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“Door to door cleaner”: A new variant of human trafficking in domestic sector

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Abstract

This qualitative research involved five (5) victims by in-depth interviews, observation, and study of documentations. The study findings, all of the victims were promised to work as maids, but they were then forced to work as a house cleaner. In this case, the victims’ current employment does not reflect their work permit when working as a cleaner by the employment agency. Here, victims were being exploited commercially for the benefit of the employment agency. There were also issues of exploitations when the victims have to work longer hours. There were times when the victims did not get paid at all.

Keywords: Qualitative Research; Human Trafficking; Domestic Sector; Exploitation; Human Right; Victim

1. Introduction

Human trafficking is a form of criminal that it currently fast growing in the world. More than 2 million people were the victims of the human trafficking around the world (Inter-Parliamentary Union & UNICEF, 2005; Schloenhardt, 1999). According to International Labor Organization (ILO) (2005), 56% of victims of human trafficking were women being exploited economically and almost 98% were exploited for sexual commercial activities (Zimmerman, Hossain, Yun, Roche, Morison & Watts, 2006).

There are many variants of human trafficking activity. Generally, literatures have shown that trafficking involved the many target groups as victims, including child trafficking (Department of State United States of America, 2011; Indonesia, n.d; Shelley, 2010; Sörensen & Nuyts, 2007), women trafficking (Bernat & Zhilina, 2010; Kathryn, 2009; Shelley, 2010; The United State Department of State, 2011) and male trafficking (Shelley, 2010). Trafficking activities

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also include the international/cross border trafficking as well as internal trafficking (The Economic and Social Commission for Asia and the Pacific, 2003; Department of State United States of America, 2011). Trafficking also involve the different kinds of exploitation being the sexual and non-sexual exploitations, in which the non-sexual exploitation is distinguished as either forced labor in the public sector or forced labor in the domestic sector (Kathryn, 2009).

One of the primary factors that push the new variant of the human trafficking is the reliance on the economy or development discrepancy among the different countries in a region. Destination country experiencing good economic development will indirectly become the recipient of victims been trafficked, while countries with high percentage of poverty and lack of job opportunity becomes the supplier for potential victims. Malaysia is one the countries in Southeast Asian that indirectly become one of the country destinations for human trafficking activities. The socioeconomic development has given more opportunity for the Malaysian women to build their career development either in the formal or public sector (Huling, 2012). The changes in the lifestyles have impacted on the changing role and function of women in their family, including in the work force. As a consequence, many career women are unable to perform their traditional role in the domestic area to cover the household chores. This condition has created more job opportunity for women from the poor country, including women from Indonesia, Filipina and other relevant country, who are lacking in job opportunities to substitute the role of the local Malaysian women in the domestic sectors. As supported by Huling (2012) that the services of migrant worker have become an integral part of Malaysian society, not only in farming and construction sectors, but also in the domestic sector.

These changes in living condition have been utilized by trafficker for profit oriented purposes by exploiting vulnerable women who are poor and with lack of education. In fact, the trafficker becomes the linkage of the women who needs a job and the family that need the service of a domestic worker (Richards, 2004). Initially women has been provided to work as maids and been exploited of their rights. However, the current emerging way of human trafficking in the domestic sector also include the “door to door cleaning services” which often been organized by employment agents in Malaysia and the working together with the Indonesian agent as suppliers of worker. This article therefore aims to discuss more about “door to door cleaning” activities as a new variant of human trafficking in the domestic sector.

2. Methodology

This qualitative research was based on several case studies, involving five (5) victims of trafficking. The series of interviews have been conducted at the Consulate General of Republic Indonesia, Penang, Malaysia. All data was collected through in-depth interviews, observation, and the relevant study documentations.

3. Findings

The major study findings emerged from this research includes the several mechanism recruitment processes of the victims and the forms of exploitations and violence which will be discussed and presented in the following.

3.1. Recruitment Process

The victims were recruited in several ways, including by voluntarily and being promised of good job and salary. Local recruiters engaged with the potential victim before connecting the person with an agent. There are times where the victims themselves come directly to meet with the agent to seek for an employment. While the victims are still in Indonesia, the agent has promised them to work as a domestic helper or maids. However, upon arrival to Malaysia, the victim was assigned to work with a cleaning agency. In fact, many of them had to work without official work permit or what is known as “kerja kosong”. Some may have permit to work as a domestic helper, but not as a cleaner in a cleaning agency. There are also victims who have been directly forced to work as cleaner for the first time arrived in Malaysia. Others may have experienced other form of exploitation before working in the cleaning services sector.
Model A shows the victim recruitment process by the Indonesian Agent (IA) in the beginning, and the recipient process by the Malaysian Agent (MA). Then, MA forces the victims to work as a “door to door cleaner” based on the customer’s (C) request.

Model B shows that the victims for the first time asked by their friend or broker before they are introduced to an Indonesia Agent (IA). The IA then send the victim to Malaysia, and MA will then assigned the victims to their first employer (1E) who need a domestic helper. After several months of working, the MA will further transport the victims to the second employer (E2) for another few months. After several months, the victims once again will be sent to work as a “door to door cleaner” under the MA.

In the model C, the victim meets with the Indonesian Agent (IA) directly job opportunity abroad. An IA will then process the victim’s application to be send to MA. The MA will then transport the victim to the employer (E) for several months and further forced the victims to work as a house cleaner in the (C) customer’s house.

3.2. Exploitations and Violence

All of the victims experience exploitation for a long period. They have to work for longer hours. On average, the victims will have to clean at least three customers’ houses and each house will take up to 5 hours. In a day, the victims will have to work for up to 15 hours. Besides working at the customer’s house, they have to work in the agent’s house doing cleaning chores, preparing meal, and washing clothes. All victims also admitted that they have earned quite a sum of money for the agent, when they were paid for about RM10-15 an hour. On average, the victims able to earn
about RM150-225 in a day, or about RM4,500.00 to RM6,750.00 a month. The victim, however, has been promised only RM550-RM600 per month by the agent. There were also times when the victim did not get paid at all, and this has forced the victims to escape from this exploitation. The victims have specifically mentioned the following:

“I used to start work at 6.00 am up to 12.00 am, even 1.00am. Before been dropped at customer’s houses and after work, we have tasks to serve breakfast for their [agent owner] family, cleaning their house, preparing their children’s needs before go to school and washing clothes using hand” (Informant M).

“In a day, I have to work in three houses, each house for five hours, so my work hour in a day is minimum 15 hours. I work up to 1.00 am” (Informant MD).

“It is depends on the customer’s order. Every customer paid differently ranging from RM10-RM 15. Minimum I get RM150 in a day, but it is not my right, it have to be deposited to the agent owner”. (Informant LN),

Besides being exploited and working long hours, two victims were also experiencing abuse and violence either sexually, psychologically or physically. The victims have reported as follows:

“When I work in customer’s house, I used to experience sexual harassment, mainly from her husband. If his wife went out, he always wanted to disturb me sexually, especially in AB’s and DC’s house. If he comes closer to me, I would go to the room controlled by the CCTV. That is how I try to secure myself (Informant MD).

I ran away from agent not only because of the unpaid wages. In the beginning I did not want to work as cleaner, it is really risk job for me as a woman. Sometime when I work, customer’s husband would come to me and disturbed me sexually by verbal or/and by action. I was really experiencing horrible feelings.” (Informant M).

There was also times where the victims will have to work 7 days in a week even in sick condition. This was expressed by one informant as follows:

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“Sunday I have to work also, even if I was sick. At the time, I had a high fever but the agent had forced me to work. When my condition got worse, I asked for permission to back home, and received a scold from the agent” (Informant MF).

4. Discussions

Richards (2004) argued that the emerging demand of labors in the construction, fisheries, farming, sex industry, and textile making fields, including domestic worker cannot be filled by the many local worker due to low wages and unattractive incentives. This gap has created more needs for foreign workers and this has somewhat push for more opportunity for traffickers in becoming an employment broker. The indirect forces to migrate and the exploitation condition of the worker are some of the real pictures of human trafficking.

A person can be identified as victim of human trafficking, if he / she has experience some form of exploitation and human right violations, like force labor-unpaid salary, violence both sexual and physically. This is clearly stated in the Malaysia Human Trafficking Act 2007 that exploitation not only limited to sexual exploitation, but also include of forced services, and different types of slavery. Based on the international law, everyone have basic right and no one can exploit any human. Persons have the right of freedom from violence and fear and others. In addition, the United Nations Office on Drugs and Crime/UNODC (2009) have also emphasized that human trafficking condition
includes the controlling form of the victims, like restriction of movement, experiencing violence and abuse. Any worker have the rights to be protected and that the employer must provide sufficient salary, the right for day off, and the right for information and keeping personal documents by themselves. According to Datta (2011), human trafficking has deprived several of basic right human such as life rights, freedom rights, personal secure rights, physical and mental integrity, freedom from slavery, freedom from the torture, and other form of inhuman treatment or behaviors that insult of personal’s dignity.

Davidson (2010) argued that human trafficking is one of the serious human right problems that are currently facing by the world’s modern era. Richard (2004) also explains that human trafficking includes trafficking of migrant worker who experiences exploitation and violence towards violation of human right. Declaration of Human Right 1948 explicitly rules that all form of slavery is forbidden and no one can be treated like a slave or humiliated their dignity as a human. Related with the job employment, everyone have the right to get a job and equal salary for same position without any discrimination, getting remuneration, protection and social insurance, right to rest and leisure, including limitation of working hour and periodic day off with salary.

According to the Migrant Workers Convention (2003) human rights, treatment, and welfare of all foreign workers are guaranteed, regardless their status - legal or illegal. This include right of foreign worker and their family to be documented, especially for equality of treatment between local worker and migrant worker in several fields such as political, economic, social, cultural and legal (Office Of The United Nations High Commissioner For Human Rights, 2005).

Unpaid salary is one of the migrant worker problems. Astuti et. al, (2000) found that many domestic workers who did not get salary for months. The employer used to keep their salary until the worker due to go back to their home country. Human Right Watch 2014 report that employer intentionally postponed the payment of the worker salary until the end of the contract to pay more or less than the true amount of worker’s salary because generally the victim have low education, unable to calculate their actual salary amount for working with their employer in one or two years or more (Help Wanted, 2014).

5. Recommendation and Conclusions

All form of exploitations that are faced by worker, particularly those of the migrant worker can be categorized as human trafficking activities. This includes worker in a form of “door to door cleaning services” that is organized by the employment agents in Malaysia together with Indonesia Agent as a supplier. Therefore, the practice of cleaning services, especially those organized by the agent must be continuously be inspected or controlled by the police or others law institutions in order to rescue and save people from being exploited in the human trafficking condition. Victims also need to be protected and advocated of their right, particularly with regards to their salary. On the other hand, the agent who exploited the any workers needs to be prosecuted as the primary effort to combat of human trafficking practice.

It is also imperative for the relevant agencies or authorities to work together to fight for any form of human trafficking activities. Implementation of strong policies on work permit for foreign worker must be strengthened in order to avoid manipulation by any employment recruitment agency.

References

http://www.hrw.org/node/11993/section/7


