PRESS STATEMENT
12 MAY 2020

DOMESTIC WORKERS SEEK DECLARATION AS UIF CONTRIBUTORS

On Thursday, 7 May 2020, the South African Domestic Service and Allied Workers’ Union (SADSAWU), represented by SERI, made recommendations to the National Command Council, the Minister of Employment and Labour and the Unemployment Insurance Fund (UIF) Commissioner seeking a declaration of domestic workers as UIF contributors so that they can access income protection during the state of disaster. These recommendations were endorsed by United Domestic Workers’ of South Africa (UDWOSA) and Izwi Domestic Workers’ Alliance.

The COVID-19 pandemic and lockdown has had a devastating impact on the lives of domestic workers and their families across the country. A mere 20% of domestic workers are registered for UIF. This means that the majority of domestic workers cannot access the Department of Employment and Labour’s COVID-19 Temporary Employer/Employee Relief Scheme (TERS), because domestic employers did not fulfil their legal obligation to register them. Further, some registered domestic workers report that their applications for TERS have been declined.

The Unemployment Insurance Act (UI Act) enables the Minister, UIF Commissioner and UIF Board to deem individuals or a class of persons as contributors for the purposes of the Act. SERI’s letter on behalf of SADSAWU recommended that the Minister and the UIF Board, relying on section 69 of the UI Act, declare domestic workers, as a class of persons, UIF contributors for the purpose of the UI Act and specifically for the duration of the COVID-19 pandemic. The letter also recommended that the Department create a mechanism for domestic workers to access TERS directly from the Department, as individuals, or collectively through their unions.

The letter acknowledges the Minister’s announcement on 28 April 2020, allowing employers who had not yet registered their employees for UIF, to register them in order to benefit from TERS, if the employers undertake to pay the debt owing to the UIF when they are able to do so. While this solution might aid employers and workers in other sectors, it is likely that some domestic employers, the majority of whom are rarely held accountable for their transgressions, will dismiss their employees unfairly than pay their debt. In the case of vulnerable sectors like domestic work, the Department’s needs to find creative solutions to support workers while holding employers accountable.

During the lockdown the Department has neglected to directly address the one million domestic workers and their employers, leaving this vulnerable sector without clear
direction. The declaration and inclusion of domestic workers as UIF contributors will bring relief to millions of domestic workers as it will enable them to access TERS.

According to SADSAWU’s General Secretary, Myrtle Witbooi “the current COVID-19 pandemic has resulted in a loss of income for many domestic workers. Many of them are told ‘no work, no pay’ and are not able to benefit from the relief scheme. We urge the Department of Employment and Labour to seriously address this”.

Read the full letter and recommendations here.

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