DAWN DISCUSSION PAPER #46

POLICY TRANSFORMATIONS

JAMAICA Covid-19, Labour Policy and Domestic Workers Rights

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Using a feminist intersectional and interlinkages approach, this project closely examines policy changes that have taken place during the period of exceptionality produced by the pandemic, exploring how they may impact the future in four policy areas: macroeconomics; labour policies and workers' rights; migration and human mobilities, care and social protection.

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ABBREVIATIONS & ACRONYMS

CAPRI	Caribbean Policy Research Institute
CARICOM	Caribbean Community
CARE	Covid Allocation of Resources for Employees
DAWN	Development Alternatives with Women for a New Era
GOJ	Government of Jamaica
IDWFED	International Domestic Workers Federation
IMF	International Monetary Fund
ILO	International Labour Organization
JHWU	Jamaica Household Worker's Union
MLSS	Ministry of Labour and Social Security
NSF	National Security Fund
PDW	Paid Domestic Workers
PIOJ	Planning Institute of Jamaica
STATIN	Statistical Institute
WHO	World Health Organization

ABSTRACT

The paper examines policy changes and response measures implemented during the COVID-19 pandemic and their impacts on domestic workers in Jamaica. The research adopts a feminist intersectional approach to analyse domestic workers' experiences in the context of COVID-19 specifically in relation to government-led labour policy changes and domestic workers' rights. The paper explores the interlinkages between different policy processes as they relate to domestic workers, including care systems and livelihoods, migration and economics. The paper presents a contextual analysis historical, socio-economic and legislative framework that underpin the contemporary realities of domestic workers and shaped the impacts of the pandemic on domestic workers.

The research employs primarily qualitative tools for data collection and analysis to answer the research question. Data gathering was done through extensive desk review of key policy documents and reports on the key issues. Unstructured interviews were conducted with representatives of the Jamaica Household Workers Union (JHWU) and individual domestic workers to learn about workers' experiences in relation to the pandemic and direct impacts on their health, rights, incomes and other areas of their life. A survey of employers of domestic workers was also done to understand responses to the pandemic and how the pandemic might alter work arrangements and relations going forward. The results showed that domestic workloads and loss of jobs. The impacts were exacerbated by existing legislative and social security gaps that heightened domestic workers' vulnerability to the socio-economic impacts. The policy measures imposed by government did not ease the impacts on workers but rather worsened them in cases where workers were unable to access financial relief, had limited movement due to movement restrictions, which were exacerbated by the economic and social circumstances such as poverty and low levels of educational attainment.

INTRODUCTION

In March 2020, the World Health Organization (WHO) declared COVID-19 a global pandemic. The strict measures required have caused massive economic and social shocks with the prolongation of lockdowns, quarantine, physical distancing and other isolation protocols to suppress transmission of the virus. The International Labour Organization (ILO) predicted that the greater impact of the crisis on workers and micro-enterprises already in a vulnerable situation in the labour market could well exacerbate existing working poverty and inequalities (ILO, 2020a). The ILO recommended that governments tailor their support packages to save businesses and jobs, prevent layoffs, protect incomes and leave no one behind to focus on all those who work – including the self-employed, own-account workers and "gig workers" – whether in the formal or informal economy, whether paid or unpaid, and of course also on those who have no way of supporting themselves (ILO, 2020b). Among the group of workers across the globe most significantly impacted by the pandemic and the economic fallout are domestic workers. In the Caribbean, the precarious situation of domestic workers in Latin America and the Caribbean has been accentuated by the pandemic (UN Women, 2020).

The Jamaican government like most governments across the globe responded to the pandemic with a raft of policy changes to combat the spread of the disease, while ameliorating its pernicious effect in the economy and labour markets (ILO, 2020c). Since declaring the first confirmed case in Jamaica (10 March 2020), the Government has implemented measures to primarily safeguard public health. These measures include travel restrictions, school closures, nightly curfews, and restrictions on public gatherings and entertainment events (STATIN, 2020). These decisions were geared towards stemming the spread of the virus as arguably the right policy decision becomes a necessary action to prevent more impacts arising from a pandemic situation (Dewi et al., 2021).

Due to measures taken to curb the virus, the socioeconomic impact of COVID-19, was immediate. In the second quarter of 2020 (April to June), the Jamaican economy declined by 18.4 per cent and there was a 10.8 per cent decline in the number of persons employed as July 2020, compared to July 2019 (STATIN, 2020). Among those most significantly impacted by COVID-19 and related policy changes in Jamaica were workers in the informal sector, including domestic workers.

The pandemic produced a global health crisis that has intensified inequalities and accelerated political transformations. The gendered impact of the crisis and its repercussions were indicative of underlying structural and systemic shortcomings and disparities. An examination of these impacts and the factors that catalysed them was necessary in the context of policies and processes at the national level that were transformative in their impacts. This discussion paper provides an analysis of how COVID-19 and related policy changes have impacted domestic workers in Jamaica and the extent to which they have reinforced or transformed existing gender, class and power relations by directly impacting labour rights.

According to the ILO, domestic work is "undervalued, underpaid, unprotected and poorly regulated" (ILO, 2010b) for several reasons including: i) the similarity between paid domestic work and the unpaid care work done by women in their own homes in the form of housework and caring for other household members; ii), the fact that domestic workers are usually not male breadwinners but overwhelmingly women (who may well be the main breadwinners for their families and themselves) and, in many countries, child labourers; and iii), the fact that they often belong to "historically disadvantaged and despised communities such as minority ethnic groups, indigenous peoples, low-caste, low-income rural and urban groups, or are migrants" and are therefore especially vulnerable to discrimination in respect of conditions of employment and work (ILO, 2010, 1). These assertions are for the most part universally true, with variations in their manifestation in different political and cultural contexts. Consequently, any attempt to examine the impacts of COVID-19 on domestic workers requires an in-depth intersectional analysis of the historical, political and economic factors that shape national, sub-national and individual level circumstances.

METHODOLOGICAL APPROACH

The research framework uses a primarily feminist intersectional approach to highlight the complexities in the relationships of domestic workers, their employers, and national institutional arrangements. Early in the pandemic there were many references to COVID-19 as the great equalizer. Those assertions reflected an intersectional colour and class blindness which function to obscure the structural inequities that befall Black and other marginalized groups, who bear the harshest and most disproportionate brunt of anything negative or calamitous (Bowleg, 2020). As such, an intersectional analytical framework is necessary to grasp the full social consequences of COVID-19 (Maestripieri, 2021). Details on the analytical framework, data collection tools and analysis tools are outlined here along with the limitations of the approach.

The intersectional approach is applied to analyse how the policy changes affected the rights of domestic workers who are primarily women from lower economic classes, of Afro-Jamaican descent, with low levels of educational attainment, and the resulting implications for their health, income, and overall well-being. These factors interrelate to exacerbate the vulnerability of this groups of workers to political, economic and social disenfranchisement. An intersectional approach begins from an understanding that the lives and needs of those most oppressed by institutional structures such as health care, the economy, incarceration, colonization, systemic racism, anti-Blackness, gender, and heteronormative sexuality, vary within and across spaces (Eaves and Al-Hindi, 2020).

Over the past decade feminist perspectives have informed new ways of understanding and performing academic research, increasingly moving towards studies highlighting how the lived realities of women in particular are impacted by policy changes and decision making. Importantly, intersectionality adds layers of sex, gender, to race and ethnicity while in turn adding race and ethnicity to sex and gender analyses (Cho et al.,2013; MacKinnon, 2013). Global events such as climate change and more recently, COVID-19 have highlighted the need for analytical lenses which allow for an intersectional analysis of overlapping and unevenly experienced global crises. Intersectional analysis places power at the centre, analysing not what makes people vulnerable but taking a broader approach by conceptualising how power hierarchies and systemic inequalities shape their life experiences (Lokot and Avakyan, 2020).

A key consideration in intersectional methodologies for this paper is how, in the case of domestic workers, because of the informal nature of their employment, gender (primarily female) and educational levels interplay to create circumstances where they are on the losing end of national policy and decision making. Using an intersectional approach underlines the difference in the impact of pandemics between individuals and social groups, and helps in designing policy responses that mitigate, instead of increase, the potential unequal effects of this pandemic (Maestripieri, 2021).

This paper applied primarily a qualitative approach including desktop research, semistructured interviews and a survey. Extensive desktop review was completed to gather relevant information on the key themes of the study. Five semi-structured interviews were conducted with domestic workers via telephone to discuss their work experiences pre and post COVID-19. Additionally, a survey was administered via Google Form to employers of domestic workers to which there were twelve respondents. Intersectionality is inextricably linked to an analysis of power and hence the intersectional analysis emphasizes political and structural inequalities (Cho et al. 2013), as applied to the analysis in this paper.

CONTEXT

COVID-19 & DOMESTIC WORKERS

In Latin America and the Caribbean, between eleven and eighteen million people are engaged in paid domestic work, of which ninety-three per cent are women (UN Women, 2020). Domestic work represents on average between 10.5 per cent and 14.3 per cent of women's employment in the region. This is due, among other reasons, to the generally precarious employment situation of workers in this sector which is characterized by low wages, lack of social benefits to support their survival, and reliance on the support of families in situations of layoffs or reduction of their income (Un Women, ILO and ECLACL, 2020). The array of interrelated factors that creates an almost uniformed set of circumstance for this group of workers globally also demands an intersectional analysis to understand the causes and craft solutions.

DOMESTIC WORKERS IN JAMAICA

In the Caribbean, as elsewhere in the world, many persons, mostly women, are employed as domestic workers. A 2018 report released by UN Women found that the Caribbean region has high levels of informal working conditions among domestic workers, with ninety per cent employed informally. Specifically, the following countries had particularly high levels of informal working conditions for domestic workers: Haiti (ninety-nine per cent), Dominican Republic (96.5 %), Jamaica (ninety-two per cent) and Guyana (94.9 %). These workers are among the most exploited in the labour market today: they are under waged, undervalued, uncounted and unprotected. This section seeks to present a contextual analysis of domestic workers in Jamaica and the interrelated factors that enhanced their vulnerability to the impacts of COVID-19, as compounded by the policy responses of the government. The contextual analysis supports the assertion that class, colour and sexism affect women in the Jamaican labour market and intersect to shape the experiences of domestic workers.

There is some variance in the definition of domestic worker across CARICOM Member States in terms of the location of the work but not in terms of the tasks to be performed (Babb, 2017). The Jamaica Household Workers' Union (JHWU) defines a domestic worker as a female or male (mainly female) who works in another person's home and undertakes a number of tasks, such as washing cooking, cleaning, child rearing, and geriatric care etc (JHWU, 2010). The definition aligns with that of the ILO which further adds that a domestic worker can be categorized as live in (residing in the home of the employer) or live-out (living in their personal residence) (ILO, 2021). In Jamaica, the live-out worker is typically called a 'days worker' and may be employed to multiple homes. Domestic workers in Jamaica are characterized by high levels of poverty, long hours of work (especially where they reside with employers), low levels of education and subsequently limited options for alternative livelihoods (JHWU, 2010).

Glenda Simms in her article entitled, *Decent work for domestic workers: time come, traces contemporary domestic work to the colonial era,* posits that "In Jamaica, the domestic worker has been a steady feature of family life. She was among thousands of our ancestors who were subjected to forced, unpaid labour. She evolved into the ever-present nanny and cleaning lady in the post emancipation upper-crust household. Simms further argued that many domestic workers do not experience the level of decency and respect that should be extended to every human being. In a previous article, Simms described Jamaica as "a society of domestic workers and maids" (Simms, 2011, p. 1). Simms also argued that modern domestic work has its roots in slavery stating that "in slave society, black women's lives established the blueprint for the 'universal maid" (Simms, 2011, p. 1).

To better understand the situation as it relates to domestic workers and the factors that shape their circumstances requires a closer assessment of the historical forces that shaped the Jamaican society. Jamaica's colonial history which is the basis of the country's class structure, is defined by colour and income (Johnson, 2007). The polarized society maintains a rigid class division with wealth concentrated among the upper classes. Afro-Caribbeans dominate the lower classes and have limited access to channels of decision-making. Geographic and political demarcations are based on colour and class. The argument is supported by Taitu Herons' statements on the topic:

Slavery also created sharp class distinctions in Caribbean societies that continue to influence contemporary life. In Jamaica, middle class sensibilities reign in social and political spheres. While not as strict as they were during the colonial era, Jamaica's upper and middle classes are often ascribed along a continuum. This ranges from European white, Jamaican white, near white or the middle complexioned category of 'brown', (blackskinned), Chinese, Indian, and the working-class majority of African descent or Black. The result is a textured Jamaican society characterized by colour and class distinctions. (Heron, 2008, pp. 63-64)

Analysis of labour systems on plantations highlighted those men held more prestigious and skilled jobs, whereas female slaves were confined to being field hands, domestics and washerwomen (Reddock, 1985). Other tasks carried out by women in the domestic space included nursing children, caring for the elderly, cooking, carrying water, cleaning and performing difficult, dirty and mundane household tasks (Johnson, 2007).

Colonialism has also had a marked impact on the economy, labour and markets of the countries of the Caribbean. Berleant-Schiller et al. (1996) argue that it is unsurprising therefore that as a significant location supporting the origin and expansion of modern capitalism, the Caribbean should exhibit today the worst consequences of that early and ongoing role in the global economy (Berleant-Schiller et al., 1996). Hiring a domestic worker is in some spaces still seen as a symbol of wealth- a status symbol- largely reserved for members of the upper class.

History, politics and patriarchy coincide to exploit women workers in the Caribbean economy (Bush, 1984; Bush-Slimani, 1993). Slavery created the context for the ways in which women work and are treated in the labour force in the Jamaican context. The abolition of slavery saw women assuming roles as indentured labourers, seamstresses, domestic workers, higglers and washers and market vendors. Similar assertions are made by Reddock in relation to Trinidad where according to her the sexual division of labour during slavery has implications for the work of Afro-Caribbean women (Reddock, 2021).

The sexual division of labour was demonstrated in the slave community, where women had sole responsibility for childcare and food preparation, and in attempts by slave masters to control reproduction (Bush-Slimani, 1993). The structure of slave plantations and the plantation economy destroyed traditional familial roles (French, 1988). The labour uprisings of the 1930s are considered to have been a major turning point in Caribbean economics and politics (French, 1988; Høgsbjerg, 2011; Soares, 2009). And in 1937-38 social protests erupted throughout the region. Women were active in these protests as they have always been in resisting colonialism.

French (1988) argued that the outcome was the relegation of the labour of women to invisibility and wagelessness by the definition of their labour as a natural extension of the housewife/domestic role (French, 1988). Such stigmas are likely to continue to shape perceptions of women's work, particularly domestic work. Despite recent shifts in the educational statistics such that higher numbers of women are completing university education than men, there remains a wage gap, in favour of men and higher rates of unemployment among women in the Jamaican society. Tindigarukayo (1996) attributes to the exercise of social exclusion based on the ascriptive factor of gender which is effective in the Jamaican labour force (Tindigarukayo, 1996). These factors shaped and continue to influence the landscape for women workers in Jamaica and more so women of lower income strata.

In the past, large numbers of Jamaican women migrated to the United States of America to take up opportunities as domestic workers on special immigrant visas (Foner, 2009) In the current context, domestic workers may however also be internal migrants working within national boundaries (PIOJ, 2011) In the case of Jamaica, domestic workers sometimes move from rural areas to take up opportunities as 'live-in helpers' in the households of employees in the city or suburban areas.

In 2011, the ILO adopted Convention No. 189 on domestic workers that to date has been ratified by only 30 countries around the world. This Agreement establishes guidelines for States to guarantee rights and social protection for domestic workers. Among other measures, the Convention establishes that all domestic workers have the right to a safe and healthy work environment. In 2016, Prime Minister Andrew Holness announced that the Government, due to its commitment to empower women economically, had signed the instrument of ratification of ILO Convention 189. In March 2021, submitted its first report on the International Labour Organization's (ILO) Domestic Workers Convention (Convention 189) (Jamaica Observer, 2021).

The pandemic highlighted the urgent need to create the enabling framework for implementation of the Convention in Jamaica. The main agency advocating for implementation of the clauses of Convention 189 is the JHWU which was established in 1991

to represent the needs and interests of household workers. It aims to ensure fair and just working conditions and wages for household workers, protect the rights of workers who provide domestic service; provide skills training in household management, and empower its members in achieving their personal and on-the-job goals (Mundle, 2020).

The law in general has proved incapable of improving the wage situation for domestic workers because of several underlying conceptions about domestic work(Noelle-Nicole Walker, 2003). They are also plagued by unfavourable perceptions of the occupation. The first is that women's work is not real work. Therefore, domestic chores which are almost exclusively the responsibility of women, are considered to be of less value. Additionally domestic work is labelled as "unskilled" and therefore not requiring anything more than a rudimentary educational background to perform it (Noelle- Nicole Walker, 2003; JHWU, 2010). Caribbean countries are 'facing the twin threats of climate change and COVID-19'-highlighting climate change as a further challenge that exacerbates the impacts of the pandemic (ReliefWeb, 2021). Persons in the informal sector are among those deemed to be most vulnerable to climate change because of exposure to climate impacts as well as their low financial adaptive capacity (Mycoo, 2018).

In the wake of COVID-19, governments around the world have called on people to stay home. But for many workers, staying home has meant losing their jobs, and as a result, losing their livelihoods(ILO, 2020c). In countries with strict levels of lockdown, domestic workers, whether formally or informally employed, have been unable to go to work. But while some of those formally employed still had access to unemployment insurance, for domestic workers in informal employment staying home has meant losing their livelihoods with no safety net to fall back on, making it difficult for them to put food on the table (ILO, 2020d). Informal and formal employment generally vary on the basis of legal rights, social security and formal documentation such as payslips and contracts (ILO, 2015). In the Caribbean, female domestic workers (ILO, 2020e). Domestic workers occupy the contradictory position of being symbolically categorized as essential, treated as indispensable yet undervalued as workers (Pandey et al. 2021).

LABOUR LAWS RELATING TO THE RIGHTS OF DOMESTIC WORKERS IN JAMAICA

This section presents an overview of labour laws in Jamaica that apply to domestic workers in Jamaica. It also examines the history of women's involvement in the economy and how these historical forces contributed existing legal frameworks and to the impacts of COVID-19 on domestic workers in Jamaica.

Domestic workers in Jamaica are covered by national laws and qualified for all benefits, except for the maternity leave, which is based upon their contribution to the National Security Fund (NSF). They are entitled to the same protections under the law as any other worker. This includes the following: a contract, sufficient daily and/or weekly rest, a salary no lower than the minimum wage, paid annual leave, compensation for overtime work, as well as social security contributions. Most labour laws apply to household workers, (i.e. they are entitled to public holidays, and rest day (s) per week (JHWU, 2012). Those who do not pay the national insurance cannot access governmental benefits. The cost of the insurance should be paid part by employee and part by employer. Despite the law, COVID-19 has brought about additional disparities in the sector (IDWFED, 2020). There are no laws specific to the category of domestic workers and existing laws have failed to protect domestic workers (Noelle-Nicole Walker, 2003).

The Holidays with Pay Act (1974) regulates the granting of both vacation leave (holiday) with Pay and Sick Leave with Pay. For each year of employment, (each 12-month period from the first day of employment) the worker qualifies and is eligible for paid vacation leave. Household workers are also protected under the Termination and Redundancy Payment Act (1974) which allows for the employer and worker to agree on ninety day "probation" at the start of employment so that each party can evaluate the other. These laws were not adhered to as domestic workers were sent home in the wake of the pandemic.

The Minimum Wage Act (1938) is an Act that makes provisions for fixing the minimum wage. This Act provides protection to workers by setting a legal minimum which must be paid in wages. The then Minister of Labour and Social Security, Hon. Shahine Robinson, announced a 12.9 per cent increase in the national minimum wage from \$6,200 to \$7,000 (USD 42 to 47) per week in March 2018. The new rates took effect on August 1, 2018. According to the JHWU, household workers (including domestic workers) should not be paid

any amount below the minimum wage. The Minimum Wage Law protects workers from such illegal practice and maintains that time-and-a-half must be paid to workers for all hours over the normal work week.

The legal arrangements are widely criticized for not adequately protecting the rights of domestic workers and arguably may have contributed to the creating the set of circumstances that led to the devastating impacts on domestic workers.

GOVERNMENT RESPONSES

The government took early and proactive measures to contain the spread of infection across the island, including cancellation of all large public and private events, school shutdowns, quarantine of entire communities. It instituted protocols for arriving visitors, including prearrival documentation, in-airport screening and risk assessment, followed by a risk-based approach to quarantine and movement limitations. The government also issued guidelines on the reopening of beaches, rivers and theme parks, which are key tourism attractions. In addition, guidelines were issued for safe capacity limits for social gatherings (e.g. weddings and funerals) and operation protocols for gyms, barbershops and hair salons (IMF, 2021). These actions are in keeping with the ILO's recommendations for tackling the economic, employment and social consequences of this crisis by judicious policy sequencing (ILO, 2020b).

From March to August 2020, Jamaica registered over 1000 COVID-19 positive cases, and ten deaths. Since September to December 2020, as the government started working on the election, there were almost 200 deaths, and over 10,600 cases of COVID-19 (IDWFED, 2020). Following the election period, restrictions were increased. Domestic workers were among a group of workers barred from leaving their homes. Concerns about the future of their work and income, and therefore welfare of their families, amplified their concerns.

The government of Jamaica acted swiftly by implementing a myriad of stabilization measures to protect its people and business interests (IMF, 2020; KPMG, 2021). In an effort to curb the spread of the COVID-19 virus, a number of rapid responses were enacted by the government. Researchers at Oxford Coronavirus Government Response Tracker place Jamaica's stringency

index at 66.7 per cent (100 per cent indicative of the strictest level of response), a composite measure using nine response measures including- cancellation of public events; restrictions on public gatherings; closures of public transport; stay-at-home requirements; public information campaigns (University of Oxford, 2021).

The government implemented a social and economic support program called the CARE Programme, which provides assistance to vulnerable individuals (IMF, 2021) from which DW were to benefit. Under the CARE Programme, the Jamaican government gave a cash package to different sectors, but unfortunately domestic workers were not chosen as one of them. Domestic workers needed to go online to apply for the governmental cash assistance, however, most of them do not have access to the internet or do not know how to fill out the form, a barrier cited by the President of the JHWU. Additionally, those who have smartphones and can purchase internet data packages do not find them sufficient for the time of application due to economic barriers to accessing the online database. For the domestic workers not to be left out of the cash assistance, JHWU started providing application support in accessing the portal. However, due to the high demand, the system crashed, so the number of domestic workers who accessed it was minimal (IDWFED, 2020).

The Disaster Risk Management Act used as framework of reference in absence of specific work-from-home guidelines/ law. The Ministry of Labour and Social Security (MLSS) encouraged to provide sick leave and time for quarantine with pay as far as possible, even above law. Employers and workers were encouraged by MLSS to explore work from home and innovative possibilities including, but not limited to, work-from-home, staff rotation, reduction in hours, review of tasks, remote client services to address income and job security concerns.

OTHER MEASURES

All island school closure and restrictions on public passenger vehicles (presenting challenges for attendance at work) were implemented to limit exposure to others. Nightly curfew was imposed until 7 October 2020, as well as limitations on gatherings including encouragement of employers to allow employees to work from home where possible. Prime Minister Andrew Holness announced amendments to the proposed measures for the period December 2020 to mid-January 2021. Protocols included curfew dates/times and social gathering limits, thereby

curtailing movement and halting church events and school closure. Domestic workers lamented the challenges associated with online learning due to school closure. For some parents, the arrangements for online schooling were not in place to allow for their children's' participation. In some homes, as reported by Pryce, President of the JHWU, there were no gadgets (tablets or smart phones) for children to use (Pryce, 2021). This challenge also prevented many domestic workers from being able to access financial relief monies through the CARE programme.

Vaccines were touted as a major part of the solution in curbing the spread of COVID-19 within the country and stave off the crippling economic impacts. However, the uptake has been slow as hesitancy is rife among the population. A survey conducted by Johns Hopkins Centre for Communication Programs reported that seventy-two per cent of Jamaicans would not accept a COVID-19 vaccine. High levels of scepticism were also reported among medical personnel in Jamaica's main public hospitals (Cross, 2020). To date 20.4 per cent of the Jamaican population has received at least one dose, and 14.4% have been fully vaccinated (Reuters, 2021). Distrust of the efficacy of the vaccine as well as theories about it being used to disguise monitoring and tracking devices have been cited as key reasons for hesitancy among the population.

The JHWU has organized several initiatives in the wake of the pandemic to help domestic workers cope with the impacts, particularly as a result of the economic fallout. This includes providing food packages to families of domestic workers, acquiring and distributing tablets to children of domestic workers to facilitate online learning and offer financial relief to the neediest domestic workers. The Union is also implementing a project to support the formalization of domestic workers which includes providing them with identification cards and providing sensitization sessions for employers to encourage the integration of measures for record keeping and documentation, such as registers. In a regional dialogue convened by the ILO, President of the Union, Shirley Pryce, noted that –

The pandemic has made life so difficult for domestic workers. The workforce was already insecure and vulnerable. Our union has pushed for social dialogue for solutions as we know it can strengthen our capacity for building back better (ILO, 2020g).

THE EXPERIENCES OF DOMESTIC WORKERS IN JAMAICA IN THE CONTEXT OF COVID-19.

This section analyses the impacts of COVID-19 on domestic workers based on how the circumstances of domestic workers has exacerbated their vulnerability, and how structural and systemic factors shaped the impacts on this group of workers. As the occupational group is largely comprised of women, the gender (as well as class) dimensions of the issue are interrogated. The interlinkages with other policy areas such as macroeconomic, migration and human mobilities, and care and social protection will also be explored.

The health, social and economic crisis triggered by COVID-19, as well as the confinement measures imposed in most countries, have been found to be particularly impacting female domestic workers for various reasons (UN Women, ILO and ECLAC, 2020). The proliferation of women in this occupation also reflects widely held views that care work and domestic tasks are a woman's work. According to Shirley Pryce, President of the Jamaica Household Workers' Union (JHWU), domestic work is not seen as a profession. Instead, persons regard it as menial work and often mete out treatment seen as commensurate with the status of their job. Pryce, indicated early in the pandemic that domestic workers were among those feeling the pinch (Clarke, 2021). Dr. Carolyn Cooper, Professor of Cultural Studies, accused employers of domestic workers of not understanding the crisis the country is facing and being unsympathetic about the impact that unemployment will have on domestic workers and their families (Cooper, 2020). The discussions below examine the ways in which the COVID-19 measures and responses affected domestic workers and were amplified by the array of circumstances that define the group.

The vestiges of slavery and colonialism have influence Jamaica's socio-economic, legal and political landscape and form the backdrop to domestic workers' experiences. These factors also exacerbate the impacts of COVID-19 on this group of workers. The prevailing views on women and systemic barriers of women's access to power also shape attitudes and experiences of women in the wider society. Class relations and stigmas associated with domestic work also set the tone for the ways in which domestic workers were affected and the lack of consideration given the development of policy responses and measures. Work from home measures for example did not consider the circumstances of domestic workers whose place of work is in someone else's home. Adherence to this measure led to loss of jobs or in other cases to confinement in the home of the employer, thereby unable to attend to their familial responsibilities.

According to JHWU's President, the majority of domestic workers were unable to access the government's CARE package as many are not registered to the National Insurance Scheme (NIS). To access the relief funds, they had to enter their NIS number in the online system. The National Insurance Scheme (NIS) is a compulsory contributory funded social security scheme covering all employed persons in Jamaica. It offers some financial protection to the worker against loss of income arising from injury on the job, sickness, retirement and/or death of the bread winner. In the case of domestic workers, the unstructured nature of their employment affects their contribution to the scheme as payments are unregulated. Pryce explained that because most domestic workers do not pay NIS it would be a minimal number of these workers who would be qualified for the fortnightly payments under the government's relief programme (Clarke 2020). Pryce substantiated these claims in noting that domestic workers were not computer literate and therefore found it difficult to utilise the online services of the tax department.

LOSS OF JOB/INCOME

News reports on the case of domestic workers indicated that they have incurred financial losses due to the pandemic. In some cases, they have lost their jobs all together, and in others, they have reduced the number of households in which they work thereby reducing their income. The survey of employers of domestic workers showed that the overwhelming concern they had was of the employees contracting the virus outside of the home and infecting others in the household. As a result, some employers asked the domestic worker to stop coming to their home, or reduced the number of days they were asked to come in.

One domestic worker, Sharon*i, explained that before the pandemic she worked in four households across the capital city of Kingston. As a result of the pandemic, she is down to three households due to the co-morbidities of one employer. For the other households she took breaks of varying lengths during the height of the pandemic, for her safety and that of her employers. Another domestic worker reported that she currently works with one elderly employer after being asked to break indefinitely by two other former employers. This has resulted in significant cuts in their weekly income.

SSIO

In some instances, incomes have been impacted by the additional expenses incurred as a precautionary measure to reduce exposure to the virus. This includes adjusting the mode of transportation to and from the place of employment. At the national level, the measures that were implemented such as strict curfew hours, lockdowns and curtailed movement affected domestic workers' ability to get to work and, in some instances, forced them to spend extended periods at their employers' homes. Their economic standing which limits their capacity to own vehicles led assumedly to increased exposure to COVID-19 and safety risks in time of strict curfew. Some employers reported asking employees to stop taking public transportation, while others reportedly offered to transport domestic workers at least for a part of their journey. Sharon* explained that as a precautionary measure she now takes taxis, which carry a smaller number of passengers, instead of public buses, to limit her exposure to COVID-19. As a result of this choice in transportation, her weekly transportation bill has increased by at least JA\$1,000 (USD 7), a significant sum for these women already beset by economic hardships. The expense was higher due to strict curfew hours where some operators hiked fares to capitalize on the rush by passengers to get home. She notes that this puts additional strain on her financial circumstances - a situation further compounded by the fact that her partner lost his school related job due to school closures. She has been forced to go into her savings, and rely on remittances from family and friends overseas. Maxine, * another domestic worker, pointed out that from one day's cleaning with a three-member household she is only able to purchase food for her family for one day and cover transportation costs for that day. Maxine's husband's income has also been disrupted and at one time he was without work for three months, forcing her to shoulder the financial costs of the household alone.

According to one domestic worker, she is uncertain as to whether or not her work with two employers will resume post- COVID-19. She was not given any 'pay outs' to fill the financial gap created by the loss of these jobs. The loss of employment has placed a major dent in her income, worsened by the increased cost of living due to growing inflation in the Jamaican economy. One domestic worker argued that some employers are simply using COVID-19 as an excuse to get rid of workers they wanted to dismiss prior. Domestic workers have described employers who have dismissed workers during the pandemic as 'heartless'. In addition, there were reports that while domestic workers were sent home or temporarily relieved, gardeners were allowed to come to work. While employers justified this on the basis that gardeners are not directly interacting with persons in the household, some domestic workers viewed this as an extension of the gender bias in domestic service, as gardeners are typically males.

In instances where domestic workers have been dismissed, there are no standard pay outs as this is discretionary, leaving most domestic workers without an income and with limited savings to fall back on. Changes in conditions that facilitate movement of the people, such as curfew restrictions, have placed added burden on domestic workers. The limited savings held by domestic workers meant that they had little resources to fall back on, rendering them economically vulnerable.

INCREASED WORKLOAD

Increased unpaid domestic and care work caused by COVID-19 in Jamaica has disproportionately affected women, making them more likely to lose their jobs because of traditional expectations (Daley, 2021) The same is true for paid domestic work increasing time poverty among those women.

The increased workload comes as a result of the reduced number of workdays, which most survey respondents confirmed they had done. This means that workers are expected to complete more tasks in less time. According to domestic worker Maxine, the workload in each household has increased due to the need for additional sanitizing and deep cleaning, yet employers want to reduce the amount paid daily. Not only has workloads increased but amounts paid dropped. Maxine voiced her resentment of what she sees as devaluing of her work which she believes is comparable to that of all frontline workers. According to one domestic worker, the workload in each household has increased due to the need for additional sanitizing and deep cleaning, yet employers want to reduce the amount paid daily. The issue with ad hoc adjustments in daily and weekly payments is again indicative of the lack of structured and enforced regulations around wages for this group of workers.

One domestic worker explained that the burden of unpaid work at home has also increased, particularly with the need to supervise her children with online learning via gadgets, additional washing, cooking and cleaning as family members are now at home full-time. Meanwhile, the added task of cooking several meals daily and doing more laundry weekly

since everyone is at home is reportedly adding to the workload of some women. School closures has added to the burden of work for many women, domestic workers included. Some report that the challenge of supervising their children is worsened by low accessibility to gadgets and internet but also due to low levels of literacy among parents. This demonstrated how low educational attainment among the group further exacerbates the impacts on the workers and by extension their families.

The situation is further compounded by the need to create or expand additional sources of income for which domestic workers are developing projects such as selling produce and chickens from her backyard garden, and also for household consumption. These additional income generating activities add to the workload of the women and the demands on their time.

VACCINATION POLICY

Jamaica has not implemented a mandatory vaccination policy. While some stakeholders have been calling for a single policy requiring vaccination for all Jamaicans, the "Prime Minister says he respects the right and freedom of Jamaicans and believes that there must be a period of reasoning with Jamaicans to ensure they recognise that their freedom is not without obligation and responsibility" (JIS, 2021). Vaccine hesitancy was shared by most domestic workers interviewed. One informant noted that she anticipates that some employers may ask that she get vaccinated and with her fears of the effects of the vaccine, is prepared to quit and 'trust God to work things out for her and family.' She attributed her aversion to her own health challenges and therefore comorbidities. Vaccine hesitancy is high as Jamaica has one of the lowest vaccinated domestic worker, while the majority were either willing or undecided.

PSYCHOSOCIAL IMPACTS

Social stigma and bias have led to the ill treatment of domestic workers, which has worsened during the pandemic. Maxine's experience reiterates the complexity of the challenges facing domestic workers. Her view of inferiority affirms labour market hierarchies including those among "essential workers" as we find that medical and other frontline workers are valued but domestic workers are not. Domestic workers point to the fact that protective gear was provided to other frontline workers with no consideration for them as evidence of the disregard. She reports facing increased disrespect and scrutiny from family members of the person for whom she is caring, due to their fears of COVID-19, and even from her own family members. The increased lockdown and isolation measures are affecting the mental health of domestic workers, some of whom reportedly started having panic attacks.

Sharon reports feeling high levels of 'anxiety and stress' due to the pandemic and harbours fears about her future as she is reluctant to get vaccinated and feels very certain her employers will ask that she get vaccinated or go home. Stacy*, another domestic worker, noted that she experienced heightened emotional and psychological responses also in some instances are the basis of domestic disputes in the home. She admits that this was by choice because the employers are frontline workers, and she is *'scared'* of being exposed to COVID-19 in her employers' home.

CLIMATE CHANGE AND LIVELIHOOD OPPORTUNITIES

The domestic workers interviewed as part of the study all mentioned their involvement in agricultural activities to supplement their income and subsistence food supply. With concerns about likely dismissal due to their reluctance to be vaccinated they seem to be hinging their hopes on expanding these backyard farms into more profit-oriented activities. One domestic worker indicated that farming is an activity she says she is willing to take up full time if mandated by her employers to take the COVID-19 vaccine.

In the context of changing climates, it is important to consider how the viability and sustainability of agricultural ventures. The sector in Jamaica is already being significantly impacted by the temperature rise and shifting rainfall patterns leading to more several droughts (Campbell, 2021; CSGM, 2020). These worsening conditions require larger investments and inputs from farmers to ensure high yields. Domestic workers must therefore consider the risks associated with farming in the context of climate change and the additional capital required to successful establish commercial farm operations which are adapted to climate change.

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RECOMMENDATIONS AND CONCLUSION

It is evident that domestic workers are among those most adversely impacted by COVID-19 due to the range of interlinked socio-economic factors that characterize their occupational group. They are primarily women of lower income, with low levels of formal educational attainment along with other socio-economic challenges resulting from these factors. The interaction and interlinkage of these various factors has affected domestic workers' position in the labour hierarchy and in society in general. Labour laws and policies have failed to secure the rights of domestic workers and points to major gaps in the legislative and institutional framework generally.

In examining the relationship between labour policy and worker rights, social protection, and macroeconomic structures it is clear that these are closely related and impacts across these areas are amplified by each other. Existing economic and social challenges in Jamaica created situation for the social and economic factors that fuelled the fallout due to COVID-19. These conditions that nationally facilitated the low wages of domestic workers and limited their access to resources set the tone for the impacts of COVID-19 and has hindered the capacity of DWs to bounce back from the pandemic.

Labour laws must be revisited to make allowances for domestic workers. Despite there being legislation to regulate informal workers' working conditions and rights, there are none that directly or explicitly apply to domestic workers. All the labour laws of Jamaica should apply to domestic workers but are rarely enforced due to the largely informal nature of the working relations and disregard of reproductive work. There are also other gaps in the institutional and regulatory framework that create barriers for domestic workers to access benefits due to them. Instead, only partial rights are granted to members of this occupational group which results in unfavourable working conditions and unfair treatment by many in society. The pandemic has shown that the state needs to take a leading role in the active protection of Paid Domestic Workers (PDWs) (Pérez and Gandolfi, 2020).

Through formal employment arrangements, domestic workers in Jamaica can be protected like any other worker that has proper contract arrangements, stability of income, access to social security, and structured cash-transfer programmes. This would allow for unemployment benefits to be extended to domestic workers and social protection coverage. Informal domestic workers must also be considered in any plans to enhance social protection to domestic workers.

The COVID-19 response measures were created by the Government to stem health, economic and social fallouts from the pandemic. Despite these well-intentioned actions, the responses had negative impacts in domestic workers, resulting in loss of jobs and incomes, increased workloads and emotional stress as well as negative responses from the public. There were no measures tailored to the unique needs of the domestic workers, whose array of social and economic vulnerabilities required a more targeted response. The JHWU sought to redress these shortcomings by seeking funding for a formalization project to help their members. However, the pandemic has reinforced the need for formalization of the workers and has propelled them to resume efforts towards this with more urgency. The current perceptions of and opposition to the vaccine among domestic workers suggests many may limit employment options locally and internationally.

The COVID-19 pandemic has uncovered the underlying systemic inequalities that escalated the impacts on all economic sectors and classes of workers and the country in general. Domestic workers have been particularly hard hit because of the multiplicity of issues that put them increasingly at risk. Legal and historical antecedents were found to have added to the cornucopia of issues that reduced domestic workers' ability to cope in the pandemic. The range of response measures instituted by the Government of Jamaica did not directly consider the needs of domestic workers and in some cases served to worsen their situation. The experience of domestic workers has worsened their individual situations but may have served to highlight the challenging circumstance under which they work and the need for social protection for all. This analysis concludes that the pandemic and its impacts were devastating for this category of workers because of their occupational location, inadequate protection and lack of power; and that additionally they have been rendered even more powerless by the lack of consideration given to them in policy decisions made in response to the pandemic. The overlap and

interlinkage of factors that contributed to the devastating impacts on domestic workers requires a similarly layered set of solutions. The devastating impacts on domestic workers has highlighted the need for urgent and deliberate actions to plug the legislative and policy gaps that leave domestic workers exposed. To this end, the pandemic has served as a catalyst for change and in the short term have heighted the need for more consideration of domestic workers and the importance of an intersectional approach to creating a more inclusive and democratic society.

DRAFT for discussion

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