger generation, of the gradual inversion of gender positions. Despite existing patriarchal traces, transformation of values is taking place in the minds of both men and women. In the context of the domestic work, as perceived by my research group, men are becoming more responsible for household chores and are willing to share them with the women on the more equal basis. This process of change, although being very slow, has a potential of balancing the gender roles in Brazil and contributing to the social empowerment of both current and former domestic workers.

Education appears as one of the main factors to empower women working as the domestics, according to the answers of my interviewees. First, it contributes to a gradual change in the mentality of young Brazilians, slowly breaking hierarchical structures based on

class-race-gender divisions in their minds. Second, education has a potential of increasing rights` awareness among the domestic workers. Third, getting more education would potentially allow domestic workers to have more opportunities with employing themselves in other areas, which can provide better payment and working conditions. Many women among the domestic workers realize this, collecting money to pay the university while working in the domestic service. Some of them have it as a part-time job while they are studying. So, they can provide education for themselves, using the money they earn working as domestics. And they want to study more nowadays in order to have alternative job opportunities.

With this trend it has become harder for the upper classes to find a “good” domestic worker, or even any domestic worker at all. The social structure, present in Brazil for centuries, is now being challenged by the recent economic development and the creation of other possibilities of work for the poor classes. The daughters of the domestics are not willing to do the same job as their mothers anymore. Thus, education is indeed an important tool for both, social empowerment of this group of women and for the future opportunities of the next generation.

In regards to legal empowerment, the new law, aimed at equalizing rights of domestic workers with other workers, has controversial, yet overall positive consequences. On the one hand, it leads to more formalization, on the other – it pushes this category of workers into more informality by making employers prefer to hire part-time domestics, as it became more expensive and difficult to hire a full-time and, particularly, a live-in maid. Enjoying full labor rights as other professions do, domestic workers still belong to the work place guided by informal and flexible rules, which are also strategically used by the domestic workers themselves. Even though my respondents do not belong to the union and have barely heard of it, through media they all know about most of the rights they are entitled to by law. In spite of this, all the women from my research group prefer to work as *diaristas*, who are not covered by the new law, because for them this entails such advantages as autonomy, flexibility, higher wages, more time for taking care of a family and for having rest, receiving *Bolsa familia* etc. Moreover, as it was mentioned in the answers, many domestics indeed prefer to work part-time, because they do not want to be in servitude for their employer and believe that *diaristas* are more respected. Also, more and more women want to develop professionally and working part-time enables them to attend university or professional courses at the same time.

Nevertheless, the new law does appear as a sign of domestic workers` legal empowerment. If not necessarily making domestic service less informal in a short-term, it might result in its increasing professionalization and thus formalization in a long-term. Most

importantly, the new legislation, despite appearing quite recently, transforms domestic workers into more visible class of workers, gives them more voice and makes their work more recognized and valued, by entrenching their issue in the political agenda and by, consequently, granting equal rights with all other workers.

Extending of domestic workers` labor rights also points to a shift in perception of domestic service from private to public sphere. As a result, these legal advances could introduce far-reaching cultural changes in Brazil and lead to improvement in public and social infrastructure such as, for instance, better public system to take care of the children, better quality of public transportation and of everything that makes better the life of the workers, so that people will less and less depend on the help at their homes and will divide domestic chores within their families more equally, despite gender, class and race they belong to. A crucial component of the domestic workers` empowerment is indeed the recognition that they really are workers, whether they work in a family or are placed in a private household by an agency. It implies acknowledging the complex character of the work and the context in which it takes place and guaranteeing the principles of inclusion, equality and opportunity for all.

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APPENDIX 1

**INDIVIDUAL INTERVIEW GUIDE FOR DOMESTIC
WORKERS**

Setting the stage:

1. What is your age?
2. Where were you born?
3. To which race do you refer yourself?
4. What is your level of education?

Domestic work:

5. For how long have you been working as a domestic worker?
6. Where else have you worked?
7. Why did you decide to become a domestic worker?
8. In your opinion, what are its main advantages and disadvantages?

Working conditions:

9. Are you working for several families (a *diarista*) or are you an *emplegada*?
10. What are your main duties and responsibilities?
11. How many hours per day and per week do you work as a domestic?
12. Do you work with the formal contract or informally? Why?
13. How are you paid – by hour, week or month?
14. What employment benefits do you have access to (e.g. maternity leave, paid vacation, sick leave)? What do you think about it?
15. Generally, what is your opinion about working conditions you have?

Rights:

16. Are you aware of the rights you are entitled to? If yes, about which ones?
17. What is your attitude to what government is doing for you? What do you know and think about the laws aimed at protecting you?
18. Have you heard about new Constitution amendment equalizing the rights of domestic workers with other workers? What do you know about it? Do you think it will make any difference?
19. Do you feel that you have better working conditions now than before? Do you feel you have more rights today? Why?

Organizing:

20. Are you a member of Domestic Workers` Union? What do you know about it? What is your opinion about its activities?
21. Do you organize with other domestic workers in some alternative ways? If yes, why? If not, why?
22. Generally, what do you think about getting together with other domestic workers for improving your working conditions?

Relationships between men-women-domestic workers:

23. In what way do you relate yourself to your employer? Do you regard them as your family or friends or for you it is merely an employment relationship? (Do you know well your employer? Do you feel comfortable at your working place? Do you think your employer treats you in a fair and respectful way?)
24. In your opinion, what makes a good/bad employer?
25. Where do you go and whom do you see if you have a workplace issue? (e.g. labor office, union, just the employer)
26. How do you take care of your own family? (Are you married? Do you have children? Are you living together? Do you have your own domestic worker?)

If she is married:

27. How do you and your husband divide chores at home? (e.g. dishes, shopping, cleaning, cooking, taking a child to clinic or doctor, etc.)

29. What do you think about women`s position in Brazilian society today? In your opinion, has it somehow changed compared to the past?
30. In your opinion, how does society view domestic workers? (Are there some prejudices or discrimination?)

Livelihoods of domestic workers:

31. Do you have alternative job options or other accessible sources of income?
32. Would you like to change your current job of a domestic worker if you have a chance?
33. What about your access to education? How is/was it for you to get admitted to university?

Future:

34. What are your hopes for the future? Would you like to do this job for a long time? Why?
35. In general, would you like this job to stay in the society? Why?

If she has children:

36. Would you like your children to do the same kind of job? What kind of future do you see for them?

APPENDIX 2

INDIVIDUAL INTERVIEW GUIDE FOR EMPLOYERS

Perceptions of domestic work:

1. Do you have a *diarista* or an *empregada domestica*?
2. For how long have you been having a domestic worker?
3. What are her main duties and responsibilities?
4. Why did you choose to have a domestic worker?

Relationships between men-women-domestic workers:

5. Can you describe relationships between you and a domestic worker? What do you think about them? Do you perceive yourself as an employer in relation to a domestic worker? Or more as a family, a friend?

If married:

6. Who in your family took decision about hiring a domestic worker? Is the contract (in case there is one) signed with your name or the name of your husband/wife?
7. Who is in charge of negotiating duties and responsibilities and communicating with a domestic worker in your family?
8. Do you think only women make good domestic workers?
9. What do you think about women`s position in Brazilian society today? In your opinion, has it somehow changed compared to the past?

Working conditions of a domestic worker:

10. In case a domestic servant works without a formal contract, why is that?
11. Does your domestic worker have access to employment benefits (e.g. maternity leave, paid vacation, sick leave)? What do you think about it?
12. Generally, what is your opinion about working conditions your domestic worker has?
13. In your opinion, how does society view domestic workers? (Are there some prejudices or discrimination?)

Rights:

14. Are you aware of the rights your domestic worker is entitled to? If yes, about which ones? What do you think about them?
15. What is your attitude to what government is doing for domestic workers? What do you know and think about the laws aimed at protecting them?
16. Have you heard about new Constitution amendment equalizing the rights of domestic workers with other workers? What do you think about it?
17. Do you think that domestic workers face less discrimination and have better working conditions now than before? Do you think they have more rights today? Why?
18. Do you think that if domestic workers knew better about their rights, they could improve their working conditions even more?

Future:

19. In general, would you like this job to stay in the society? Would you like your children to have a domestic worker? Why?

APPENDIX 3
**INDIVIDUAL INTERVIEW GUIDE FOR THE DOMESTIC
WORKERS' UNION**

Setting the stage:

1. When and how was it established?
2. How many members do you have?
3. How is the union organized? Who are its officers, organizers?

Organizing:

4. What are your main goals?
5. How do you work?
 - a. What are your main activities?
 - b. How do you organize the workers?
 - c. How do you find new members?
 - d. How do you negotiate with employers/government wages and working conditions?
 - e. Have there been any strikes?
6. What are the main challenges in your work?
7. What approach do you use to protect domestic workers?

Rights:

8. What is your attitude and opinion about domestic workers rights?
9. What is your opinion about working conditions domestic workers have in Brazil today?
How have they changed compared to the past? What were the main reasons of these changes?
10. Do you think domestic workers have more rights today? Why?
11. Do you think that if domestic workers knew better about their rights, they could improve their working conditions even more?
12. What is your attitude to what government is doing for domestic workers? What do think about the laws aimed at protecting them?

13. What do you think about new Constitution amendment equalizing the rights of domestic workers with other workers?

Cooperation:

14. Is government supporting (both ideologically and financially) your work? If yes, how? And how in general do you interact with the government?

15. Do you cooperate with other Domestic Workers` Unions in Brazil? Internationally? How?

16. Do you work together or receive support from some other national and international organizations?

Future:

17. What are your plans and hopes for the future?

APPENDIX 4

INFORMED CONSENT FOR DOMESTIC WORKERS

You are being asked to take part in a research study about domestic workers in Brazil.

This study is being conducted by the Norwegian University of Life Sciences` department of international environment and development studies. The principal investigator is Kateryna Byelova. Questions about this study may be directed to Ingunn Bohmann at ingunn.bohmann@umb.no or by telephone: +47 64 96 53 31.

You have been selected to take part in this research by a reference. Your participation is important to this research and we appreciate your taking the time to help.

You will be asked a number of questions about your work and education background, your opinion about domestic work, relationships regarding domestic chores within your own and your employer`s household, your working conditions and rights, organizing activities and future outlooks. You may find some of the questions being personal.

Your responses will be kept confidential by the researchers, and no one outside of the research team will see them. No individually identifying information will be reported. Names, dates and locations will be suppressed or pseudonyms will be used.

Your participation is voluntary. You do not have to provide any information that you do not wish to provide, or answer any questions that you prefer not to answer. If, at any time, you decide not to continue, you may simply say so and the interview will be terminated.

By signing below, you indicate that you have read and understood what is being asked of you, and that you consent to participate.

Participant:

name *signature* *date*

Interviewer:

name *signature* *date*

APPENDIX 5
INFORMED CONSENT FOR EMPLOYERS

You are being asked to take part in a research study about domestic workers in Brazil.

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You will be asked a number of questions about your work and education background, your opinion about domestic work, relationships regarding domestic chores within your household, working conditions and rights of your domestic worker and your future outlooks. You may find some of the questions being personal.

Your responses will be kept confidential by the researchers, and no one outside of the research team will see them. No individually identifying information will be reported. Names, dates and locations will be suppressed or pseudonyms will be used.

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Participant:

<i>name</i>	<i>signature</i>	<i>date</i>
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Interviewer:

<i>name</i>	<i>signature</i>	<i>date</i>
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APPENDIX 6

INFORMED CONSENT FOR THE DOMESTIC WORKERS` UNION

You are being asked to take part in a research study about domestic workers in Brazil.

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You have been selected to take part in this research by a reference. Your participation is important to this research and we appreciate your taking the time to help.

You will be asked a number of questions about history of Domestic Workers` Union establishment, its organization structure, its main goals and activities, new members` enrollment, cooperation with other organizations and your opinion about the rights and working conditions of domestic workers.

Your responses will be kept confidential by the researchers, and no one outside of the research team will see them. No individually identifying information will be reported. Names, dates and locations will be suppressed or pseudonyms will be used.

Your participation is voluntary. You do not have to provide any information that you do not wish to provide, or answer any questions that you prefer not to answer. If, at any time, you decide not to continue, you may simply say so and the interview will be terminated.

By signing below, you indicate that you have read and understood what is being asked of you, and that you consent to participate.

Participant:

<i>name</i>	<i>signature</i>	<i>date</i>
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Interviewer:

<i>name</i>	<i>signature</i>	<i>date</i>
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