

Child Domestic Labour And The Regulatory Framework In Nigeria

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Abstract

The use of children as domestic servants has become a common phenomenon in Nigeria and these children are very vulnerable to exploitation because of inadequate regulatory mechanism. This study examines the child domestic work and regulatory framework for protection of children in the light of International Standards. The study adopted a theoretical based approach, and secondary source of data was used in eliciting current information from literature, discussions, and findings from other research works. The findings from the study indicates that many children are subjected to deprivation of their rights necessary for their well-being; protection and maintenance, access to free, compulsory and universal primary education. The study concluded that child domestic labour in Nigeria is exacerbated by widespread poverty, unemployment, weak infrastructure, and, low earnings and poor social indicators. This paper recommended adequate policy measures to eradicate household poverty and implementation of National and International Standards to save the future generation from this socio-economic depravity.

Keywords: Child-Domestic, Regulation, Vulnerability, Exploitation, Protection.

1. Introduction

Domestic work is one of the oldest and most important occupations for millions of women around the world. It is rooted in the global history of slavery, colonialism and other forms of servitude. In contemporary society, care work at home is vital for the economy outside the household to function. In the past two decades demand for care work has increased due to massive incorporation of women in the labour force, massive poverty especially in the third world countries, inadequate policies to protect children and cultural factors that to enslave the girl-child, intensification of work and the frequent lack or inadequacy of policy measures to provide social welfare for citizenry by many States underpin this trend. This has trapped millions of children in exploitation. Recent statistics show domestic workers make up a large portion of the workforce, whether in developed and developing countries (D'Souza, 2010). Accounts of ill-treatment and exploitation, especially of live-in and child domestic workers, are frequently condemned by human/ child rights groups. In many countries, domestic work is very largely performed by child labourers.

Throughout the world, hundreds of thousands of children work in domestic service, especially in the developing world. The number of child workers around the world, according to ILO (1996) remains extremely high with 73 million children from 10-14 years old now employed worldwide. Children have always worked in Nigeria; however, the figures have significantly increased over the years. A staggering 15 million children under the age of 14, according to (UNICEF, 2006), are working across Nigeria. Many are exposed to long hours of work in dangerous and unhealthy environments, carrying too much responsibility for their age. They are particularly hidden. The International Labour Organisation International Programme on the Elimination of Child Labour (IPEC) noted that available statistics probably show only the “tip of the iceberg” and provides an alarming indication of the extent of the phenomena worldwide. It reports that around 175,000 children under 18 are employed in domestic services in Central America and more than 688,000 in Indonesia. Most child labourers are between 12-17 years of age (WEIGO, 2011). In South Africa also, nearly 54,000 children under 15 are working as domestics and in Guatemala around 38,000 children between 5 -7 years old. It is estimated that more girls under 16 work in domestic service than in any other category of child labour (ILO-IPEC 2007).

Child domestic workers appear to be common in Nigeria, with the children often being sent by their parents to earn extra money. The use of children as domestic servants continues to be common in many parts of the world, these children are very vulnerable to exploitation: often they seem to be deprived of rest and are required to work for long hours; many suffer from lack of access to education, which may likely contribute to social isolation and a lack of future opportunity. Domestic work is among the lowest status, and UNICEF reports that most child domestic workers are live-in workers and are under the round-the-clock control of their employers. Some estimates suggest that among girls, domestic work is the most common form of employment. It has been estimated that globally, at least 10 million children work in domestic labour jobs. International standards for child domestic work requires that work performed by children should not interfere with the child’s education, or be harmful, or threaten to harm, “the child’s health or physical, mental, moral, or social development according to ” ILO Convention 138 (Grimsrud, 2001, p. 4).

Child labour in any form seems to deprive children of their childhood, may interfere with their ability to attend regular school,; and that is mentally, physically, socially or morally dangerous and harmful (ILO, 2012). This practice is considered exploitative by many international organisations. Legislations across the world prohibit child labour, (United Nations, 2006; ILO, 2011).

The gross abuse and inhumanity suffered by children domestic workers in the country demonstrates the pivotal importance of not only the adoption of this International standards, Nigeria must if need be expand our legislative frame work towards protecting the children in domestic labour. Most domestic work are done in isolated private homes, consequently domestic workers are prone to suffer psychological, physical, and sexual abuse. Employers beat them with belts, sticks, and electrical cords, knocked their heads against walls, and burned their skin with irons, chemicals, boiling water and raped by men in the household (Komolafe, 2009). Many were afraid of reporting sexual violence because of the risk of being fired from their jobs and turned out onto the street. All these conditions stunt normal physical and mental growth and development of children.

Domestic workers often seem to be regarded as mere 'house helps' without any rights either as a worker or as a human being. Furthermore in gross violations of the Child Rights Act and the Universal Basic Education Act, many children, mostly young women and girls as young as eight years old appeared to be forced to work as domestic workers under gruesome conditions in Nigeria without access to any form of education or schooling all for very little or no pay whatsoever.

The Nigerian government, worker and employer delegates had at the ILO Conference adopted the International Standards aimed at improving the working conditions of tens of millions of domestic workers worldwide. The social partners at the conference agreed to bring an estimated 53 to 100 million informal workers worldwide under the realm of labour standards.

The ILO requires member States to set a minimum age of employment for admission to domestic work, and to adopt measures so that child domestic workers can finish compulsory schooling, if they have not been able to do so because they engaged in domestic work at a very young age, and to facilitate their further education and vocational training.

This study takes a critical examination of child domestic labour and the regulatory framework; and its implication to the condition of the children engaged in domestic labour in Nigeria. To achieve the aim of the study, the paper is divided into four segments, the introduction, literature review which consists of conceptual and empirical review and conclusion. This study pointed out that child domestic labour in Nigeria is exacerbated by widespread poverty. This paper in recommendation advocated for adequate policy measures to eradicate household poverty and implementation of National and International Standards to reduce child domestic labour in Nigeria.

2. Literature Review

2.1 Theoretical Overview

Togrul (2007,p.9) in his theoretical review citing (Philip and Reyhan 2004, Decro 2001) viewed the linkage between domestic labour and vulnerability and poverty attribute as a crucial factor exacerbating domestic labour. These scholars “advanced that vulnerability to poverty could lead to economic deprivation, social dependency, oppression, exploitation, physical violence and psychological harm which appears to be detrimental to development of children”. Karbur and Squire (2001) defined vulnerability as a condition that takes into account both exposure to serious risks and defenselessness against deprivations which is seen as a function of social marginalization hidden in behavioral, mental, and psychological terrains which eventual connect to material life. Another theoretical approach in the understanding of domestic labour which is built on Amarta (2004) critique of income bases analysis of poverty Togrul (2007, p. 9). The tenet of this approach is based on what people can “become” instead of what they can “gain”. This focuses on exploiting peoples’ potential to “be” “do” and “achieve”. These three variables see the quality of life and wellbeing beyond income and resources in understanding the analysis of poverty. The emphasis on capability approach is more a psychological variable i.e., self-respect, dignity, fear of death, healthy living, emotions, being relevant to the environment Naussbaum (2004). Togrul established a strong connection between vulnerability and coping

strategies as a response to hardship, stress and poverty as the major determinant underlining why women, children engage in domestic work for survival.

Antoniou(2004) postulated that children who engage in both Paid and Unpaid domestic labour can be viewed as activities to economically support themselves their immediate families and their kin members, provide a kind of income and independence, children through work may gain a sense of being productive and useful to their families and society. In addition, work has been mechanism for children socialization and children learn coping mechanism in their environment, develop skills and undertake duties and hence responsibility, social recognition, become economically productive adult and shape society functions. (Bey, 2003; Boyden, 1998) cited in Antoniou (2004). However, this argument attempt to explain a child's paid and unpaid domestic labour from historically perspective and development of children's labour. The fundamental factor that undermines these paid domestic work especially outside ones parental home are depravation, poverty, hardships and socio-economic disequilibrium. This call for strategic government intervention to complying to international standards to secure the future of these children especially from the third world nations where climatic condition, wars, tribal conflicts have induced wide spread poverty. Child domestic work within or closely related to, the household sphere should not take-toll at the expense of children's mental or physical health and/or schooling.

Child's Right Act demands that, work performed by children should not interfere with the child's education, or be harmful, or threaten to harm, "the child's health or physical, mental, moral, or social development according to" ILO Convention 138 (Grimsrud 2001, p.4). Child labour in any form deprives children of their childhood, interferes with their ability to attend regular school, and that is mentally, physically, socially or morally dangerous and harmful (ILO, 2012). This practice is considered exploitative by many international organisations. Legislations across the world prohibit child labour, (United Nations, 2006, ILO, 2011).

2.2 Conceptual Review

Categories of Domestic Workers

Domestic labour is divided in two categories, the paid and unpaid domestic labour. The paid consist of group of domestics who have "nearly" employment relationship similar to formal employment although without any formal employment contract, these may include gardeners, drivers, cleaners, housekeepers and so on. Many in these categories appear to live with their employers and some come from outside and do their task and return their homes.

The second category of domestic workers is unpaid domestic workers. This group may constitute family members, Kins and blood relations and children of friends, this category are highly abused and most of the children that belong to these categories seem to come from poor and indigent family households which are mostly from the rural areas. Girl are predominant in this group due to sexual division labour which is found in most patriarchal societies; it is presumed that girls are much more inclined to domestic work compare with the male counterpart. In Nigeria, it is likely easier to give girls away than boys for domestics labour in the quest to reduce poverty level within the family households. Another explanation of this dominance of the female in domestic work may be interpreted from the cultural context, in Africa, males are viewed as superior species who will replace and procreate for the subsequent generation and sustain the family name and lineage, whereas female marries and will likely abnegate the family maiden

names to the family of the husband. This may be one of the underlining factors why in African context any marriage without a male child appears to be hardly sustained. It is in extreme cases that males are sent to do domestic work, even when it is done, it is done with understanding to enable the boys to be assisted in one form or the others i.e., learning trade, skill acquisitions to start up their life.

Most child domestic in Nigeria are found in the home of friends, kins, relations and these children are transferred with understanding that their fostering parents will assist them to acquire education, learn trade and or one kind of settlement or the others but unfortunately it is not so. Togrul (2007) noted that the supply of domestic labour can be regarded as instinctual and coping mechanism, the working relationship does not have binding contract, and is based on common paternalistic, friendship, kinship understanding and promises

Working Conditions of Domestic employment in Nigeria

There are several common features of domestic work that set it apart from other types of paid work. First, domestic workers are employed in the homes of others by an individual or a family (not a firm or enterprise). Hidden from the outside world, often undeclared and not governed by a mutually agreed written contract, it remains outside the scope of labour inspection and other forms of dispute resolution. Foreign women workers, particularly those with an irregular immigration status, and child workers are subjected to exploitation and unlikely to be willing or able to claim their rights. D'Souza (2010) remarked that until the issue of invisibility is resolved, it will remain a barrier to providing adequate legal protection for domestic workers.

Whereas in most worksites there is one employer for several workers, in this occupation there is one worker for several employers, with conflicting demands on the time and attention of the worker. The children appear to suffer much more under this circumstance with burden heavier than their age to bear. The low status attributed to the job and the servility inherent in it further weakens the bargaining position of the worker. The child domestic worker cannot talk of bargaining, their position had been determine from the home where they are coming from.

Second, since they are hired to work in people's homes and to perform a range of caretaking functions, domestic workers tend to have a personal and intimate knowledge of their employers, but the relationship is highly unequal, leaving many domestic workers vulnerable to verbal, physical, or sexual abuse by their employers. Often differences in race, class, and citizenship between the employer and the domestic worker exacerbate this inequality and vulnerability.

Even where protective laws are on the statute books, they are frequently ignored by employers and not enforced by authorities. Adult domestic workers may not live on their employer's premises but most children engage in domestic are constrained to live with employer because of their age.

Common complaints of domestic workers include absence of a separate room and are sometimes made to sleep on the corridor, in the kitchen, and storage room or under the staircase. Rooms may be small and poorly ventilated without the possibility of locking them. Without a private space to retire to, these workers suffer from a lack of privacy. Besides, many employers deduct

amounts for accommodation and meals that are, in many cases, grossly overvalued and tantamount to non-payment of salary.

Paternalist Attitudes prevail among the domestic workers due to cultural influences within the Nigerian culture as discussed above. Many employers do not consider themselves as employers and do not see their homes as a workplace. These believe they are doing a good turn to a poor, uneducated children by taking her into their house and that the services they receive in return do not necessarily merit remuneration. Looking backwards through history one finds that domestic work has been viewed as a stage in life, an apprenticeship rather than an occupational choice.

The lack of a precise job description, the expectation on the part of the employer for availability at all times to obey orders, is another characteristic of domestic employment. Domestic work is characterised by long working hours – up to 16 hours a day, seven days a week for some live-in workers. It is not rare to find these workers exposed to on-call work day and night. In many cases, working hours are so extended as to deprive domestic workers of any free time at all (ILO, 1999).

Domestic Workers and Employment of Minor/Child Abuse

The term child domestic labour refers to domestic work undertaken by children under the legal minimum working age, as well as by children above the legal minimum age but under the age of eighteen, under slavery-like, hazardous, or other exploitative conditions (ILO, 2007). Many are exposed to long hours of work in dangerous and unhealthy environments, carrying too much responsibility for their age. Working in these hazardous conditions (with little food, small pay, no education and no medical care) establishes a cycle of child rights" violations, Awosusi and Adebo (2012). Notably most of the children placed in domestic services are minor, majority have been found to be girls under the age of 18. Many of them are product of adverse circumstances, poverty stricken homes, loss of parents, and are eventually placed under foster parents who in-turn became the slave masters. However, Awosusi and Adebo (2012) in their findings revealed that most of the domestic servants were from certain areas of Nigeria and migrants from the neighbouring countries. Reasons adduced for engaging in the work include inability to pay school fees, poor academic performance, parents' separation, low standard of living and peer group influence. There is no definite contract of employment for these servants. The general condition of living of the domestic servants is poor and depends strictly on their employer; they have no definite plan for the future. Significantly most of these children are under foster parents some who are relatives to enable them to acquire skills, get education, and learn a trade but unfortunately many of them at end are deprived of those basic intentions.

Domestic servitude grew in Nigeria due to mismanagement of the national economy and the outcome which is associated with the end of era of oil boom in the 1980s coupled with failure of the economic policy of Structural Adjustment Programme (SAP) which induced limited growth of investment in the manufacturing sector, these constrained the labour absorption capacity of the non-agricultural sector, especially manufacturing and the consequence is poverty, high growing unemployment especially in urban areas. These factors widened income inequality, weak governance, social conflict, gender, and environmental issues and therefore contributed to the evolution and expansion of domestic labour especially in urban areas in attempt to make ends meet.

Child domestic workers exist in Nigeria. Parents have been known to give up or in some cases even entrust their children to middlemen in the hope that their children will have better opportunities in the big cities than they would receive at home. While some children get lost in the system, others are being privately adopted by distant relatives, who put them to work instead of registering them in school.

The Right of Child Domestic Workers and the New Domestic Workers' Convention

The benefits to children in the New Domestic Workers' Convention become clear if we accept the reality that the child domestic workers that are robbed of their education, are very likely to grow up to be exploited as domestic workers. These domestic workers through economic necessity may likely be forced to send their own children into domestic work. By improving pay and employment rights for adult domestic workers, the Domestic Workers' Convention will also raise the esteem of the industry and thus help reduce the poverty related factors that result in children entering the industry to begin with.

The adoption of a new Convention of a minimum hourly wage in Nigeria is, therefore, a crucial opportunity to achieve increased legal protections for domestic workers and deliver real change to the lives of millions worldwide. If successful, this process will significantly contribute to the eradication of the forced labour, trafficking, debt bondage and child slavery to which many domestic workers are subjected.

First, the new Convention recognises that domestic work is work and domestic workers deserve the same employment rights as any other worker. It also sets out clear rules to prevent abuse and spell out equal minimum wages; working hours and holiday allowance as other workers as other informal workers (ILO, 2011).

The campaign also deals with the issues unique to domestic work by guaranteeing that domestic workers are not required to reside in the home of the employer, as well as ensuring for those who do a certain degree of independence and privacy, including the need for a separate, lockable room. This is a significant issue to tackle because live-in arrangements can contribute to situations of forced labour for migrants due to restrictions on movement outside of the employer's home, violations of limits on working hours and domestic workers' privacy.

However, in adopting this convention, there may be many obstacles to overcome. For a start, domestic work is often linked to the issue of migrant work, which remains politically sensitive. This confusion creates an association with more controversial political objectives, such as the desire to help a poor relative, which can distract from the real issue of the risk of abuse and exploitation of the workers.

Table 1: Comparative data of child domestic labour and child labour, age group and sex, child domestic work, children in employment, child domestic work in percentage of children in employment

Age group and sex	Child domestic work	Children in employment	Child domestic work in % of children in employment
5-11 years	3,514,000	91,024,000	3.8
Boys	1,430,000	49,490,000	2.9
Girls	2,084,000	41,534,000	5.0
12-14 years	3,880,000	85,428,000	4.4
Boys	1,069,000	49,679,000	2.2
Girls	2,811,000	35,749,000	7.9
15-17 years	8,131,000	129,217,000	5.9
Boys	1,694,000	76,608,000	2.2
Girls	6,436,000	52,609,000	12.2
Total 5-17 years	15,525,000	305,669,000	4.8
Boys	4,193,000	175,777,000	2.4
Girls	11,331,000	129,892,000	8.6

Source: ILO Statistical Information and Monitoring Programme on Child Labour (IPEC/SIMPOC)

The IPEC/SIMPOC in Table 1 showed the comparative data of child domestic labour and child labour, age group and sex, child domestic work, children in employment, child domestic work in percentage of children in employment between the boys and the girls. The data showed that in all age groups that girls dominate domestic labour. For the age group between, 5-17, out the total number of children, child domestic labour 8,131,000 and domestic employment 129,217,000: boys are 4,193,000 and boys in domestic employment 175,777,000 percentage difference 2.4 per cent. For the girls, child domestic labour 11,331,000 and girls in domestic employment, 129,892,000 and percentage difference 8.6. Child domestic work in percentage of children in employment; the age group between 5-11 years are 3.8 per cent and 12-14 years. Also, the data showed that the age group between 15-17 years and between 5.9, 5-17 years, 4.8 per cent. The data calls for policy framework in many countries giving attention to the age groups of 5-11 and 12- 14 years with the aim of minimizing the number of children within these groups. Many of these children are deprived of education and social development at this critical age. Apart from regulatory policies, there is also need for social policies to tackle poverty and lack of basic necessity in many countries especially developing nations.

2.3 Empirical Review

The findings of a UNICEF supported the survey of Children in Especially Difficult Circumstances (CEDC) cited in Ladan (2005) noted the following: that the specific volume of

work which young domestics did depended on the size of the family they served, the number of domestics employed, the extent to which the employers children assisted them as well as the availability of labour-saving gadgets. Some of the findings of the survey were particularly worrisome.

Firstly, about 37% of young domestic workers reported that they never had any work-free days except when it was absolutely necessary. The mentioned trend agreed with the findings from the employer's sample, which indicated that 33% of employers reported that they gave young domestics time off only on a monthly basis whilst 54% indicated that they gave their employees work-free days on weekly basis and 15% gave it on a fortnightly basis. For young persons who worked an average of about 12 to 15 hours a day, the reported hours given to them for rest were adjudged to be inadequate. However, the findings of (Awosusi & Adebo, 2012) gave a different picture of the treatment of domestics by their employer. In their attempt to investigate the recreation efforts, when and how they spend their leisure and with whom, most of the respondents (67.5%) indicated that they hardly have leisure time. They (67.5%) spent time either alone or watching television while their masters are out of the house while the rest had the privilege of playing with the children of their employers. Based on their findings, they inferred that the living conditions of the domestic servants are poor and that this depends on each employer, being under the dominance of their master. On the Employee's Rating, while rating their employers vis-à-vis the treatment given to servants relative to the type of treatment they were used to from their parents, most of the respondents (56.25%) indicated that they were poorly treated, 15.6% rated their employers good, 12.5% were indifferent, and 10.0% rated them very good while 6.25% indicated that their employers were very bad. This indicates that authorities need to step up protective measures for employees in the domestic service.

Second, the turnover rate among young domestics was found to be high. The high turnover rate among young domestics is attributable partly to work condition especially the tendency for them to be overworked, as well as factors associated with middlemen who make economic gain from the employment of these young domestics?

Third, the income of young domestics was paltry spite of abuse and exploitation; most gruesome is that they are subjected to undue punishment and humiliations, experienced physical beating and verbal abuse.

The working environment is often characterised by long periods of isolation and long working hours, leading to physical and psychological trauma. It is estimated that many children in the child domestic service sector work between 14 to 18 hours per day working largely in the sphere of private households, domestic workers experience a degree of vulnerability that is unparalleled to that of other workers. Domestic work is not meant to be forced labour, but it can degenerate into forced labour, debt and bondage.

The issue of the domestic workers in Nigeria is yet to receive the attention it deserves in spite of its strategic importance. To date there is no data of domestic workforce in the country compared with other countries in Africa.

Legal Framework for Domestic Workers: A Comparative Overview

Labour Act Chapter 198 Laws of the Federation of Nigeria 1990 contains specific provisions that may be used to put a check on the phenomena of domestic labour' arbitrariness while domestic service, section 65 provides that the Minister may make regulations providing for the engagement, repatriation or supervision of domestic servants; the employment of women and domestic servants; the housing accommodation and sanitary arrangement of domestic servants; and the conditions of domestic service in general.

However, this legal framework appears to be inadequate because it is limited in scope of application, this legal framework only confer on the Minister to make regulation on the issue of domestic work. These workers play strategic role in the development of labour market, without them the gender disparity in employment in workplace are likely going to widen as many women will be disadvantaged.

The 1999 Constitution of Nigeria, in principle outlined the following clause below with the objective of providing for adequate protection of the young persons.

The constitutional provision demands that no young person under the age of sixteen years shall be employed in circumstances in which it is not reasonably possible for him to return each day to the place of residence of his parent or guardian except with the approval of an authorized labour officer; and on a written contract (which, notwithstanding any law to the contrary, shall not be voidable on the ground of incapacity to contract due to infancy). However, many employers of child domestic seem not comply with these provisions. Many children engaged in domestic labour are monitored twenty four hours and hardly given opportunity to observe a rest by their employers.

The constitution provides that no young person under the age of sixteen years shall be required to work for a longer period than four consecutive hours or permitted to work for more than eight working hours in any one day: Provided that, save as may be otherwise provided by any regulations made under section 65 of this Act, this subsection shall not apply to a young person employed in domestic service.

3. A Critical Overview of Child's Right and Regulatory Framework in Nigeria

The provision for the protection of the young persons who dominate domestic labour market are in principle but in practice is far from application, the ministry who should monitor and regulate this responsibility has proven to have failed in the protection of this group of workers. How many labour officers visit organisations to monitor the working conditions of the Nigerian workers which are visible talk much less of the invisible domestic workers? On discussing on Right to Personal Liberty, Section 35 of the Nigeria constitution, Belgore (2012) posited that everybody has a right to freedom and security, which include the rights: a) Not to be deprived of freedom of arbitrariness or without just cause, not to be detained without trial, to be free from all form of violence from either public or private source and not to be tortured in any way.

The Nigerian Government has formally adopted three International Labour Organization (ILO) Conventions, setting a minimum age for the employment of children at sea, in industry and underground. In addition, the country signed a Memorandum of Understanding in August 2003

in cooperation with ILO to launch a country programme under the International Programme for the Elimination of Child Labour (IPEC). Ladan(2005) pointed out that Child domestic service in Nigeria today has becomes violation of children's rights; if it is derivatives of the rights of the child to be given protection and care necessary for his/her well-being; derivatives of the rights of the child to survival and development, to freedom of movement and from discrimination; derivatives of the family union, to human dignity, to leisure and recreation, to parental care, protection and maintenance, to free, compulsory and universal primary education and others as provided by sections 2-15 of the Child Rights Act, 2003, Section, 2-4, 8-15.

Further, child domestic service becomes a human rights violation issue in Nigeria, when it is in contravention of: - Section 28 of the Child's rights Act, 2003, which prohibits any child forced or exploitative labour, including employment of a child as a domestic help outside his or her own home or family environment.

On the harmful of effect child trafficking (Gbadamosi, 2006) noted that the other challenges currently facing the crusade against human trafficking in Nigeria are the effectiveness in applying the anti-trafficking legislation by the law enforcement officials, lack of awareness, shortage of resources and lack of cooperation among law enforcement agencies (both at national and regional levels), corruption, lack of effective legal and social environment that is protective of the rights of trafficked victims, weak data base of victims and the traffickers, lack of social services for the rural poor who often fall victims to the enticing offer to send their children to Europe, inadequate international and regional bilateral agreements against trafficking, poor awareness on the antics of traffickers and effects of human trafficking and reluctance by most victims to assist the Police during investigation.

The Convention establishes the right of domestic workers to be informed, in a manner they could understand, of what the terms and conditions of their employment are: what is the work they need to carry out, how long they are expected to work, and how much, when and in what manner they will be paid.

It also establishes limits to the proportion of remuneration that can be paid in kind, and provides for a weekly rest of at least 24 consecutive hours. The Convention also provides for special measures to address the vulnerability of particular groups of domestic workers:

There is the need for Nigeria to join other governments that are taking measures to address the decent work deficit and exploitation of domestic workers in the country in demonstration of the pivotal importance of the adoption of this new Convention.

Isolated in private homes, domestic workers suffer psychological, physical, and sexual abuse. Women and girls confessed that their employers beat them with belts, sticks, and electrical cords, knocked their heads against walls, and burned their skin with irons, chemicals, and boiling water, and raped by men in the household. Many were afraid of reporting sexual violence because of the risk of being fired from their jobs and turned out on to the street. (Komolafe, 2011; Chen, 2011)

Domestic workers often are regarded as mere 'house helps' without any rights either as a worker or as a human being in gross violations of the Child Rights Act and the Universal Basic Education Act, many children, mostly young women and girls as young as eight years old are forced to work as domestic workers without access to any form of education or schooling all for very little or no pay whatsoever. Domestic employment is associated with inappropriate and

inadequate legislation, being unregulated and exclusion from legal coverage create room for total exploitation and dehumanisation of the employees of this sector (Mathar, 2011 & Ledan, 2005).

4. Conclusion

The issue of domestic employment no doubt is a veritable source of concern not only in Nigeria but all over the world. Domestic workers play strategic importance in facilitating labour market activities by providing critical services that enable others to work outside the home. In spite of the gap they fill, children domestic workers suffer significantly because they are deprived of child's right, education, social protections, they are exploited and undervalued and their future mortgaged not only in Nigeria but other parts of the Africa. Most pertinently, there is inadequate legal framework of social protection the children in domestic work. The use of children as domestic servants continues to be common in parts of the world, such children are very vulnerable to exploitation: often they are not allowed to take breaks or are required to work long hours; many suffer from a lack of access to education, which has contributed to social isolation and a lack of future opportunity. Most child domestic workers are live-in workers and are under the round-the-clock control of their employers. Some estimates suggest that among girls, domestic work is the most common form of employment.

The task of domestic workers especially children is equivalent to forced labour because of the unprotected nature of their work and the highly personalised relationship between the worker and employer. Domestic service is also used as a cover to lure women and children into employment abroad while deceiving them about the real nature of their work.

Domestic work becomes forced labour because, deception and false promises concerning conditions of work, lack of freedom to change employers, physical or sexual abuse, debt bondage, confiscation of identity papers, non-payment of wages to worker, physical confinement. National regulatory framework will to tame these inhuman treatment suffered by these helpless children on whom future generation will depend.

Although the Nigerian Government has formally adopted three International Labour Organisation (ILO) conventions, setting a minimum age for the employment of children involved in domestic work; In addition, signed a Memorandum of Understanding in August 2003 in cooperation with ILO to launch a country programme under the International Programme for the Elimination of Child Labour (IPEC); the Nigerian Government must show further commitment by implementing all international Conventions and local legislation designed to protect domestic employment from exploitative work.

Recommendations

- i. Implementation of the International Convention becomes one the most viable approach, to tackle domestic work that goes at the expense of children's mental or physical health and/or schooling.
- ii. Nigeria must put in place adequate measure to comply with this provisions of, ILO Convention 138 which recommended that the work performed by children should not interfere with the child's education, or be harmful, or threaten to harm, "the child's health or physical, mental, moral, or social development

- iii. The legal framework to address the challenges of domestic employment in Nigeria appears to be inadequate. For instance, the issue of children domestic workers was particularly addressed in section 64 of Nigerian Labour Act; however, legal provisions seem not to be detailed enough to tame the tide.
- iv. Government must specify standard, for the environment in which they are going to operate and any employer who cannot provide a good environment to harbor domestic employees need not keep domestic workers. Deploying children domestic worker to sleep at the motor garage, kitchen or passage or in an unventilated room is an insult to the dignity of labour.
- v. The fight against poverty, unemployment, human trafficking, and migration must be taken seriously if these evil of domestic servitude must stop. The government must take steps in rebuilding the economy, encourage entrepreneurs, create jobs, ensure gender parity in workplaces; all these will help to stem the tide of domestic slavery.
- vi. There is the need for Nigeria to comply with International Labour Convention No. 189 of 2011 on decent work for domestic workers which among other things include training labour inspectors whose duty is to monitor the employment relationship between domestic workers and their employers.
- vii. Also, giving policy support to Trade Unions, NGOs, and Civil Societies may be indispensable in minimising child domestic workers.

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