

# **Invisibility, Exploitation and Paternalism: Migrant Latina Domestic Workers and Rights to Family Life in Barcelona, Spain<sup>1</sup>**

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*“Some women have the option of living with their children, while others do not” (Parreñas 2005)*

## **Introduction**

After two years of having sent her eight-month old daughter to Bolivia, Ana cannot help but burst into tears as her voice breaks when she talks about it. From time to time, she often passes by Sants Station in Barcelona City, and goes to the exact place where she said goodbye to her daughter for the last time. She stands staring at that place, by way of ritual, as if remembering that sad moment would help recover her strength. Despite her grief, she is satisfied that her decision was the best for her daughter, who is now being taken care of by her grandmother while she works to become financially stable with plans to reunite with her daughter by the time she reaches school age.

Like Ana, the rights to live with a family among migrant women that work in Barcelona as domestic workers are restricted by the nature of their jobs. They have to make certain decisions in order to compromise both work and family life. Restrictive immigration laws and precarious working conditions limit or postpone family reunifications and hinder to take their family life upon arrival. Even when they are the ones who enable family life among local

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families, migrant domestic workers are absent in the discourses of “family-work conciliation” policies. Paradoxically, the right to care for and live with their own family is denied based on her obligations to care for other families.

This chapter is based on doctoral research about domestic workers from Latin American in Barcelona, Spain<sup>2</sup>. The aim is to analyse different strategies that migrant domestic workers carry out in order to exercise their right to a family life. For this ethnographic research I interviewed 40 migrant women from different countries of Latin American<sup>3</sup> but only chose five cases to analyse for this chapter. These women came from Bolivia, Dominican Republic, Honduras and Peru. Although they are working as domestic workers their situation differs. Two women are elder carers of middle class families, and are both under live-in regimen. The other three are domestic workers for upper class families, two of them in households with small children. The composition of the domestic worker’s families vary, too. Two women have had a baby in Barcelona while they have been working, and the other three women have children at school-age. The reason for choosing this sample of five women is to demonstrate the heterogeneity of cases, linked to different status of local families. In discussing these cases, the first part of this chapter reviews the relationship between immigration regulations, domestic service and public policies. The second part focuses on the mobility from live-in to the live-out regimen during the process of family reunification. In this context, the relationships and the

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<sup>3</sup> They are from Bolivia, Dominican Republic, Honduras, El Salvador, Nicaragua, Ecuador, Colombia, Argentina and Peru.

negotiations between employers and employees seem crucial to understand the reproduction of social class relationships

### **Social Care Organization, International Migrations and Public Policies.**

Due to the social and demographical changes of the past three decades – from which most refer to the aging population and the employment of middle-class women— Spanish families, compared to previous generations, are forced to devise other ways of managing care responsibilities. As more Spanish women enter the labor force, it resulted in the destabilization of the traditional sexual division of labour model and the division of responsibilities for the care and sustainability of family life, leading to other ways to reorganize care work (Carrasco 2001 and 2005; Perez Orozco 2006; Ezquerro 2012). The “solution” to this crisis has come from the global South, mainly from Latin American and Eastern Europe. Just like other regions in the world, gendered inequalities and income gap caused that, among others individual factors, many women from Latin American countries make the decision to migrate and find jobs as domestic workers or carers of elderly people in Spain.

In spite of the economic crisis since 2008, domestic and care services in Spain is an employment sector that still remains growing<sup>4</sup>, mostly due to the need for carers of elderly people. In the Mediterranean and Central-Eastern European countries, families are still the main source of support for eldercare. A combination of cultural patterns, lack of formal care

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<sup>4</sup>The government recognizes 342.000 domestic workers' affiliates in the Social Security on June 30, 2012, but there are an estimated 400.000 domestic workers in the underground economy in Spain. *Diary El País*, 04/07/2012.

services<sup>5</sup>, and migration policies make the employment of migrant women as carers the most popular choice for Spanish families (Bettio, Simonazzi and Villa 2006; Gutierrez-Rodriguez 2010; Martinez Buján 2011; Agrela Romero 2012). The strong reliance on the family, mostly on women, is the reason why the “family care model”<sup>6</sup> to eldercare still predominates in Spain. Besides being a cost-effective option, it agrees with the idea of conceiving care work as a feminine and family duty that is organized and sustained permanently from the domestic sphere. At the same time, the absence of an equal division of housework between men and women, middle class families prefer to hire domestic workers by the hour to make cleaning or care work easier for them. The upper classes, on the other hand, chose to hire a *chica para todo* (maid-of-all-work), a kind of full-time maid in a live-in or live-out domestic service regime.

In Spain, during the industrialization in the second part of 19<sup>th</sup> Century, and the resulting feminization of the domestic service, the upper class families hired a *criada*, girls or young women who served in the households. The term *criada* formerly referred to a young person of humble origins, who served for a family in exchange for board and sometimes education. In Catalonia, the equivalent of this term is called *minyona* (in Catalan) which also refers to girls from home service. In Madrid and Barcelona, as historic studies indicate, *criadas* and *minyones* usually were young, uneducated and often single women from rural areas. If they got married, they left their job as household helpers (Sarasúa 1994; Farré París and García García 2001; Martinez Veiga 2004).

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<sup>5</sup> There is a lack of formal care in Spain even after the implementation of the National Law for the Promotion of Personal Autonomy and Dependent Care in 2006 (called as Dependency Law). For this discussion, see the study of Agrela Romero (2012).

<sup>6</sup> In Spanish, *modelo familista* is translated as “family care model” or “familistic model”.

A *criada* basically “runs the house” and deals with the care of children, cleaning and other household chores. This practice has always prevailed as a way to maintain and demonstrate the status of the upper class families in major cities. In Barcelona, they were migrant women from other regions of Spain. In the past twenty years, these same upper-class families have employed migrant women, primarily from the Philippines and Latin America (Anderson 2000; Parella Rubio 2003; Ribas Mateo 2005; Escrivá 2006; Pedone 2006).

Migrant women from Latin America decide to migrate based on the needs of their own families. As pioneers of chain migration, they have become the breadwinners of their households in places of origin, mainly by working as domestic workers in the country of destination. The care crisis in Spain has somehow provided –not without costs - an opportunity to migrate, work, and earn money to support their children left behind. Many Latin American migrant women leave their children in the care of family networks in their country of origin, and exercise a transnational motherhood while they plan for eventual reunification in the host country (Pedone 2006; Pedone and Gil Araujo 2008).

In Spain, the Foreigners’ Law has recognized family reunification as a right<sup>7</sup> since 2000. However, in recent years, the possibilities of bringing families together have been limited due to the European Union directive 2003/86/CE. Legal restrictions and bureaucratic administrative procedures restrict the right to a family life of migrant workers in Spain, making it a privilege that depends on economic conditions (Gil Araujo 2010). The Spanish Royal Decree 557/2011 states that, besides having work and residence permits renewed, the main requirements to

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<sup>7</sup> The Spanish Organic Law 4/2000 regarding the rights and freedoms of foreign nationals and their social integration is popularly known as “Ley de Extranjería” (Foreigners’ Law).

reunite a spouse or descendant are to demonstrate “sufficient financial resources” and “adequate housing”<sup>8</sup> which are usually supervised by municipal authorities. Such requirements become an obstacle for family reunifications, especially in the case of migrant women who work as domestic workers; their incomes are not always formalized through a contract and payroll. Furthermore, housing is expensive and requires a deposit and proof of income, all of which make it difficult for migrants to access rental properties.

Another major constraint that affects the family life of migrant workers due to Spanish immigration regulations is the limitation for family reunification of ascendants—e.g. the mother or father of the migrant worker<sup>9</sup>. In this case, migration policies seek to prevent the influx of foreign seniors—considered unproductive—and do not conceive family reunification as a migrant’s right nor account the social role that grandparents could play in the organization of care in the country of destination. The restrictions and bureaucratic procedures to reunite families make migrant women seek other alternatives, such as getting an employment contract for family members to migrate to Spain— a common strategy to reunite with husbands or adult children (Gil Araujo 2010).

Over the last decade, studies carried out by Pedone, Gil Araujo and Agrela Romero (2012) demonstrate the influence of migration policies in various forms of social care organization of Latin American migrant families in Spain, by unveiling how regulations mold family strategies. While some families are still thinking about reunification, others secure their

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<sup>8</sup> Royal Decree 557/2011.

<sup>9</sup> The law states that first degree ancestors may be reunified when they are dependent on the applicant; are over 65 years old and there are reasons that justify the need to authorize their residence in Spain (Organic Law draft Art. 17, Reform of the Organic Law 4/2000).

transnational strategies and start their return plans for all or some of their members. Regardless of the strategy designed by the family, migration policies deepen civic stratification processes through the creation of differentiated rights, while reinforcing pre-existing social and economic inequalities (Gil Araujo 2009 and 2010; Pedone, Gil Araujo and Agrela Romero 2012).

Beyond the constraints of specific regulations and requirements that hinder the right of migrant women to a family life, the key issue is how migrant women are considered by public policies in Spain. Despite being pioneers in chain migration, migrant women are not thought of as workers in migration policies. They are thought of as dependents who accompany their husbands. (Mestre 2003; Gil Araujo 2009). This assumption is also reflected in the gender equality policies of the Spanish state. For example, in the Organic Law of Gender Equality (2007), migrant women are mentioned only as a vulnerable group with other groups of women, like women with special needs. Far from granting the role of workers or entrepreneurs of an autonomous life project, migrant women remain stigmatized and associated with vulnerability or “in risk of exclusion”. Putting aside their role of working mothers and usually breadwinner, migrant domestic workers are excluded and completely invisible in family-work conciliation programs in Spain.

Domestic service regulation sustains the exclusion of migrant domestic workers. In 1985, domestic service was regulated by a Royal Decree<sup>10</sup> but it failed to guarantee full employment rights for domestic workers; it rather legitimized the working conditions that have always characterized the domestic service— uncertainty and dependence (Mestre 2002; Poblet

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<sup>10</sup> Decree Law 1424/85.

2009). This law was changed in 2011, leading to the 1620/2011 Decree, to accompany the integration of this sector to the general system of Social Security contribution. So far, housework was quoted in a special regime in which women workers were excluded from unemployment benefits and bound to minimum pensions. Since 2012, employers must contribute to Social Security from the first hour of work, but domestic workers are still excluded in a special system within a general social security regime that denies them entitlement to unemployment benefits. The consequences of this change are far from encouraging since registration in Social Security must be done by employers, who are uninformed or received these changes with indifference (Poblet and Urbano 2012). Such practice proves once more the lack of interest of the state to regulate employment rights of domestic workers, as any organism didn't promote campaign targeting employers. Although the reform in 2011 extends some labor rights<sup>11</sup>, there still remains some legal ambiguity that leaves domestic workers' rights dependent on the relationship between the employer and the employee. The absence of labor inspections in homes also contributes to the vulnerability of domestic workers. In Spain, the labour inspections' services are responsible for the control and monitoring of employment conditions, social security, health and safety, and working relationships. The law<sup>12</sup> allows labour inspections in workplaces but not in private households, making it too difficult to exercise control of domestic employment conditions and the recruitment of undocumented immigrants.

Public policies that exclude migrant women and legal ambiguity surrounding domestic service share the same logic: outsourcing and total privatization of care and the domestic

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<sup>11</sup> For example, the reform extended the break hours and established the obligation to a written contract.

<sup>12</sup> In accordance with the law 42/1997 and other norms the services of labor inspections depend on these organizations: ITSS (Inspection of Work and Social Security), Ministry of Labour and Social Security.

sector. The state has relegated care management under private employers; hence, the privatization does not only occur with the commercialization of care, but also by how the routine needs for care are being addressed –in which the "needs" of each family are completely in the hands of private individuals.

In order for this outsourced and privatized "family care model" to be affordable, the recruitment and exploitation of migrant women is inevitable. That is, domestic and care service operate according to the logic of a precarious, sexist, and segmented global labour market sustained by immigration policies. As Gutierrez-Rodriguez (2007) explains, the interrelation of migration regimen and unequal gender relationships creates a situation in which non-European migrant women are found at the lowest levels of the labor market.

The right of migrant domestic workers to family life is conditioned, therefore, not only by migratory regulations but also by a precarious labour market. This is how migrant domestic workers —constrained by Foreigners' Law, stigmatized by gender equality policies, invisible in work and family reconciliation programs, and discriminated by labor regulations and social security in the domestic sector— are in the position to negotiate individually with their employers for their right to a family life. A right not only to bring their families to the country of destination, but also to take care of them, be there and live with them. In a way, be able to have a meaningful sense of family life where migrant female domestic workers share the rewards of raising a family, including the education of their children in the host country. But these individual negotiations are based upon an unequal power relationship, from which

domestic workers try to position themselves by adapting or coping with exploitative conditions and paternalistic attitudes of employers.

### **From inside to outside, but still behind closed doors**

In accordance with the rules and customs in Spain, it is common to think about domestic workers in a live-in regime as experiencing the most challenging situation to achieve family reunification or to reconcile work with family life. However, there are particular cases which shed light on the ways in which migrant domestic workers negotiate family life, beyond the 24-hours-care work. These include the type of work rendered by domestic workers—for instance, if they are involved in the care of children or the elderly—, the needs of employers, the age range of the worker's children, and above all the working relationship and the negotiation skills of each worker.

The 24-hour-care work regime represents absolute exploitation of domestic workers. Although it is regulated, the impossibility of labor inspections in private households diminishes the validity of the laws protecting workers in general. Women workers, especially carers of elderly people, work 24 hours a day. If elderly person gets up at night for needing something, domestic worker must be alert and attend elderly person.

In cases where migrant domestic workers work in households of wealthy families with young children, they feel even more exploited. The housework is much more intense and they are expected to be "at the service" for the entire family. Domestic tasks start before breakfast – wake the children, help them to get dress, have their shoes shined, walk the dog, etc. - and

continue throughout the day without rest, until past dinner time –around the 10:00 or 11:00 pm. The five women in this study who have gone through this type of work, refer to this working conditions with rich families as being “in prison.”<sup>13</sup> But at the same time, working under the live-in regime is considered an appropriate strategy in the early stages of the migration process. Migrant domestic workers do not have to pay for food or a room at this initial stage which allows them to save money while they plan for family reunification.

Corina, originally from Peru and is 54 years old, works as for 24 hours as carer to an elderly woman. She arrived in Barcelona in 2006, thinking that elderly care could be a new work opportunity to pay for the college tuition of her younger children. She takes care of the house and absolutely everything related with the care of the elderly woman –hygiene, doctor’s appointments, medicines, shopping, meals, walks, etc. Her salary is 1100 Euros<sup>14</sup> and rests only on Mondays from 11:30 am to 08 pm, time that she uses to go for a walk. She explains that she agreed to these working conditions because she saw that “the lady was financially well established and they were nice people” and that she could help her to bring her children. Indeed, the daughter of the elderly woman “helped her” to rent the apartment downstairs in that same building, in order to comply with the requirements of reunifying with her 18-year-old son. Simultaneously, she got her an employment contract from her own employer in order to bring her 26-year-old daughter. This is why Corina –even though she yearns for the “freedom” and social life she had before- flatly says: “My two children are here because of them.” She also admits being pleased with her job.

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<sup>13</sup> Fieldwork of PhD dissertation in progress, by Gabriela Poblet. UAB.

<sup>14</sup> Fieldwork information, 2011. It is considered a relatively good salary, compared to other carers of elderly people or live-in regime workers.

Corina's plan of reunification materialized based on the age and independence of her children. A 24-hours-care worker can hardly continue working and organizing life with younger children. In cases where they can pursue family life depends entirely on the working relationship and consent of their employers. Judith, a Honduran carer, had her child in Barcelona while working 24-hours taking care of an elderly woman with Alzheimer's disease. In her first week of postpartum, she was replaced by her sister but soon, Judith did almost supernatural efforts to care for the baby and the elderly woman at the same time. The affective relationship among the three of them was such that the elderly woman –who was in an advanced stage of her disease and did not recognize her own small granddaughters- held the baby and played with her long time during the day, while Judith did the housework. Judith even says that the daughter of the elderly lady she takes care of observed an improvement in her mother after the birth of her baby.

Paradoxically, it is that same precariousness and flexibility of an unorganized social care system that allows Judith to live with her daughter; she is a single parent (the father of the baby returned to Honduras) and her salary is quite low -less than 600 EUR per month-. Judith's employers need a carer but "cannot" afford to pay more money, so they allow Judith to bring her baby to work. In this case, her work is equally recognized and valued from an emotional standpoint.

Judith's case represents the "family care model" where the solution to eldercare remains in the private sphere. The State is completely absent, ignores the elderly woman with Alzheimer's disease, denies Judith's rights as a working mother, and is even more disengaged

from the care of Judith's daughter. Although it is unusual for live-in regime workers to live with their children, the private approach enabled both parties to gain something; continued care for the elderly and family life for the migrant domestic worker. Typically, the 24-hours care workers who reunify with their children or decide to have a baby in Barcelona negotiate with their employers to change to a live-out regime.

Mari, originally from the Dominican Republic, works in the house of an upper-class 50 year-old lady. After several years working in a live-in regime, she rented an apartment to arrange the reunification of her family. Just like Corina, her employer facilitated the family reunification. She offered an employment contract to Mari's husband so he could come to Barcelona. It was also Mari's employer who suggested her to switch to a live-out regime when her husband arrived. But this change from live-in to live-out regime did not sit well with Mari's employer and they had to renew their agreement of their schedules and tasks.

According to Mari:

*"... Then, when he arrived my boss told me, well, Mari, so your husband is not alone in the house, go to sleep every day at home. Then, I left the first and second week. By the third week, she said, oh, after your husband arrived, I have gone from bad to worse. So I asked her why... Then she says, Yes, yes, yes, is I been doing badly because your husband has come. So I said to her, what could we do? (...)She tells me, is that now I have to make the bed, I have to walk the dog ... So I asked her, but if the problem is walking the dog and making the bed, then I'll make the bed when I arrive; if you have to have dinner, then I'll cook you dinner before I go; and if the problem is the dog, I can arrive before to walk the dog... " (...) "Then she tells me: you go on Wednesdays and Mondays, the other days you will stay here, because there are days when I have such a mess, and much of this ..."*

Although Mari suggested some solutions based on the tasks, her employer insisted she had to stay some days of the week, and that certain tasks had to be done. Beyond the possible strategies and "agreements" for the organization of care in both families, the dialogue Mari had with her employer reflects their type of working relationship and the role of domestic service. While her employer talks to her about her husband, Mari tries to position herself as a worker and reorganize the domestic tasks.

In the story of Mari, it appears to be a kind of comparison between the husband and the dog. The employer positions Mari's husband as the main problem for her inability to perform certain tasks, like, *"walking the dog."* Although it has been four years since this happened, Mari remembers the conflict with anger and repeats with emphasis: *"she told me, since your husband arrived I have gone from bad to worse. How can she say that?"*

Mari tries to describe the selfishness of her employer (although she appreciates her and continues working for her) and her selflessness to prioritize her own family. Mari's employer made it clear that it was more important for her to walk the dog than spend the night with her husband. However, even if her employer considered walking the dog and making the bed important in her performance of domestic duties, those are tasks that her employer *cannot do* or that for some reason she just does not want to do. Even if Mari presented a solution to her employer about arranging work to have family life she insisted that she stays in a few days a week *"because there are days when I have such a mess."* What is being compared here is actually not Mari's husband with the dog, but the life of Mari and her employer. The comparison is between Mari's rights with the needs of her employer. Mari's labor rights

(breaks, schedules<sup>15</sup>, minimum wage, clear communication of employment conditions, etc.) also refer to Mari's human rights. Her rights as a person include her right to a family life and all that entails: leisure time, affection, relaxation, intimacy, sex life, etc.

Mari receives a monthly salary of 800 Euros -there has been almost no increase since she started working in 2000- and by paying, her employer acquires the "right" to dispose of her time, and the tasks are not brought into question. Saying "*I have such a mess*" seems to be enough argument for Mary's employer to decide on another schedule of work. The commodification of housework gives her the opportunity to decide on their own time without having to subsume under the responsibilities of everyday tasks. That is, wealthy women buy other women's time to decide what to invest on theirs (Diaz Gorfinkiel 2008).

However, buying other women's "reproductive time" is not simply paying for tasks that domestic workers do not feel like doing. It is also the role played by the worker for the maintenance of their employer's status. As Anderson (2000) points out, the domestic worker is not just a person who does a job; she is performing a role within the family. This means that paid domestic work is not definable in terms of tasks, but in terms of a role which constructs and situates the worker within a certain set of social relationships. Although the tasks may be similar to those of a mother or wife, her role is different: she affirms a household's status, and

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<sup>15</sup> The Convention concerning Decent Work for Domestic Workers (convention 189) adopted in Geneva during the 100th session of the International Labor Organization refers to working conditions of domestic workers. These should be able to negotiate if they reside at the house where they work, and should not be forced to stay at the house during their leave.

in particular affirms the status of the woman of the household (Anderson 2000), as well as her family.

Trying to control the rage over what she considered as injustice, Mari continued working and staying the days that her employer asked her to. When it was time for her 13-year-old daughter -whom she had left in the Dominican Republic with her mother when she was 5 years old- to come to Barcelona- Mari again negotiated with her employer and firmly claimed her right to live with her family and work from 9 to 5:

*"...I talked to her, and told her that if it was not in a live-out, I did not want the job, I was not interested. That one thing was when I was alone and another thing is when you have a family. Back when I was in Santo Domingo, I worked also but never as a 24-hour-carer because I had a family. When I came here, it was one thing being alone and is other thing having a family."*

Mari's situation -after the initial problems- of changing to a live-out regime, enables her to guarantee time with her daughter and take care of her home; even though she has not been able to clarify and guarantee her labour rights. Mari explains that she feels equally exploited because she has to do the same amount of tasks in less time, and sometimes be available in the afternoon when her employer asks her to do extra work -like taking care of one of her granddaughters or cooking for a party, for example. Mari lives with her daughter now but her employer still owns her time.

This study of Latin American domestic workers in Spain proves that in this type of private negotiations between the employer and employee there is no reference to labour laws; instead, they refer only to the needs of the employers. When the employers have school-age

children, the situation gets more complicated for the worker and her chances of family-work conciliation or family life are more restricted.

Juana, another Dominican worker, also agreed with her employer to move from a live-in to a live-out regime when she reunified with her three children aged 9, 11 and 13. Juana's case illustrates the paradigm of the worker's appropriation of their own working time and the difference between the care needs of one family and the other, due to the fact that the employer's children had, at that time, about the same age as Juana's children. However, her employer demanded her to comply and carry out with the 9:00 am to 8:00 pm schedule.

Despite being glad for the reunification of her family in Barcelona, Juana's routine for a year was exhausting. She got up in the morning at 7:00 to make breakfast for her family and prepare food for the day. She left for work at 8:00 while her husband and children had breakfast. Her three children went to school by themselves –the oldest one was 13 years old and watched over her siblings when they went to school across the street- and came back home at noon for lunch and returned later for an afternoon snack. They did their homework and then went out and play for a while until the father came home from work. When Juana came home -almost at 11 p.m. - the children would be watching T.V. after taking a shower and having dinner with their father.

As for Juana's employer, it was imperative for her to stay until dinner time, meanwhile Juana's children dined with their father the food that she had cooked for them in the morning or they cooked something by themselves. This case illustrates the hierarchical family structures that Diaz Gorfinkiel (2010) referred to, where the domestic worker's families are presented as

less important than the families of their employers. Juana did not tolerate this routine for too long, so she expressed her needs to her employer. A year later, she changed her job; got a recommendation from her employer to work as a domestic worker with another family and in turn she recommended her cousin to replace her. Juana was very convincing when claiming her right to a family life before her employer. She emphasized the unconditional affection that she, for many years, gave to her employer's children and made it clear to her that she had stopped being a transnational mother and now she did not want to become an absent mother. *"I told her that my children deserved to have a mother and that hers had had two."*

Just like Mari and Juana, switching from one regime to another was no guarantee of their rights. What really counts are the negotiation and the positioning of the worker towards the appropriation of their own time, to meet certain needs of upper class families. The type of work demanded by her employer was a live-out regime but their days were exhausting. This is what Martinez Veiga (2004) defines as "pseudo-foreign regime." Apparently, it is a type of live-out regime but it actually presents no great advantage over a live-in regime. Besides the intense work day, workers must spend on housing, travel and in many cases. Frequently, this is the regime preferred by upper class families with school age children and with homes not big enough to provide a separate room for their domestic workers. Migrant women that work under this system in the homes of families with children have the most difficult time to exercise their right to a family life or have it completely restricted.

Ana, a Bolivian experienced a similar situation. She was working in a live-out regime when her daughter was about to be born. She lost both her maternity leave and her job;

afterwards she even had to give up raising her daughter during the early years of her life and sent her to Bolivia to be taken care of by her mother. Ana came to Barcelona in 2006 and after going through several live-in regime jobs, in 2008 she started working for Cecilia, a daughter of an upper class and prominent family in Barcelona. Cecilia lived with her current partner and their four children; the oldest ones aged 14 and 11 years old were from her first marriage and the two youngest children, were a 2-year-old and a newborn baby from her current partner. Her working hours were from 9:00 am to 8:00 pm. Ana had to undertake specific care of a child of two years and all the housework. Ana says that she immediately had a very good connection with her employer; she was very kind and sensitive, and had good manners.

However, when Ana announced she was pregnant, Cecilia herself suggested that Ana should stop working "*because it is a lot of pressure*"; and she accepted. Cecilia requested her to recommend "*someone like you,*" and Ana suggested hiring one of her sisters who was in Bolivia. Although Ana and Cecilia had a very good working relationship, apparently, there was no way of negotiating schedules or different routines because this family had very young children that required to be attended to, and needed—one way or the other— a domestic worker until 8:00 pm.

Cecilia perhaps tried to compensate Ana with gifts, favors and money. Just before the birth of Ana's baby, Cecilia gave her a brand-new, complete, and modern stroller, and lent her some money, so she could rent an apartment. When Ana decided to send her daughter to Bolivia, Cecilia gave permission for Ana's sister to take her there and even took care of the

plane ticket<sup>16</sup>. The relationship between Cecilia and Ana, even after she stopped working for her became more "*like family*", or as Ana described it at some point, Cecilia was "*like a friend*". However, Cecilia's family had place for their own four children, not five.

As Anderson (1999 and 2000) explains in her study, paternalism or maternalism sometimes marks domestic employment relationships. This concept arises when the kindness, pity, and charity define the relationship between employer and employee. Some employers exercise and express their maternalism through gifts and favours but at the same time, they assert their power over the domestic worker (Anderson 1999). In the relationship between Ana and Cecilia, despite so much appreciation and gifts there was no place for Ana's daughter to be part of her work. After giving birth, Ana lived in a shared apartment with her baby, her sister, and friends, and began working part-time at other houses. But things were not so easy for Ana: money, housing, work, the opportunities to make progress and the social pressure of being a "single mother" forced Ana to change her plans. Ana made the decision -but not without pain- to become a transnational mother in order to work, study, and become more financially stable. She intends to start the normalization of her status in Spain, in order to bring her child by reunification when she starts school. After sending her daughter to Bolivia, Ana started working with Cecilia's mother as night carer, and was able to regularize her migration status. Until the moment, she was undocumented. Ana is highly grateful to Cecilia and her entire family for her documents.

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<sup>16</sup>Ana could not travel because her situation was irregular, so they agreed that her sister would take Ana's daughter to Bolivia.

Restrictions on migration and border policies, the lack of legal protection for migrant workers, and labour exploitation in domestic employment are combined in many ways with paternalism that resulted from the same domination system. Such labour relations, permeated with affection and favours, construct symbolic relationships -"my employer is like a friend"- that neutralize an exploitative relationship, through which the ruling class maintains its privileges. Domestic workers internalize this discourse -legitimated as natural- to disguise a class relationship and they end up feeling grateful to their employers for "*processing the paperwork*" or "*helping them*" with their family reunification.

The absence of public policy and legally recognized rights reinforce unequal ties. No matter how many favors and kindness she received from her employer, the needs of the employer and her family are above everything. Cecilia, the employer, lives with her four children and did not have to give up someone until 8:00 pm because she can afford it. On the other hand, Ana, the domestic worker, lost her job when she became pregnant, and then had to resign to initially raise her daughter -of whose care she could not even afford or continue in Spain (although she could in a transnational way). When I asked Cecilia what she thought of migrant women that had to take such decisions, she replied: "*How bad assembled is this world that these women have to leave their children! For them must be the hardest thing in the world, I tell them that they are very strong.*"

### **Social Care Organization... For Whom?**

Social organization of family life and care is quite difficult to bear for many working woman in Spain, and it is even more challenging for migrant women, who have only few social

networks in the country of destination. For migrant domestic workers, this is even more complicated due to the precarious labor conditions and their social exclusion as workers. As earlier discussed, the legal restrictions, the lack of legal protection, including the legal ambiguity for workers in the domestic sector, compel them to individually negotiate with employers their labour rights and their right to a family life.

The State is complicit in the continued exploitation and marginalization of migrant domestic workers. It causes worker's rights to be dependant of their labour relationships, which often get mistaken by the employers as "favours". It seems almost coherent that migrant domestic workers have to rely on favours from their employers to have access to money loans, renting apartments, plane tickets or employment contracts for family reunifications, in order to cope with the bureaucratic procedures and conditions to have access to family reunification.

"Favors" blend in with the labour relationship, turning it into an asymmetric power relationship, usually of exploitation and traversed by the affection and trust of a home environment. But the relationship between domestic workers and employers is also determined by the legal division between citizens and undocumented migrants. The interrelations of migration policies, labor market, and domestic service take form in the household. As Gutierrez Rodriguez (2010) explains, the State tries to avoid directly interfering in the sphere of the private household.

When the migrant worker has her family in the country of destination, the reorganization of schedules, permits and all that entails to enjoy the right of family life tend to be negotiated based on that paternal power relationship. By adopting a paternalistic

standpoint, the employers obviously prioritize the interests of their own families before the opinions of their domestic workers to have family life. Cecilia decided that Ana could no longer work for her if she had her baby. Mari's employer decided that she could not go home to her husband every day. Juana's employer decided that she could not have dinner with her own children.

Employers usually come out as winners because they have the money or resources to have ownership of their worker's time and discretion of their own time. Even though workers try to negotiate and claim their rights, which they often do, but are not always favourable on their terms. The key issue is the kind of relationship between domestic workers and employers, and the role they play in the households. Following Anderson (2000), the position of the domestic worker is defined primarily by their role in the household and secondly, by their lack of power and authority in the home. Corina and Judith have a different role than Ana, Mari and Juana. They care for older women for 24 hours. But their employment conditions and labour relationship are different, too. They run the household make related decisions on domestic tasks, and, although they must accomplish a fix schedule under a live-in regime, they have some capacity for management of their time, including time with their own family. Domestic workers like Ana, Mari and Juana, beyond their specific tasks (care the children, clean the house, cook, iron, etc.), reinforce the status of the upper class household. In these cases, the invisibility of domestic work, the ownership property of persons, and the denial of their labor rights are greater. By performing this role based on the status of the family, the domestic

worker's right to their own family is denied. That is, the right to a family life of domestic workers depends on the role they play in the household of the local upper-class families.

Anderson (2000) sets certain parallels between the Victorian servility in Britain and contemporary domestic workers of migrant background. The idealization of the figure of white, moral and spiritual woman ("angel of the home") contrasts with the figure of the maid: dirty, immoral and is associated with the physical and not the spiritual. Thanks to their servants, the "ladies" of the Victorian age were able to reinforce their femininity and be "domestic" without being dirty, and at the same time ensured the refuge and comfort of their men. "Ladies" need servants (Anderson 2000). As a continuation of the Victorian age, domestic service today is an expression and reproduction of social class relationships.

In Spain, parallelisms could also be found between the servicing of lifestyles by contemporary migrant domestic workers and servant *criadas* in the late nineteenth century. The Catholic Church frequently served as the link between domestic servants and upper class families. Different congregations facilitated the recruitment of domestic workers and "saved" these women from their difficult lives, thus, avoiding their marginalization.<sup>17</sup> Currently, a famous nun in Barcelona has an agency where around 200 migrant women were attended to daily. In this place, every day the nun reads advertisements of seek employment. Often, she says quite clear the message of the requirements from upper class families: "...a woman without family here." (Poblet 2009). The upper class families and the nuns always knew that migrant women with families will have great difficulty working as domestics. In domestic

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<sup>17</sup> See Poblet (2011).

service there is no place for a family in the worker's life because they were never thought of having one. As mentioned, servants of upper class families - *criadas* and *minyones*- were young unmarried women of rural and humble origins. Those who got married left work and those that do not -because they were so poor did not even had the dowry to get married- remained at the service of their masters their whole life (Sarasua 1994; Farré París and Garcia García 2001).

In the Spanish social imagery there are no families of servants, housekeepers, nannies or maids. Most of them are single or their family is unknown. There are some cases, at most, where nannies or governesses - within which the service have always had more prestige- end up marrying the widower employer<sup>18</sup>. At present, transnational migrants who work as domestic workers do so for their own families. Their capital is the time available for a wealthy family, and for those with children, their own projects are mainly the education of their children. Their sacrifices, resignations and negotiations are based on the well-being of their children and families. The issue is that domestic workers have to buy and sell care time from a mercantilist logic for ensuring social reproduction.

Then, who benefits from migrant domestic workers not having a family? Arguably, those who are absent in the domestic transactions: the State and men. Cecilia's husband will continue to work and may never come back home earlier to make dinner or bathe their children. The traditional gendered division of work, materialized in the labour market and in households, is kept alive by the domestic service industry (Gutierrez Rodriguez 2010).

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<sup>18</sup> For example, the movie "The Sound of Music" is based on the true story of Maria Von Trapp.

Ensuring social reproduction within the same capitalist system and sexual division of labour implies the perpetuation of that same production mode, which is not confined only to survival, but also to consumption and a particular established lifestyle. The demand for domestic workers has increased significantly to support the European lifestyle coupled with restrictions for family reunification of migrant women and a legal vacuum regarding "family-work conciliation" of migrant domestic workers.

If the Spanish State maintains the flexible and precarious domestic service through a "family care model" prone to exploitation and extortive employer relationships; it consequently remains interested in keeping a cheap labour force "*without family here*" embodied by migrant women today. Without this dynamics of domestic service involving migrant women, the *criada* or *minyona* of the nineteenth century could return, i.e. poor, rural, young, illiterate, unmarried women. However, Spain has somewhat addressed the reduction of poverty levels and illiteracy, as well as promoting waged labour for women, equality and "conciliation" between work and family. The problem is that it just did it exclusively for its *own* citizens.

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