

Within Four Walls: The Empowerment of Household Workers in Chile ©

by

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Abstract

WITHIN FOUR WALLS: THE EMPOWERMENT OF HOUSEHOLD WORKERS IN CHILE

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The purpose of this thesis is to analyze how *Ley 20.786* has contributed to the improvement of working conditions and the empowerment of household workers in Chile. *Ley 20.786* was passed in 2014 in Chile, and it formalizes the working conditions of all household employees, regardless of job status or nationality. To analyze how household workers have the capacity to exercise choice, I draw on the semi-structured interviews I carried out during my fieldwork in Santiago de Chile. The results indicate that there are some improvements in the working conditions of domestic workers as a result of *Ley 20.786*. The results also suggest that the women in this job sector find ways to configure their power relations at work, become aware of their traditional vulnerable position by accessing information about their labour rights, and that they make use of their resources, agency, and achievements to gain a sense of empowerment. This thesis contributes the largely unexplored topic of domestic workers' empowerment in Chile and Latin America.

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Chapter 1: Introduction

Household work is an essential but invisible part of Latin American and Caribbean society. Domestic work is an occupation populated by women of traditionally vulnerable positions, which socially reproduces the assumption that this job sector is assigned to women of lower socioeconomic status (Francois 2008; Stefoni & Fernández 2011). In Chile, household workers are formally known as *trabajadoras de casa particular*, *empleadas de casa particular*, or *asesoras del hogar*. These terms are used interchangeably by state institutions, organizations, unions, and individuals. Informally, they are known as *nanas*. The term *nana* is still found in newspaper articles and job agencies. Additionally, live-in domestic work is known as *puertas adentro* (doors inside), and live-out domestic work is known as *puertas afuera* (door outside). For the purpose of this thesis, I will use the term *empleada* to refer to domestic workers in Spanish.

By 2009, approximately 15 percent of women were employed as household workers in Latin American urban areas, with or without a formal contract (Blofield 2012). In Chile, there are approximately 350.000 household workers.¹ In addition, approximately 95% of household workers are women.² Due to the highly feminized characteristic of household work, it is common that documents related to this job sector use female nouns and pronouns in Spanish. Domestic work is part of the service sector, which employs almost half of women workers in Chile.³ According to the Direction of Labour, a state institution that promotes the fair treatment of all workers in Chile,⁴ household workers are persons who provide domestic services to others. These services include

¹ Information taken from: <http://www.dt.gob.cl/1601/w3-article-105244.html>

² Information taken from: <https://www.guioteca.com/temas-legales/asesoras-del-hogar-%C2%BFque-informacion-debe-saber-el-empleador/>

³ According to the Dirección del Trabajo (Labour Direction), 46% of women work in the service sector. Taken from <http://www.dt.gob.cl/1601/w3-article-59923.html>

⁴ Information taken from: <http://www.dt.gob.cl/1601/w3-propertyname-2299.html>

cleaning, being a personal driver, taking care of children and the elderly, and helping out with the necessary domestic duties of a home or an institution.

During the colonial period in Chile, the stratified relationship between the master and the domestic servant was shaped by the gendered division of labour and the strong presence of women of indigenous or *mestiza* descent (Kuznesof, 1989; Orsatti 2011; Stefoni & Fernández 2011). These differences generated unregulated working conditions that remained in Chilean society throughout the nineteenth century and into the twentieth (Milanich, 2011). As a result of this stratified relationship, remunerated domestic work was devalued because it remained invisible to the public eye.

In spite of these disadvantages, household workers were able to mobilize themselves in Chile throughout the twentieth century. During the 1960s, '70s and '80s, domestic workers' unions allied with other workers' organizations and the Catholic Church to ensure that their demands remained relevant in the face of drastic political changes, namely the 1973 coup d'état that established the military dictatorship until the return to democracy in 1990 (Hutchison 2011). Although the unions currently provide services to national and foreign domestic workers, the number of active members in the organizations has declined in the twenty-first century (Blofield 2012). During the 1990s and early 2000s, gradual legislative changes were introduced to improve the working conditions of domestic workers (Blofield 2012). However, these changes did not grant domestic workers the same rights as other manual workers in Chile (Blofield 2012). The different regulations between household workers and other manual workers were due to the belief that domestic work was not considered real work because it remained invisible from the public sphere (Blofield 2012; Chaney & García 1988).

Nevertheless, international and national institutions have recently passed more treaties and legislations that improve the labour conditions of remunerated domestic work in Chile and in other countries. In 2011, the International Labour Organization (ILO) introduced the Convention on Domestic Work 189. The purpose of this convention is to protect domestic workers from abuse and exploitation by outlining the labour rights and specific principles that domestic workers are entitled to.⁵ This convention attempts to effectively enforce existing laws and regulations and introduce new laws that specifically address domestic work.

In response to Convention 189, domestic workers' unions in Chile successfully campaigned for better working conditions and a more dignified place in society at the beginning of the 2010s. In October 2014, a new law was passed in Chile to protect national and foreign household workers from abuse and unpaid overtime. *Ley 20.786* brought some improvements on paper for all domestic workers. So far, there are many newspaper reports, interviews, and short documentaries about this legislative change. However, researchers have not examined the impact of *Ley 20.786* in great detail because it is fairly recent. This gap in research opens the opportunity to address the improvements of domestic work as a result of *Ley 20.786*. The initial purpose of this thesis was to explore how working conditions have changed due to the content outlined in *Ley 20.786*. However, I began to pay attention to the ways that household workers exercised choice as my research developed.

Previous academic works have analyzed domestic work in Chile and Latin America in relation to migration, social movements, and the mistress-servant relationship. However, there is

⁵ Information taken from:
http://www.ilo.org/wcmsp5/groups/public/@ed_protect/@protrav/@travail/documents/publication/wcms_161104.pdf

little knowledge about how household workers in Chile and Latin America have created paths towards their empowerment in the workplace. Domestic work is a historically informal job sector in which women workers are devalued because of the traditional notions of working in another person's home (ILO 2011). The passage of *Ley 20.786* in Chile provides the opportunity to explore how this group of traditionally vulnerable individuals, who are mostly women, can exercise agency. It is too soon to analyze the full effect of *Ley 20.786* on domestic workers in all regions of Chile. However, we can begin to understand how *Ley 20.786* has contributed to the improvement of working conditions and to domestic workers' empowerment. In order to address these topics, I seek to answer the following research questions: how has *Ley 20.786* improved the working conditions of household workers in Chile?, and how have *Ley 20.786* and the processes surrounding its passage contributed to the empowerment of household workers in Chile?

With these research questions, I aim to better understand how domestic workers in Chile can find pathways that break down notions of their traditionally vulnerable position in the workplace. My definition of empowerment is influenced by the works of Naila Kabeer (1999) and Esha Sraboni et al (2014), who state that empowerment is the capacity for disempowered people to finally make strategic life choices in situations in which their decision-making ability has been previously denied. To better understand this process of empowerment among domestic workers in Chile, I carried out interviews with 17 participants who work in Santiago de Chile as either *empleadas* or domestic workers' union leaders. Based on the results I gathered during my fieldwork I concluded that *empleadas*, regardless of their work status or country of origin, gain a sense of empowerment when they first transform their consciousness. Consciousness transformation is a process related to the *power within*: an affirmation of a conscious identity that

manifests when people realize that their place of vulnerability is a result of cultural and traditional notions established by a dominant group (Kabeer 1994; Troutner & Smith 2004).

With a transformed consciousness, domestic workers are aware of the sets of practices and ideas that perpetuate their subordinated position, and they can finally make use of the right tools to change their living and working conditions. Based on my fieldwork, I conclude that *Ley 20.786* has contributed to some improvements in the following working conditions: having a regulated schedule, having more rest time, writing a compulsory formal contract, and the use of uniforms in public spaces. In addition, I also conclude that *Ley 20.786* shapes the ways that domestic workers exercise choice in the workplace.

However, due to diverse nature of domestic work, *Ley 20.786* is not the only factor that has contributed to the empowerment of household workers in Chile. The results indicate that the campaign processes that occurred before and after *Ley 20.786* was passed in 2014 also contributed to *empleadas'* empowerment. From these processes, I identified three factors that, combined with *Ley 20.786*, were also crucial for *empleadas* to gain a sense of empowerment. These factors are having access to well-resourced organizations and actors, having access to information about labour rights, and an improved self-appreciation. These factors contribute to the consciousness transformation of domestic workers by challenging the traditional notion of the self-sacrificed and submissive *empleada* in Chile. Consciousness transformation occurs when individuals become aware of their vulnerable, oppressed, and subordinated position in a community or a society. I relate my findings to oppositional consciousness, contradictory consciousness, and *conscientização* to better understand how domestic workers transform their consciousness (Brockett 2005; Freire 1970; Morris & Braine 2001). By having access to well-resourced organizations, *empleadas* can make use of the appropriate tools to gain information about their

labour rights, to communicate with one another, and to participate in activities that advocate for the improvement of their job sector. Household workers can value their contributions at work by recognizing that their presence is necessary in the employer's household and by ensuring that the employer appreciates their work. With these factors and with *Ley 20.786*, household workers can exercise choice at work without negatively affecting their living and working conditions.

This thesis aims to better understand how the passage of *Ley 20.786* is effectively changing domestic workers' labour conditions and their capacity to exercise choice in the workplace. As far as I know, there are no studies that analyze *Ley 20.786* in relation to the improvement of working conditions and domestic workers' empowerment. This thesis provides new evidence and data for the study of domestic work in Chile. Furthermore, this thesis contributes to the study of domestic work by exploring how legislative changes that are based on Convention 189 are effectively changing job sector. Out of the 25 countries that have ratified Convention 189, 13 are from the Latin America and the Caribbean, which demonstrates that there is an increasing interest in improving the working conditions of this group in the region.

In the next chapter, I mainly explore the historical background of domestic work in Latin America and Chile from colonial times to the present day. I introduce the origins of the traditional notions about domestic work and their persistence throughout Latin American history. Then, I provide an overview of the social movement of domestic workers in Chile and the legal reforms that occurred prior to *Ley 20.786* in 2014. I move on to present the campaign that took place prior to the passage of *Ley 20.786*. The last part of this chapter explains the regulations outlined in *Ley 20.786*, the enforcement mechanisms for *Ley 20.786*, and the recent campaigns organized by domestic workers' unions.

Chapter 3 of this thesis is a literature review on empowerment. I first present my theoretical contributions and the gap that my research addresses. Then, I pay attention to the study of empowerment by presenting the theoretical concepts of the four forms of power (Kabeer 1994), consciousness transformation (Brockett 2005; Freire 1970; Morris & Braine 2001), and the interdependence of resources, agency and achievements (Kabeer 1999). I move on to review literature related to women's empowerment in order to indicate how my research can introduce new content to the studies of empowerment and domestic work. In Chapter 4, I describe the methods I used during my fieldwork in Santiago de Chile. I explain how I recruited participants, why I used semi-structured interviews, the types of questions I asked, the shortcomings of my research, and how I analyzed the information I obtained during my fieldwork. I conclude this chapter by presenting a brief profile of the participants involved in the interviews.

In the results chapter, I present the working conditions that participants talked about during the interviews. Then, I pay attention to three factors that contribute to domestic worker's empowerment: having access to information about labour rights and resources, and showing signs of improvement in self-appreciation. In this chapter, I also provide additional information that supports my findings, such as state documents, newspaper articles, websites, and videos. In the final chapter, I turn to discuss my results and their relation to the concepts presented in the literature review. I begin this chapter by answering my research questions. Then, I apply the theoretical concepts I presented in my literature review to my fieldwork results in order to explain how I answered my research questions. This section is followed by the usefulness and limits of the theoretical concepts I analyzed. Then, I address suggestions for future research projects about household work in Chile. Lastly, I conclude with my contributions to the study of empowerment and domestic work in Chile.

Chapter 2: An overview of domestic work in Latin America and the Caribbean with a focus in Chile

Introduction

In this chapter, I present an overview of domestic work in the region, and I concentrate on Chile's case. First, I present the characteristics that have been crucial in shaping the informal nature of domestic work in Latin America and the Caribbean since colonial times: the patriarchal hierarchy established during the colonial times and the strong presence of women from different backgrounds. Then, I move on to focus on how traditional beliefs about domestic work continued to exist in the nineteenth century. Moving on to the twentieth century, I present how the domestic workers' social movement throughout Latin America began to demand better working conditions despite the perpetuation of traditional beliefs about the job sector. Lastly, I talk about the advances accomplished in the late twentieth and twenty first century, with an emphasis on the birth of CONLACTRAHO (Latin American and Caribbean Confederation of Household Workers), and the ILO Convention on Domestic Work 189.

I then turn to look at the particular case of domestic work in Chile. Similar to the rest of the Latin American and Caribbean region, domestic work has been an integral part in Chile since the colonial period, and much of the history of domestic workers' unregulated work conditions is similar to those in other nations. I primarily focus on the development of the domestic workers' social movement in Chile, the legislative changes that preceded *Ley 20.786*, and the contents of *Ley 20.786* itself. By providing this overview, I present how the experience of domestic workers has shifted from their traditionally vulnerable position to getting similar rights as the rest of manual workers in Chile.

An overview of domestic work in Latin America and the Caribbean from colonial times to the present day: patriarchy, women, migration

Since the colonial period in Latin America and the Caribbean, domestic work has been characterized by the patriarchal hierarchy that subordinated women and by the strong presence of indigenous, *casta*, or Afro-descent women (Blofield 2012; Kusnezof 1989; Orsatti 2015; Stefoni & Fernández 2011). Due to these characteristics, domestic work is a significantly diverse job sector that can differ among countries of the same region (ILO 2011). Historically, domestic work has been the least regulated job sector in Latin America in spite of its importance in the preservation of the patriarchal social structure from the colonial period to modern times (Blofield 2012; Kusnezof 1989).

Although there are not many primary sources on domestic service during colonial times, there are significant connections between this occupation and the traditional role of women that were established during this time period in Latin America (Kusnezof 1989). Since preindustrial Latin America, domestic work has been an important source of employment for women due to traditional gender roles that placed women in areas related to the house while men participated in the public sphere. This division of labour was a product of the patriarchal hierarchy in which men were the authoritative figures in charge of possessions, household employees, and property. Women, on the other hand, would take a passive role in the domestic sphere. Colonial institutions further maintained this division of labour by prioritizing men's role in the public sphere over women's (Kusnezof 1989). For instance, domestic service in colonial Brazil was characterized by the intermeshing of laws that were formally stated by institutions and customs that were understood by the public (Lauderdale Graham 1988). This intermingling of ideas and practices, both formal and informal, elevated the male master as the household authority. The female members of the household would be considered inferior, with domestic servants fulfilling the

lowest position in the hierarchy of a house. Masters would regard domestic work as inferior to other household duties, which led to the poor living and working conditions of domestic servants.

In addition to the division of labour and gender roles that were established during the colonial period, the diverse backgrounds of domestic workers also contributed to the devaluation of this occupation in Latin America and the Caribbean. These domestic servants would either come from indigenous communities, would be black freed slaves, or would be unmarried Spanish women who crossed the Atlantic to settle in the colonies, mainly in preindustrial Mexico (Boyd Bowman 1973; Kusnezof 1989). The diverse backgrounds of domestic servants contributed to a racial hierarchy that valued the few European women servants the most, while it placed indigenous women in the lowest position. Indigenous women were paid the least and were subjected to more exploitation than black freed slaves and *casta* women (Kusnezof 1989). Eventually, domestic work became associated with poor women of colour who were either black, indigenous, or *casta* in the colonial cities of Spanish and Portuguese America (Kusnezof 1989; Stefoni & Fernández 2011). This assumption persisted throughout the history of the region.

The importance of traditional gender roles continued in the nineteenth century with the start of industrialization in Latin America and the Caribbean (Kusnezof 1989). Although women and children started to find employment in other job sectors, such as in factories, domestic work was still seen as an “ideal education for a poor girl” (Kusnezof 1989 p. 24). Young girls were taught the necessary skills to remain working in the household and were limited from the opportunities of finding employment in other sectors. During this period of industrialization, the rural-urban migration of young women reinforced the traditional notion that domestic work was associated with poor women of indigenous origin (Kusnezof 1989).

During the twentieth century, there were changes in many social notions, such as an expansion in education and an increased emphasis on mothering and child rearing (Kusnezof 1989). These shifts reduced the number of women employed as domestic workers. (Kusnezof 1989; Stefoni & Fernández 2011). However, domestic work experienced a resurgence during the 1940s when middle class women began to take up jobs outside of the household (Kusnezof 1989; Stefoni & Fernández 2011). Domestic work was still an important aspect in the household and a source of income for women of lower socioeconomic backgrounds. With the presence of domestic workers in upper and middle class households, there was still a female figure that perpetuated the job divisions between men and women in society at large (Stefoni & Fernández 2011). Additionally, hiring a domestic worker would maintain the traditional household organization of women carrying out the cleaning and childrearing duties (Kuznesof 1989). Due to the decline of unskilled work in other areas, such as factory work, more poor women turned to domestic work as a source of income. In spite of the efforts to include domestic work in labour regulations, this job sector maintained its traditional informality due to the belief that household workers were part of the employer's family and should maintain a passive role in the employer's household (Blofield 2012; Stefoni & Fernández 2011). Nevertheless, domestic workers found opportunities to negotiate better working conditions. These opportunities led to the founding of domestic workers' unions with the purpose of advocating for more labour rights.

Initial organizing efforts by domestic workers throughout Latin America began to happen during the 1930s and '40s. Bolivian, Brazilian and Mexican organizations were formed during the 1930s and one of the Argentinian domestic workers' union was created in the 1940s (Orsatti 2015). Colombian, Costa Rican, Peruvian, Trinidadian and Uruguayan efforts followed in the 1960s and '70s (Orsatti 2015). Finally, domestic workers started to mobilize in the 1980s in Ecuador,

Guatemala, and Dominican Republic (Orsatti 2015). These initial organizations were often linked to Catholic youth organizations that promoted the advancement of labour rights in Latin American countries (Blofield 2012; Orsatti 2015). These social movements started to gain momentum in the 1970s and '80s when they began to demand equal rights and to mobilize (Blofield 2012). However, domestic workers in Latin America and the Caribbean were still exploited. They worked for long and unregulated hours and had limited lives outside of the employer's household. Until recently, this exploitation was not contested by state institutions because domestic work was not considered part of the public sphere. In addition, the domestic workers' movements developed mistrust and resentment towards feminist group due to class differences and the perpetuation of traditional gender roles in the household (Chaney & García Castro 1989; Pereira de Melo 1989). Feminist groups have often disregarded the interests of lower-social class women in the effort to seek liberation from their gender roles. As a result, these efforts liberated upper and middle class women by replacing their presence in the household with a domestic worker. Nevertheless, the domestic workers' movement has built alliances with feminist groups with successful outcomes, such as the case of Chile in the 1980s when social movements forged alliances in favour of the plebiscite to end the military dictatorship (Hutchison 2011).

In spite of this conflicting relationship with the feminist movement, organizations in Latin American and Caribbean countries and international treaties continued to advocate for a change of the traditionally vulnerable position of household workers. The birth of CONLACTRAHO in the 1980s demonstrates that established social movements in Latin American countries hold similar interests and want to collaborate in their fights for better rights. The confederation is a result of a joint initiative by trade unions in Latin American nations (Orsatti 2015). Some of its goals are to dignify domestic work, to abolish its invisibility from institutions, to fight against inequality at

work, and to promote the protection and security of domestic workers in the workplace (Orsatti 2015). This confederation promotes the solidarity among domestic workers' unions in Latin America, and provides a space in which activists can share their stories and create a social movement that goes across borders. Although several Latin American countries have granted domestic workers equal rights to those of other manual workers, law implementations and inspections are ineffective (Blofield 2012). As a result, it is necessary for domestic workers' activists to keep state institutions in check to ensure that their rights are not violated. More importantly, CONLACTRAHO and country-specific domestic workers' unions can further gain momentum with the help of international treaties that protect the job sector.

The ILO Convention on Domestic Work 189 that occurred in 2011 contests the exploitation of domestic work across the globe.⁶ This convention recognizes the devaluation and the highly feminized aspects of domestic work. The ILO Convention acknowledges the contributions of migrant domestic workers to the global economy, the occupation's particular characteristics, and the need to have special conditions that address the needs of domestic workers around the world. The Convention 189 calls for a more effective implementation of existing laws and the introduction of new labour laws that protect domestic workers. Furthermore, Convention 189 outlines that domestic workers are entitled to the minimum wage of their specific countries, must have regulated work hours that take into account overtime and rest time periods, must be aware of their terms of employment, and must have access to social security services. These recommendations demonstrate that the issues put forth by domestic workers' unions and

⁶ C189-Domestic Workers Convention, 2011 (No. 189). *International Labour Organization*. Available at http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:2551460

organizations are being acknowledged by well-resourced and influential institutions and that, at least on paper, powerful actors are willing to dismantle the traditional vulnerability of domestic work. Out of the 25 countries that have ratified this convention, 13 of them are from the Latin American and Caribbean region: Argentina, Bolivia, Chile, Colombia, Cost Rica, Dominican Republic, Ecuador, Guyana, Jamaica (will enter into force in October 2017), Nicaragua, Panama, Paraguay, Uruguay. The strong presence of Latin American and Caribbean countries in the ratification of the Convention 189 demonstrates that domestic work is a significant aspect in the history and culture of this region. Furthermore, the ratification of the ILO Convention demonstrates that, at least on paper, the traditional patriarchal hierarchy that has persisted since colonial times in Latin America and the Caribbean is beginning to change.

Domestic work in Chile: the traditional notion of the submissive *empleada* and the social movement of domestic workers

The history of domestic work in Chile followed a similar pattern to the rest of Latin America. It has been characterized by the strong presence of poor women of indigenous descent (generally Mapuche) who migrated from the countryside to urban areas and the patriarchal hierarchy that identified the male *patrón* as the authoritative figure over all other household members and servants (Maher & Staab 2006; Stefoni & Fernández 2011). Throughout the history of domestic work in Chile, the subordinated position of *empleadas* in the household has preserved the traditional division of labour between men and women, as well as the notion that domestic duties should still be assigned to female household members (Stefoni & Fernández 2011). More importantly, the unregulated working conditions and the traditional assumptions of domestic workers socially constructed *empleadas* as self-sacrificing, hard-working, and submissive women whose lives revolved around their employers and paid little attention to their personal interests and needs (Stefoni & Fernández 2011).

An overview of the social movement of domestic workers in Chile

The twentieth century was witness to the birth of the social movement of *empleadas* in Chile. Similar to other Latin American countries, industrialization and the formalization of work opened opportunities for *empleadas* to negotiate better working conditions in spite of the traditional beliefs about the occupation (Kusnezof 1989; Stefoni & Fernández 2011). This social movement was a result of political and social changes that were happening in Chile, such as the introduction of the Code of Labour in 1924 by the workers' federation (Moreno 1989). In 1926, a mixed-gender union was founded by domestic workers in Santiago (Orsatti 2015). This union was then followed by branches in different cities across the country (Stefoni & Fernández 2011). In 1947, an all-female organization was founded with the help of the JOC (Young Catholic Workers), a social movement established by the Catholic Church in Chile (Hutchison 2011; Moreno 1989; Orsatti 2015). This all-female organization became ANECAP (National Association of Household Employees), and its main focus was on organizing religious and secular activities outside of work for female domestic workers (Hutchison 2011). In the late 1960s, SINTRACAP (Union of Household Workers) was founded as a result of a national congress among union leaders. Whereas ANECAP was (and continues to be) tied to the Catholic Church, SINTRACAP adopted a more politicized approach to the social movement of domestic workers in Chile (Hutchison 2011). The relationship between these unions, other workers' organizations such as the CUT (Workers' Central Unit), and the government initially brought promising changes in the early 1970s due to the agenda of the leftist party *Unidad Popular*, led by President Salvador Allende. However, these changes were abruptly halted due to the military coup d'état in 1973 that established Augusto Pinochet's military dictatorship in Chile.

ANECAP and SINTRACAP did not dissolve in spite of the halt in activities due to the dictatorship's disapproval of unionism and the labour movement (Blofield 2012; Hutchison 2011). Nevertheless, the military regime coined the name of the occupation as *trabajadoras de casa particular* in 1978 (Hutchison 2011). This change in name suggested that, on paper, domestic workers were advancing their conditions by being labeled as workers instead of nannies in the eyes of the Chilean state. Nevertheless, the working conditions of domestic workers did not significantly improve until the return to democracy in 1990. Additionally, domestic workers were still colloquially referred as *nanas* instead of *trabajadoras de casa particular*, which undervalued the contributions of domestic workers to the role of a nanny who is considered more of a family member than an actual worker (Hutchison 2011; Stefoni & Fernández 2011). During the 1980s, ANECAP and SINTRACAP forged alliances with the feminist movement and were active participants in the 1988 plebiscite that ultimately reinstated democracy in Chile (Hutchison 2011; Orsatti 2015). Through these alliances, the unions made the effort to remain relevant in the changing socio-political conditions in Chile.

After the return to democracy in 1990, ANECAP and SINTRACAP did not gain the same number of members they had prior to the 1973 coup d'état, and modifications in domestic work that followed were mostly initiated by members of state institutions (Blofield 2012; Hutchison 2011). The gradual legislative changes that occurred in the 1990s and early 2000s include: the right to severance pay in 1990, the right to maternity leave in 1998, the right to national holidays for live-in *empleadas* in 2009, and the right to equal minimum wage as other manual workers in 2011 (Blofield 2012). However, these gradual changes did not contest the notion of submissive and hard-working *empleadas* in Chile (Blofield 2012; Stefoni & Fernández 2011). These piecemeal advances were mostly introduced by members of state institutions. Although

domestic workers were also entitled to have a formal contract, social security deductions, and to work up to 72 hours per week, these regulations were not properly followed by all employers and domestic workers (Blofield 2012). A 2006 article published by BBC Mundo reported that domestic workers worked an average of 94 hours per week instead of 72.⁷ Prior to passing *Ley 20.786*, an article by *La Tercera* estimated that between 50 and 70% of domestic workers work did not have social security deductions.⁸ Lastly, prior to *Ley 20.786*, approximately half of domestic workers had a formal contract (Blofield 2012).

In spite of these gradual advances, the notion of submissive domestic workers prevailed with the arrival of immigrant women from neighbouring Latin American nations to Chilean urban areas in the 1990s. Immigrant women started to work as *empleadas* under even more vulnerable conditions, such as the lack of legal work permits that protected them from abuse in the workplace (Méndez et al. 2012; Staab & Maher 2005). These precarious conditions compromised the advances made by Chilean household workers who advocated to break free from the developing stereotypes attached to their occupations. Chilean employers began to hire immigrant women, mainly from Peru, in order to maintain the traditionally stratified mistress-servant relationship with domestic workers (Staab & Maher 2005). Immigrant domestic workers in Chile, consequently, were stereotyped as docile women who were less educated and less likely to negotiate working conditions with their employers because of their migrant status in Chile (Staab & Maher, 2006). Nevertheless, domestic workers' unions began to contest the traditionally vulnerable notion of all *empleadas* in Chile when they started to campaign in 2012 for *Ley 20.786*. This law is in accordance with the 2011 ILO Convention 189.

⁷ Information taken from:

http://news.bbc.co.uk/1/hi/spanish/specials/2006/trabajadoras_hogar/newsid_5049000/5049202.stm

⁸ Information from: <http://www.latercera.com/noticia/nueva-ley-y-nuevo-status-la-hora-de-las-nanas/>

The origins and content of Ley 20.786

I base the history of *Ley 20.786* on the interview I conducted in my fieldwork with one of the leaders who actively participated in the campaign for this law. The information that this participant shared provided me with an insight on the interactions that occurred among the unions, politicians, and state institutions prior to passing *Ley 20.786*. Before the campaign for *Ley 20.786* began in 2012, there was a national congress in which several domestic workers' union leaders gathered to discuss their points of interest and the changes they would like to see in the working conditions of all *empleadas* in Chile. The congress attendants came up with a petition list, which was delivered to three ministries: the SERNAM (National Service for Women), the Ministry of Social Development, and the Ministry of Labour. Out of the three institutions that received the petition list, the Ministry of Labour was the only ministry that got into contact with SINTRACAP. During an interview with CNN Chile, the Minister of Labour Evelyn Matthei highlighted that, in response to of the ILO Convention 189, the right-wing government under President Sebastián Piñera at that time was making an effort to formalize the working conditions of *empleadas* in Chile.⁹ After getting into contact, union leaders organized a meeting at the home of Minister Matthei. During this meeting, the union leaders explained their requests to Minister Matthei: to have a formal contract, to have regular inspections, and a regulated work schedule. The bill that preceded *Ley 20.786* came from that meeting, though there were some disagreements between the Ministry of Labour and the unions on certain terms. The unions were not willing to compromise on their requests.

⁹ This interview can be found in: <https://www.youtube.com/watch?v=ZWZVLTydE9g>

In 2013, the bill for this law passed the Deputy Chamber and ended in the Senate Chamber. The unions insisted on setting their own terms and to not compromise, even with the left-wing government that took power in 2014 under President Michelle Bachelet. Union leaders and activists successfully negotiated with the newly appointed Minister of Labour Javiera Blanco. A few days after the 30th of March of 2014, which was celebrated as the International Day of Domestic Workers, SINTRACAP received a call from the Ministry of Labour announcing that they would work on the bill once again. The ministry collaborated with the unions to work on the bill for *Ley 20.786*, which came out as a law in the Official Newspaper of the Republic of Chile on October 27, 2014. The law was enacted in January 2015, marking the beginning of its full implementation in the working conditions of all *empleadas* in Chile. Ultimately, *Ley 20.786* is meant to provide all domestic workers with similar work regulations as other manual job sectors. *Ley 20.786* follows the ILO's recommendations of having an effective implementation of existing laws and introducing new regulations that address the specific case of domestic work. The laws that preceded *Ley 20.786* include the rights to a formal contract, social security deductions, holidays off, and minimum wage. *Ley 20.786* introduces new protections in regard to work hours, rest days, and uniform use.

According to the Labour Direction, the state institution that oversees labour relations in Chile, and the Code of Labour in Chile,¹⁰ *Ley 20.786* outlines the following protections for live-in domestic workers:

- Live-in domestic workers have the right to an uninterrupted rest period of 9 hours, 12 hours of overall rest every day. With this division of time, live-in domestic workers can

¹⁰ Information taken from: <https://www.guioteca.com/temas-legales/asesoras-del-hogar-%C2%BFque-informacion-debe-saber-el-empleador/>

Information taken from: <http://www.dt.gob.cl/1601/w3-article-60059.html>

have three hours of rest during the day, which can be allocated to meals. Live-in domestic workers are not entitled to a set schedule. Instead, *Ley 20.786* specifies that their work schedule should be based on the “nature of the work duties.” *Ley 20.786* does not specify what these work duties refer to. Nonetheless, we can assume that they refer to the specific responsibilities that a live-in domestic worker might have in the workplace. These responsibilities can include cleaning, cooking, and looking after children or the elderly.

- Live-in domestic workers are also entitled to one day of rest per week in addition to every Sunday. The day off can be split into two as long as it is previously arranged with the employer.
- Additionally, the employer must be in charge of providing room and board without discounting them from the employee’s salary.

Live-out domestic workers, on the other hand, are entitled to the following protections:¹¹

- Live-out domestic workers who are full-time have a regulated schedule of 45 hours a week, which can be distributed in a maximum of six days a week.
- Live-out domestic workers cannot be compelled to work for more than 12 hours a day.
- Live-out domestic workers are entitled to Saturdays and Sundays off, unless they have previously arranged with their employers for another day off. In this case, domestic workers can trade their Saturday rest day for another day of the week.

¹¹ Information taken from: <https://www.guioteca.com/temas-legales/asesoras-del-hogar-%C2%BFque-informacion-debe-saber-el-empleador/>

Information taken from: <http://www.dt.gob.cl/1601/w3-article-60059.html>

- Live-out domestic workers can also work up to 15 hours of overtime. If a live-out domestic worker has to work overtime, she is entitled to get paid time and a half.

All domestic workers are entitled to the following protections:

- All domestic workers must have a formal contract with their employer(s) that outlines work duties, schedule, salary, severance pay, pension, social security deductions, and other specific terms that have been arranged between the worker and the employer.¹² This formal contract must be signed by the employer and the employee, and it must be registered with the Labour Direction within 15 days of the hiring date.
- These 15 days also act as a trial period for domestic workers and employers to see if the work arrangements benefit both of them.
- Employers must pay their domestic workers' social security premiums. These social security premiums cover severance package, health care, work accidents, dependents (if applicable), and pension plan. The employer can pay the social security premiums on PreviRed.¹³ PreviRed is a third party agency that calculates the social security premiums and allocate them to the services that the domestic worker is registered in. This agency has affiliations with both private and public social security institutions.
- Employers are prohibited from demanding that their domestic workers wear their uniforms in public spaces. These public spaces include “pools, hotels, parks, beaches, social clubs, and other spaces of such nature.”¹⁴ In Chile, a domestic worker's uniform can be an apron, a vest, a shirt or a dress similar to a nurse's scrubs. Prior to *Ley 20.786*,

¹² Information taken from: <https://www.guioteca.com/temas-legales/asesoras-del-hogar-%C2%BFque-informacion-debe-saber-el-empleador/>

¹³ Information taken from: <https://www.previred.com/web/previred/quienes-somos1>

¹⁴ Information taken from: [http://www.bcn.cl/leyfacil/recurso/trabajadoras-y-trabajadores-de-casa-particular-\(nueva-ley\)](http://www.bcn.cl/leyfacil/recurso/trabajadoras-y-trabajadores-de-casa-particular-(nueva-ley))

there was no regulation on the apparel that domestic workers wore at work and in public spaces.

- All domestic workers are entitled to have holidays off. However, domestic workers can switch this rest day if it has been previously arranged with their employers.
- The employer cannot decrease the salary of the domestic worker due to the reduction of work hours per week from 72 to 45 hours.

The content outlined in *Ley 20.786* is meant to protect all domestic workers from exploitation at work. However, there are still some gaps in the law that can compromise the living and working conditions of domestic workers. For instance, live-in domestic workers are not entitled to overtime pay if they have to work additional hours. This lack of overtime pay places live-in household workers in a more vulnerable position than their live-out counterparts, and it is yet to be addressed by state institutions and unions. Furthermore, domestic workers are not entitled the same severance package as other workers in Chile. Instead, employers are supposed pay the 4.11% of the monthly salary to an account with an AFP, a private pension fund.¹⁵ This contribution can be taken out when a domestic worker is fired, retires, or quits, and it can be used as a severance package. However, the contributions that employers make to this pension fund are too little to sustain a household worker after she leaves her work.

The Labour Direction has established measures to address the ineffective implementation of *Ley 20.786*. These enforcement mechanisms include fining employers if they do not follow the law's content properly. In addition, the Labour Direction inspects the ineffective implementation of *Ley 20.786* when domestic workers or employers file complaints, and by checking existing

¹⁵ Information taken from: <http://www.safp.cl/portal/orientacion/580/w3-article-3028.html>

databases of formal contracts between employers and *empleadas*. By March 2015, there were approximately 30.000 formal contracts registered with the Labour Direction.¹⁶ Although there are measures to ensure that *Ley 20.876* is properly enforced in all Chilean households, it is challenging to fulfill this goal if the domestic worker cannot voice her opinions when she is being exploited at work.

In addition to *Ley 20.786*, the Chilean government ratified the ILO Convention 189 in June 2015, bringing in more success to the social movement of domestic workers in Chile. In response to *Ley 20.786* and the ILO Convention, FESINTRACAP (Federation of Household Workers' Unions) launched a new campaign called *Por un Trabajo Justo* (For Fair Work) in October 2016.¹⁷ This campaign is a collective effort with PROMEDU (Foundation for Women's Advancement and Development) and the collaboration with other state institutions, such as SERNAM and the Labour Direction. The purpose of this campaign is to ensure that Chileans learn about *Ley 20.786* and that it is effectively implemented by institutions, employers, and domestic workers. One of the leaders that I interviewed during my fieldwork noted that domestic workers should take the initiative to ensure that their employers follow *Ley 20.786* because they need to use their own voices to raise their concerns. The new campaign is supposed to encourage this initiative.

Summary of chapter

In Latin America and the Caribbean, domestic work has been characterized by the presence of a patriarchal hierarchy and women of diverse backgrounds. Since colonial times, these characteristics contributed to the devaluation of domestic work in the public sphere and its

¹⁶ Information taken from: <http://www.dt.gob.cl/1601/w3-article-105244.html>

¹⁷ Information taken from: <http://www.eldinamo.cl/nacional/2016/10/21/la-campana-que-busca-educar-sobre-los-derechos-de-las-trabajadoras-de-casa-particular/>

informal working conditions. Unions and international organizations began to contest this informality during the twentieth century by demanding better labour rights for domestic workers. Chile followed a similar pattern as the rest of Latin America and the Caribbean: domestic workers' unions challenged the traditional notion of self-sacrificing and submissive *empleadas* in the twentieth century to varying degrees of success. Although the gradual changes that occurred in the late 1990s and early 2000s did not fully change the traditional beliefs of domestic work in Chile, they introduced the opportunity for domestic workers' unions to continue fighting for better labour rights. Due to the contributions of migrant domestic workers to the global economy, the ILO began to pay attention to the occupation's work regulations around the world. As a result, countries where domestic work has deep historical roots have also started to change the unregulated working conditions of household workers. Although traditional assumptions about domestic workers still exist in Chile and the rest of Latin America, legislative changes have begun to contest the vulnerable position of domestic workers in society. In 2014, *Ley 20.786* was passed in Chile in response to the 2011 ILO Convention on Domestic Work 189. Furthermore, Convention 189 was ratified in Chile in 2015. Domestic workers who are aware of these legislative changes can gain the capacity to exercise choice in the workplace because their formal institutions finally acknowledge their rights and needs. In the next chapter, I present how empowerment has been discussed by researchers to understand how this concept fits within the context of domestic work in Chile.

Chapter 3: Literature Review

Introduction

This thesis focuses on how *Ley 20.786* has contributed to the improvement of working conditions and the empowerment of domestic workers in Chile. In order to answer my research questions, I need to place my study in the framework of what past literature has explored in terms of empowerment, power relations, women, domestic work, and consciousness transformation. As I stated in the introduction, there is little research on the empowerment of domestic workers in Chile and Latin America. This thesis fills in the research gap by applying theoretical frameworks of empowerment to the case of household workers in Chile.

I first address my theoretical contributions to the study of domestic workers' empowerment and how this thesis fills in the gap in research. Then, I pay attention to the theoretical frameworks that I use to analyze the empowerment of domestic workers in Chile. I first present the definition of empowerment within the context of my thesis. This definition is followed by Naila Kabeer's (1994) concept of the four forms of power: *power over*, *power within*, *power with*, and *power to*. I refer to these forms of power throughout the rest of this chapter due to their relevance to gaining a sense of empowerment. Secondly, I present the theoretical framework of this thesis, which focuses on consciousness transformation by presenting the works of Paulo Freire (1970), Aldon Morris and Naomi Braine (2001), and Charles D. Brockett (2005). Then, I pay attention to Naila Kabeer's (1999) interrelation of resources, agency, and achievements to explain how consciousness transformation translates into actions by making use of the necessary tools that contribute to empowerment.

Subsequently, I present relevant literature on empowerment by first touching upon the importance of context-specific studies of empowerment. I then pay attention to women's empowerment, which I relate to the specific context of domestic workers in Chile. Finally, I turn to discuss the study of empowerment of domestic workers in Latin America.

Theoretical contributions to the studies of empowerment, domestic work, Chile, and Latin America

It is necessary to acknowledge that empowerment is an ongoing non-linear process that needs to be studied with approaches that take into account specific cultural and socio-political contexts. While there have been some studies on the empowerment of domestic workers in Latin America, there is still a significant amount of research that needs to take place in order to better understand how this traditionally vulnerable group exercises their capacity to choose in the workplace.

In this thesis, I seek to understand how domestic workers in Chile become empowered as a result of *Ley 20.786* in combination with other factors. This empowerment can be generated by a transformation of the consciousness. By focusing on consciousness transformation, we can better understand how domestic workers find paths towards empowerment depending on their specific situations.

Theoretically, this thesis will contribute to the study of domestic work by applying the concepts of *conscientização*, oppositional consciousness, contradictory consciousness and the interdependence of resources, agency, and achievements to generate empowerment. Although these concepts have been used to explain women's empowerment in past literature, we have yet to study domestic workers' empowerment with this theoretical framework in mind. Furthermore, women's empowerment is generally studied as a collective effort, but the data gathered for this thesis demonstrates that there are also individual paths towards empowerment. Focusing solely on

collective empowerment undervalues the change in consciousness that happens in individual situations, or how like-minded individuals get together to form a group after they personally generate their own consciousness transformation.

Defining empowerment and power relations

In spite of its diverse meaning among different disciplines, empowerment can be defined as the capacity for disempowered people to finally make strategic life choices in situations in which their decision-making ability has been previously denied (Jupp, Ibh Ali & Barahona 2010; Kabeer 1999; Sraboni et al 2014). In other words, disempowered, oppressed, and/or vulnerable individuals and groups finally have the power to choose without endangering the different dimensions of their lives, such as their livelihoods, personal safety, or rights in their societies. This ability breaks through the structures that limit individuals and groups in economic, political, and social spheres (Stacki & Monkman 2003; Stromquist 1993). These social structures can include gender roles that benefit men over other genders, class differences, access to education and information, and racial and ethnic hierarchies. By becoming aware of the limits imposed by the conditions of the society they live in, disempowered individuals can collectively engage to bring strategic changes with the purpose of improving their living conditions (Cornwall & Edwards 2014; Freire 1970; Mansbridge 2001; Stromquist 1993; Troutner & Smith 2004). Empowerment is a constant process rather than a fixed state; it is a continuous activity in which individuals analyze their social positions and find ways of challenging traditions that perpetuate their vulnerable positions (Cornwall & Edwards 2014; Freire 1970; Mansbridge 2001; Morris & Braine 2001; Saldanha Marinho & Signorini Goncalves 2016).

Gaining a sense of empowerment is a process that occurs in different manners but leads to the same result: oppressed individuals become aware of their place in society and become willing to

improve different aspects of their lives, such as living and working conditions (Cornwall & Edwards 2014). To better understand how vulnerable individuals and groups can gain a sense of empowerment, it is necessary to first understand how power relations develop. Power relations develop in personal, professional, or public spheres in which norms that are specific in those spheres are established by one group or individual to dominate over another. For that reason, it can be challenging to study power relations due to their complex and multidimensional characteristics. In order to better understand these intricate characteristics, I present Naila Kabeer's (1994) four forms of power to make sense of how power and power relations can lead to gaining empowerment: *power over*, *power within*, *power with*, and *power to*. Understanding how power is distributed among oppressed and oppressive groups indicates the ways in which vulnerable individuals are in a subordinate position, and how they can gain the capacity to choose in situations in which decision-making was previously denied. Throughout the rest of this chapter, I refer to Kabeer's four forms of power to demonstrate how they are portrayed in different cases and to indicate the importance of power relations to gaining a sense of empowerment.

Kabeer (1994) explains that dominant groups have *power over* subordinate groups when they choose the decisions that are worthy of being made and the ones that are not. In other words, oppressive groups and institutions benefit from excluding certain issues from the decision-making agenda, deeming them unnecessary from being crucial to both dominant and subordinate groups. By doing so, some issues become relevant while other matters transform into normal and natural aspects of a society. This power relation becomes normalized by both dominant and subordinated groups, and it is deeply embedded in the consciousness of all individuals (Kabeer 1994). However, *power within* is generated when vulnerable people become aware that their individual problems and frustrations with their living conditions are a result of social rules, norms, and practices that

conceal the dominance of one group over another (Kabeer 1994). That is, subordinate groups find the *power within* when they realize that the dominant group benefits from their subordination. Subordinate groups must build on their *power within* to work towards strategies of empowerment that grant them the ability to have control over resources and decision-making (Kabeer 1994). With this change in consciousness, individual groups can begin to build their strength in numbers by developing their *power with* in collaboration with other people in similar situations (Kabeer 1994). This organization of social networks and alliances among oppressed people refers to Kabeer's concept of *power with*, in which subordinate groups collectively generate empowerment by creating spaces in which their voices can be heard without having a dominant power dictating their actions. Additionally, subordinated groups can create alliances with organizations that, instead of acting on their behalf, allow them to create their own decision-making agenda based on their particular needs. Kabeer notes that the presence of well-resourced actors who give the *power to* oppressed people can create spaces in which they can become liberated from dominant sets of ideas and practices. These powerful actors include non-governmental organizations, religious groups, and social movements that advocate for disempowered people. Outside contributions can help create strategies of empowerment that challenge the traditional notions of a community. Moreover, outside support groups can act as "catalysts for change" who provide the possibility to transform individual powerlessness to collective empowerment (Brockett 2005, p. 152). With this help, powerful actors can provide the *power to* disempowered people's organizations to advocate for better living conditions. Therefore, they are often crucial actors in creating a sense of empowerment among vulnerable groups and in questioning the normalized power relations that have only benefited the dominant group. These well-resourced outside support actors, as well as disempowered people who advocate for better livelihoods, rights, and living and working

conditions, must take into account the specific notions that cause power relations to benefit one group over another.

The development of consciousness transformation

The process of transforming the consciousness in order to gain a sense empowerment can be explained as a journey to find the *power within*, which is a change in one's self image, an affirmation of a conscious identity that manifests when people realize that their place of vulnerability is a result of cultural and traditional notions established by a dominant group (Kabeer 1994; Troutner & Smith 2004). In the case of women, this affirmation of the individual can transform power relations in favour of their rights and greater equality between genders (Cornwall & Edwards 2014). I now address different concepts of consciousness transformation to demonstrate how this process occurs in diverse forms that take into account specific socio-political and cultural notions. These approaches, consequently, pay attention to different factors that contribute to the consciousness transformation of individuals and groups.

The *power within* closely associates with Paulo Freire's concept of *conscientização* (1970). *Conscientização*, or consciousness-raising, is a process in which subordinate individuals become aware of their surroundings and of their place in the world to understand their oppression. With this process, we can explain how subjects become critical thinkers that work towards improving their living and working conditions by making their own strategic choices and setting their own limits in life. Freire (1970) explains that *conscientização* forms in a setting of problem-posing education among teachers and students. With problem posing education, students become co-investigators with their teachers and engage in dialogue that critically analyzes their place in society. In other words, oppressed individuals who engage in critical and liberating dialogue can

develop *conscientização*. By engaging in dialogue, the distinctions between student and teacher begin to blur as both subjects learn and teach one another. This shift from depositing information in the students' minds to encouraging them to become critically aware of oppressive factors in society raises the consciousness of individuals and groups. This raised consciousness, in turn, further engages critically aware individuals to challenge structural norms and to act upon change. *Conscientização* creates a path for oppressed people to continuously contest their position in society, which in turn leads to taking action and drawing on tools that help them develop their sense of empowerment.

In addition to *conscientização*, I pay attention to another form of becoming conscious known as oppositional consciousness. Oppositional consciousness can be described as a mental state that engages vulnerable groups to challenge a dominant set of ideas and practices that have kept them oppressed (Morris & Braine 2001). Oppositional consciousness resembles *power within* by presenting a path in which oppressed individuals can reflect and analyze what has been considered normal and natural in order to recognize a group's dominance over another (Kabeer 1994). Similar to *conscientização*, individuals must transform their own consciousness before taking action towards change, and collective efforts are necessary in challenging oppressive norms. However, the process of gaining oppositional consciousness differs from *conscientização*.

Oppositional consciousness pays attention to the heightened emotions and reasoning of oppressed people when they recognize that their vulnerable condition is the result of a set of ideas established by a dominant entity (Morris & Braine 2001). This non-linear process occurs when oppressed individuals assess their specific socio-political and cultural contexts to find paths in which they can contest the dominant community (Morris & Braine 2001). By reaching the mental state of oppositional consciousness, oppressed individuals identify their vulnerable state, identify

the injustices done to their group, demand change, and form a collective effort to work towards change. All oppressed groups have a culture of subordination and a culture of opposition (Morris & Braine 2001). The culture of subordination includes notions and ideas that oppressed people can use as strategies of survival to cope with adverse social conditions (Morris & Braine 2001). These survival strategies can include adopting a submissive behaviour and using a language of subordination. Culture of opposition, on the other hand, includes cultural factors that are centered on resistance, such as songs and prayers (Morris & Braine 2001). Oppressed groups can form oppositional consciousness with the help of well-resourced actors, such as social movements and organizations. These well-resourced actors take the task of elevating the culture of opposition over the culture of subordination with factors that manifest resistance to oppression (Morris & Braine 2001). For instance, activists of the civil rights movement in the United States made use of cultural practices that were related to resistance to oppression, such as songs, prayers, and speeches, in order to engage Blacks in activities that challenged the sets of ideas and practices established by dominant White groups (Morris & Braine 2001). By making use of this culture of opposition, activists and organizations built on the oppositional consciousness of Blacks in the United States, hence acting as the well-resourced actors who gave the *power to* the subordinated group to challenge dominant thoughts and practices (Kabeer 1994; Morris & Braine 2001).

In a similar manner to oppositional consciousness, Charles D. Brockett (2005) presents the idea of Antonio Gramsci's consciousness transformation by paying attention to how it captures the tension between the hegemonic ideologies and counter-hegemonic cultural forms that exist within the mind of a disadvantaged individual. Brockett (2005) adds to Gramsci's contradictory consciousness by claiming that there is a need to acknowledge the feelings associated with how people make sense of their lives with an emphasis on how imperfect situations give rise to

conflicting feelings, which in turn lead to conflicting narratives. In other words, contradictory consciousness identifies the tension that emerges when subordinated people draw upon their lifetime experiences to simultaneously generate counter-hegemonic practices and hegemonic values to justify their passive roles in society. The arrival of well-resourced outside actors who offer assistance to the disadvantaged can contest this tension by altering the existing power relations in a community. By altering the power configuration, subordinate groups have the possibility to acknowledge their oppression, which leads to a change in narrative. This change in narrative leads disadvantaged people to voice their counter-hegemonic values rather than the hegemonic values that perpetuate the subordination of the disadvantaged. This change in narrative is similar to the culture of opposition found in oppositional consciousness (Morris & Braine 2001): subordinated groups use tools that help them identify the sets of practices and ideas that perpetuate their subordination. Additionally, like oppositional consciousness, Brockett (2005) demonstrates that this change in consciousness can occur when oppressive groups begin to use their counter-hegemonic or oppositional cultural values to voice feelings that were previously considered to be socially unacceptable to express in public. Well-resourced actors and organizations can elevate the culture of opposition or the change in narratives that leads oppressed people to identify the ideas and practices that are established by the dominant group (Brockett 2005; Morris & Braine 2001). These allies, who may join the community or act from the outside, can offer a space in which oppressed members can contest their community's traditional beliefs. In this space, oppressed people can change their personal narratives by acknowledging their conflicting thoughts and feelings. Brockett (2005) studied the case of the Catholic Church in Central American countries, where Church activists provided space and resources for peasants to build on their *power within* and change their narratives from acceptance of hardships to contestation of dominant beliefs. The

introduction of powerful outside actors has the potential to give the *power to* disempowered individuals to manifest their *power within* (Kabeer 1994). Furthermore, these outside support groups provide spaces and resources for oppressed individuals to develop strategies of empowerment.

In *conscientização*, oppositional consciousness, and contradictory consciousness, we can see that it is necessary for oppressed people to critically assess their place in society before engaging in bringing change (Brockett 2005; Freire 1970; Morris & Braine 2001). By identifying the indicators that result in oppression in context-specific cases, disempowered individuals and groups can begin to draw upon accessible tools to improve their living conditions. In other words, by being conscious of society's injustices, individuals can begin to take action towards building a sense of empowerment (Brockett 2005; Freire 1970; Kabeer 1994; Morris & Braine 2001). In the case of women's empowerment, by taking this initiative, women can finally draw on accessible tools that will assist them in making strategic life choices.

The three concepts of consciousness transformation mainly focus on the mental state of individuals, the *power within*, with an emphasis on how they can change their way of thinking through formal and informal education, and by identifying the factors that can lead to change. Although there are similarities among *conscientização*, oppositional consciousness and contradictory consciousness, the three concepts address different factors that contribute to gaining a sense of empowerment: education, reasoning and feelings, and a change in narrative with the help of outside actors. These processes demonstrate that there are diverse ways to transform the consciousness, and that it is necessary to take into account the context-specific notions that generate consciousness transformation. The transformation in consciousness is an affirmation that oppressed people are mentally aware of the changes that need to happen. However, it is still

necessary to explain how this change of consciousness translates into the actions taken by social movements and organizations that advocate for the empowerment of oppressed people. In order to fill in this gap, I pay attention to the work of Naila Kabeer (1999) on the interdependence of resources, agency, and achievements to present how conscious individuals and groups draw upon available tools to contribute to their empowerment.

Resources, agency, achievements

Naila Kabeer (1999) presents the interdependence of resources, agency and achievements as three dimensions in which vulnerable groups and individuals can exercise choice and, in turn, become empowered. Her framework of empowerment has been used to analyze working women in South Asia (Kabeer 1999). However, it has not been applied to study women's empowerment in Latin America, namely the empowerment of domestic workers. I present how Kabeer describes the three interdependent dimensions of resources, agency, and achievements. Then, I connect the concepts of consciousness transformation that were previously discussed with these three dimensions in order to create a theoretical framework in which vulnerable people can gain a sense of empowerment and act on it.

Kabeer explains resources as the range of material, human, and social attributes which people are able to use in pursuit of their goals (1999). Material resources refer to earnings, housing, and productive assets. Human resources refer to human capital, such as labour skills, education, and knowledge. Social resources include networks and relationships that individuals belong to. In relation to empowerment, available and accessible resources allow individuals to exercise choice without compromising their living conditions because they have tools to fall back on. For oppressed women, having access to organizations that advocate for their rights contributes to their sense of empowerment. Having access to organizations ensures oppressed individuals that they

will have the support of reliable material, social, and human resources when they work towards empowerment.

The second dimension that contributes to empowerment is agency. Agency fundamentally refers to the concept of choice, the capacity to define goals, and to act on them (Kabeer 1999). With a transformed consciousness, critical thinkers can identify their goals and can find ways in which they can decide upon these goals. In addition, conscious agents have the capacity to voice the changes they want in their lives, and to exit unfavourable situations or relationships (Hirschman 1970; Kabeer 1999). While agency can take the form of subversion and resistance or bargaining and negotiation, I argue that it can also be interpreted as a conscious individual's inner voice and self-appreciation. That is, individuals who identify their value in a setting can become agents of choice because they acknowledge their relevance and want others to acknowledge it too. In order to become an agent of change, however, it is necessary to recognize that resources are a causal condition of agency. In other words, an individual's agency depends on accessible resources. If individuals and groups have accessible and reliable resources to fall back on, they will most likely become agents of change because their living and working conditions will not be negatively affected.

Kabeer uses achievements as the third interdependent dimension towards empowerment. Achievements are the concrete outcomes of choice (Kabeer 1999). They are a manifestation of empowerment, as individuals and groups who have reliable resources and agency work towards achieving better living and working conditions. These achievements include reaching defined goals, such as legislative changes or successfully fulfilling the objectives of an organization. In turn, having achievements encourages groups and individuals to continue using their resources and their agency to work towards change and become empowered. Legislative changes can be

considered achievements of vulnerable individuals who spoke up and used available resources to advocate for the betterment of their living conditions. More importantly, achievements, such as legislative changes, can pave the way to further actions towards change as individuals and groups ensure that laws are being followed, which can then lead to more achievements.

The interdependence of these three tools is essential in understanding the process of empowerment of marginalized groups. Achievements depend on the concept of agency, which in turn can be enabled or restrained by resources. Having achievements helps individuals further develop their sense of empowerment, making them reflect on what has been accomplished by voicing their concerns, exiting compromising situations, and by having access to reliable resources that ensure their relevance in society. Achievements can also help empowered people identify what needs to be modified in future reforms.

The concepts of *conscientização*, oppositional consciousness, and contradictory consciousness contribute to Kabeer's interdependent use of resources, agency, and achievements by demonstrating how individuals who are critically aware use accessible tools in the process of empowerment in their specific situations. Consciousness transformation facilitates disempowered, oppressed, and disadvantaged people in recognizing their place of vulnerability, and it enables them to collectively engage in dialogue to voice their concerns. *Conscientização* focuses on creating a dialogue among oppressed people through a problem-solving educational method (Freire 1970). Oppositional consciousness and contradictory consciousness pay attention to how elevating practices of resistance can challenge the mental state and narrative that justify the subordinated roles of disadvantaged people (Brockett 2005; Morris & Braine 2001). Well-resourced actors are crucial in elevating cultures of opposition and counter-hegemonic values.

With the help of well-resourced outside actors, individuals with a transformed consciousness can make use of their resources, agency, and achievements to work towards their empowerment.

The different paths towards becoming critically aware suggest the diverse ways in which individuals can gain a sense of empowerment, and of how much of that depends on the specific socio-political and cultural contexts that people live in. As a result, we must acknowledge context-specific strategies towards empowerment. With this understanding, I now move on to discuss the importance of studying empowerment in relation to specific cultural and socio-political notions.

The importance of context-specific studies of empowerment

Although there have been one-size-fits-all methods of studying paths towards empowerment (World Bank Sourcebook 2002), we find that context-specific studies produce a better understanding of how vulnerable groups can gain a sense of empowerment because they address factors that are particular to every case (Kabeer 2008; Jupp, Ibh Ali & Barahona 2010; Troutner & Smith 2004). Context-specific research on empowerment pays close attention to how socio-political and cultural factors contribute to the disempowerment and empowerment of a vulnerable population. Having a one-size-fits-all method of studying empowerment may only address a group's piecemeal advances and not the ways in which this group finally gains the decision-making power to shift social structures to improve its living conditions (Cornwall & Edwards 2014; Staci & Monkman 2003; Stromquist 1993). For instance, legal reforms can be considered partial advances because changes on paper do not lead to real changes in society if they are not effectively implemented by the institutions that establish the laws (Cornwall & Edwards 2014). Dominant groups generate their *power over* (Kabeer 1994) subordinated populations by choosing which issues related to the subordinate group's vulnerability are included in the decision-making agenda. Furthermore, legal reforms are outcomes achieved with the help of well-resourced actors

that give the *power to* disadvantaged groups to fight for better rights (Kabeer 1994). However, it is challenging to gain a sense of empowerment with legal reforms if the state does not appropriately enforce them. As a result, we must acknowledge that piecemeal advances, such as legislative changes, can have a limited contribution to the empowerment of a disempowered group if they are not being thoroughly followed or inspected. Within this context, Mulki Al-Sharmani's (2014) research on legal reform and women's empowerment in Egypt suggests that the state still follows a conservative marriage system that preserves women's traditional subordinated role in spite of passing laws to promote women's advancement in society. Women in Egypt may have more legal rights than before, but traditional notions of gender roles still limit their advances in Egyptian society. In other words, legislative changes can lead to more advantages for vulnerable groups on paper and can encourage disempowered people to pressure the state for a more effective implementation of their rights. Nevertheless, in order to enhance a vulnerable group's place in a society, it is necessary that advocacy groups, organizations, and people from the traditionally vulnerable group address the specific traditional norms that limit the effective implementation of legislative changes (Al-Sharmani 2014). Therefore, we must take into consideration different context-specific factors that shift the position of a vulnerable group in society aside from legal reforms, and how these factors can contribute to the empowerment of a group.

In order to better analyze how vulnerable groups can challenge their place in society, I pay attention to women's empowerment. Women's empowerment addresses context-specific traditional norms that perpetuate women's subordination in a particular society. These context-specific notions are deeply embedded and determine the *power over* that male dominant groups have over women (Kabeer 1994). Furthermore, they can potentially prevent partial advances, such as legislative changes, from effectively changing women's position in society. Women's

empowerment focuses on factors, the *power to*, that create spaces in which girls and women can exercise their choice, such as getting an education and collective efforts to advocate for more inclusive living conditions (Kabeer 1994).

Women's empowerment

Women's empowerment can be defined as women having the possibility to challenge the gender roles that perpetuate their subordinate position and that limit their possibilities of participating in activities that take place in the public sphere (Cornwall & Edwards 2014; Kabeer 2008). Research projects carried out in different parts of the world help us understand the process of women's empowerment, especially related to women workers and women's social movements. Studies of women's empowerment indicate that partial changes, such as the piecemeal legislative changes that took place in Egypt for women's rights (Al-Sharmani 2014), only address advances in women's rights on paper but still maintain their subordinate position (Stacki & Monkman 2003). These types of changes do not contest the system that presently maintains women in a subordinate position if they are not effectively implemented. Therefore, it is necessary to address other factors that enhance women's position in society to gain a sense of empowerment.

Existing literature on women's empowerment demonstrates that causal factors, such as educating women and girls, are forces that can configure women's role from being passive to becoming active participants in a community (Wyndow, Li & Mattes 2013). For instance, Myrian Zúñiga (1995) presented a study of how popular education can lead to women's empowerment in the cities of Cali and Zarzal in Colombia. These educational programs, developed in the context of the Organization of American States (OAS) multinational project on Education and Work, were based on the interests of its students, with the goal of creating a dialogue among participants to learn new skills and create a more inclusive community (Zúñiga 1995). Her findings demonstrated

how popular education projects in Colombia have empowered women, which has led them to participate in different socio-political and cultural forces to improve their livelihoods (Zúñiga 1995). Zúñiga (1995) indicated how popular education workshops about women workers' identity that took place in Cali and Zarzal contributed to women's initiative to modify the traditional gender roles that have kept them in a subordinate position. Zúñiga identified that this educated consciousness consequently prompted women to participate in different aspects of the public sphere in order to change their lives. Consequently, this shift in structure contested the norms that have traditionally limited Colombian women's opportunities. This educational program demonstrated how the concept of *power to* was generated by outside powerful actors who provided resources to women with the purpose of recognizing the *power over* that dominant male groups have had in their lives, and how they can build on their *power within* to begin to challenge those norms (Kabeer 1994).

Within the context of domestic work in Chile, we can see how causal factors aside from legislative changes can lead to modifying *empleadas*' place in Chilean society. Prior to *Ley 20.786*, domestic workers' unions, namely SINTRACAP and ANECAP, have fought for decades to ensure that the work of *empleadas* is recognized as important and respectable as the work done by women in other guilds and professions (Hutchison 2011). With this thesis, I set out to explore how female domestic workers have gained a sense of empowerment in relation to *Ley 20.786* along with other factors, and how this sense of empowerment has challenged their vulnerable place in Chilean society. However, before I present the pathways towards the empowerment of *empleadas* in Chile, I want to address the ways that empowerment is discussed in Latin America and, more specifically, in the context of domestic work in the region.

How the empowerment of domestic workers has been studied in Latin America

While research on empowerment has taken place in developing and post-colonial regions, not much attention has been paid to the empowerment of women in Latin America (Kabeer 2008). Moreover, domestic workers tend to be generally overlooked by feminist organizations because of their historical emphasis on the liberation of upper and middle class women (Chaney & Garcia Castro 1989; Schechter 1998). This inconsistency perpetuates the invisible position of domestic workers because they have to replace maternal role of the liberated upper and middle-class in the household (Chaney & Garcia Castro 1989). As a result, there has not been much research done on the empowerment of domestic workers in Latin America. Out of the few studies related to this topic, I draw on Merike Blofield's (2012) research on domestic workers' struggle for equal rights in Latin America to present how domestic workers have achieved legal reforms. Subsequently, I pay attention to the case of Peruvian domestic workers in Chile (Staab & Maher 2005), and of domestic workers in Brazil (Bernardinho-Costa 2014; Goncalves 2014). These studies present different methods of studying domestic workers' empowerment in Latin America, which I can draw upon to apply to the current context of *empleadas* in Chile.

1. Domestic workers' rights in Latin America

Although Blofield (2012) does not present a theoretical framework of empowerment, her analysis of legal reforms demonstrates the paths that Latin American domestic workers have taken to improve their legal rights. Domestic workers' unions used windows of opportunity to gain influential allies who would bring their demands to the political agenda. I interpret this process of gaining better rights for domestic workers as creating pathways to empowerment in Latin American nations. By building alliances with influential individuals and groups, domestic workers' unions made their issues known to decision makers.

In order to analyze how domestic workers achieved better rights in Latin America, Blofield (2012) focused on four countries: Bolivia, Costa Rica, Chile, and Uruguay. Bolivia and Costa Rica were studied together because of the similar outcomes of their legal reforms in spite of the countries' contrasting characteristics, such as differing level of state capacity. In Bolivia, domestic workers created their pathways to empowerment by connecting their demands to those of rising indigenous movements, which created a window of opportunity to become relevant in Bolivian politics (Blofield 2012). Costa Rican domestic workers' unions and allies, on the other hand, created their window of opportunity by relating domestic workers' issues with human rights, which contributed to their pathway towards empowerment (Blofield 2012). Though organizations and allies struggled in both countries, Bolivian and Costa Rican domestic workers essentially achieved the same rights as other manual workers. However, there has not been an effective implementation of the legal reforms in either nation by 2012 due to lack of state capacity in Bolivia and indifference by the Costa Rican state. While Bolivian domestic workers' rights were supported by the state, the state's lack of technical expertise, resources, and shifting priorities to other issues have made it difficult to establish a continuous effort to enforce domestic workers' labour rights. In Costa Rica, although its state capacity is stronger than in most Latin American countries, domestic workers' rights have not been proactively implemented due to the executive agencies' lack of support and lack of emphasis in this work sector.

In regard to Uruguay and Chile, both nations have a stronger state capacity by regional standards: their formal institutions are more capable of bringing in more effective results and laws that are upheld by citizens than in other Latin American countries (Blofield 2012). However, Chile and Uruguay had different outcomes in the advancement of domestic workers' rights. Uruguayan domestic workers' organizations and allies found their window of opportunity when the left-wing

government encouraged a reform that included equal rights to all workers (Blofield 2012). Chile, on the other hand, had a “top-down” approach in which legislators initiated reforms without much input from domestic workers' unions (Blofield 2012). Whereas domestic workers in Uruguay achieved equal rights with effective state implementation, the Chilean state had only granted partial legislative changes to domestic workers by 2012. These partial legislative changes did not bring in a radical reform of the social construction of domestic work in Chile in the same manner that it was done in Uruguay. While domestic workers' rights in Uruguay have been effectively implemented, it is necessary to re-examine the case in Chile due to the implementation of *Ley 20.786* in 2015.

In all four countries, finding windows of opportunity by creating alliances with well-resourced actors provided domestic workers' unions with the *power to* create pathways towards empowerment (Blofield 2012; Kabeer 1994). These unions also provided domestic workers with the necessary resources to manifest their *power with* by finding collective strength with other individuals in similar situations, which challenged the traditional notion that domestic workers are isolated from one another due to their working conditions (Blofield 2012; Kabeer 1994). By building partnerships, domestic workers in Latin America shifted their legal rights with different results, which depended on the nations' state capacities and levels of interest in the issues related to domestic work. Furthermore, these achievements developed a sense that, by voicing their concerns, domestic workers could work towards more goals in future campaigns.

Even though Blofield did not directly analyze the empowerment of domestic workers in Latin America, her empirical study presented paths that domestic workers have taken towards improving their working conditions by building alliances with well-resourced actors. These paths can thus be considered a manifestation of empowerment, as domestic workers took the initiative to challenge

their oppressed and invisible position in Latin American nations and achieved varying outcomes. Blofield's results suggest that legal reforms can improve the working conditions of domestic workers on paper, but that they are ineffective if the institutions that implement them are not held accountable. While changing legislation is considered a success, it is imperative that we acknowledge the other factors that contribute to empowerment of domestic workers.

2. *Peruvian domestic workers in Santiago de Chile in the early 2000s*

In their study of Peruvian domestic workers in Chile, Silke Staab and Kristen Hill Maher (2005) explored how immigrants from the neighbouring country replaced national domestic workers in the traditional servant role in the household. The legal reforms that took place in the '90s, such as granting maternity leave, severance pay, and holidays off to *empleadas* (Blofield 2012), and the activities of domestic workers' organizations have provided better protections for native-born domestic workers. As a result, Chilean employers started to hire Peruvian women, who assumed their role as subordinate workers and perpetuated the traditional mistress-servant relationship. This work relationship indicated that the domestic worker was in an inferior position to the employer in the household, and had to follow every order given by the employer without complaint. The shift of Chilean-born domestic workers not wanting to submit to the exploitation by their employers is described as the "servant problem" because employers were not happy with Chilean domestic workers who do not accept their place as traditional servants (Staab & Maher 2005 p. 93). Although Staab and Maher analyzed the oppression and exploitation of Peruvian domestic workers in Chile, their study did not fully address how Chilean domestic workers gained a sense of empowerment as a result of legislative changes. More importantly, their research was published in 2005 and there have been significant legal reforms since then, namely *Ley 20.786*,

which protects immigrant and Chilean domestic workers equally. Consequently, it is necessary to address the current position of Peruvians and other immigrant domestic workers in Chile.

3. *The empowerment of domestic workers in Brazil*

In the study of domestic work in Brazil, Joaze Bernardino-Costa's (2014) research used a framework of intersectionality to analyze and understand the reality of household workers, their relationship with employers, and their political involvement in unions. Bernardino-Costa (2014) defined intersectionality as the interaction between two or more axes of power that is responsible for oppressing a population. Bernardino-Costa (2014) found that the intersectionality of race, gender and class caused the exploitation of this group in the privacy of the employer's home. That is, within the four walls of the employer's household, domestic workers were oppressed due to their identities because they came from a lower social class, were generally women of colour in the face of their white employers, and had different gender roles than their female employers. These differences in race, class and gender roles in the household created a hierarchy that exploited the domestic worker. Domestic workers' trade unions used this same intersectionality to empower domestic workers in the public sphere. Through the unions, domestic workers found a shared identity of being women of colour who came from a poor background, and used their identities to create alliances with black and feminist organizations that shared similar beliefs and goals, such as advancing their rights as racialized women. Domestic workers in Brazil found their *power with* in the public sphere by creating unions with other domestic workers, and their alliances with other well-resourced organizations gave them the *power to* contest their vulnerable position in Brazilian society (Kabeer 1994).

Terezinha Goncalves (2014), similarly, explored how domestic workers' unions in Brazil have overcome the challenges that have limited the collective empowerment of the women in this

occupation. Goncalves (2014) recognized that the gendered and racial notions of domestic work were the most challenging characteristics that limited the empowerment of domestic workers because of how deeply embedded they are in Brazilian society. While Goncalves (2014) could not determine how domestic workers could fight to improve their working conditions or their position in society, she argued that the unions' trajectory of achievements demonstrated important lessons. The lessons included the need for domestic workers to organize and mobilize for their rights by creating alliances, which relates to Kabeer's (1994) concept of *power with*. At the same time, domestic workers' unions need to recognize the factors that contribute to their occupation's vulnerable position in Brazilian society, such as the existence of child domestic labour, in order to acknowledge how dominant groups exert their *power over* that perpetuates the workers' subordinate position (Kabeer 1994). Goncalves (2014) concluded by emphasizing that domestic workers in Brazil cannot become empowered without social organization. That is, domestic workers cannot manifest individual empowerment without having a collective space in which they can engage with other domestic workers.

Literature on the empowerment of domestic workers in Brazil can help us better understand how *empleadas* in Chile can gain a sense of empowerment. The need for collective action and forging alliances with like-minded groups and key individuals are necessary tools to create a sense of empowerment. Finally, having goal-oriented campaigns ensures that domestic workers' organizations' interests remain relevant in formal state institutions. Nevertheless, Bernardino-Costa's (2014) and Goncalves's (2014) analyses do not pay attention to how individual domestic workers first build on the *power within* (Kabeer 1994) to become conscious of their vulnerable position in society in favour of emphasizing their shared identity and path towards empowerment.

Summary of chapter

There are few studies that analyze how household workers in Chile and Latin America find ways of exercising choice in the workplace without affecting other dimensions of their lives. As a result, it is necessary to fill in this research gap by addressing the ways that household workers can gain empowerment in the workplace. In order to address this gap, I use the theoretical frameworks of power relations, consciousness transformation, and the interdependence of resources, agency, and achievements. Past literature on empowerment suggests that specific socio-political and cultural notions shape the process of gaining the capacity to exercise choice.

In the results and discussion chapters, I look at the diverse ways in which empowerment has been manifested among the participants I interviewed for this thesis. Due to the diverse situations of domestic workers in Chile, it is necessary to consider how different factors, such as *Ley 20.786*, involvement with the unions, access to information and valuing their work in the household, contribute to their empowerment. Moreover, I also present cases in which domestic workers are still disempowered when they do not have access to tools that can help them become empowered, particularly with the situation of *empleadas* who work outside of Santiago.

Chapter 4: Methodology

Introduction

In this Methodology chapter, I first discuss why I decided to carry out semi-structured interviews as my method of gathering data. Then, I present my recruitment process and the individual and group semi-structured interviews I carried out. I also pay attention to the advantages and disadvantages of individual and group semi-structured interviews. Subsequently, I describe my decision to carry out my fieldwork in Santiago, the capital city of Chile. Then, I describe the interview questions I prepared. I move on to explain the shortcomings of my fieldwork. I then explain how I organized and analysed the findings I obtained during my fieldwork, and how I supplemented these findings with information I found in primary sources. Lastly, I provide a brief profile of the interview participants I recruited.

Qualitative data gathering: Semi-structured interviews

I decided to use semi-structured interviews over other methods of gathering qualitative data due to the advantages of engaging with participants on topics that are important to them (Mabry 2008). With semi-structured interviews, I recognized that there is a power relation between researcher and participants, and that it is necessary to mitigate this imbalance by establishing a non-hierarchical relationship with the participants (Doucet & Mauthner 2008). In order to establish this non-hierarchical relationship, I made the effort to create a space in which I learned from participants by following up with questions that emerged from their personal experiences and opinions rather than by following a standardized questionnaire (Saldaña 2015). I would have encountered challenges gathering information in my fieldwork if I had used a survey or a standardized questionnaire because they limit the input of participants who want to discuss specific

topics (de Leeuw 2008). With a standardized questionnaire or a survey, I am less likely to obtain information about the topics that are considered relevant to participants but that are not addressed in my questions.

In previous studies, researchers have effectively obtained the appropriate data with semi-structured interviews for analysing domestic workers in other Latin American countries. For instance, Joaze Bernardino-Costa (2014) used semi-structured interviews with Brazilian domestic workers and union leaders with the purpose of becoming an ethical listener. His goal was to give participants their voices by recognizing their invisibility in the hegemonic and patriarchal speech of Brazilian society. The semi-structured interviews that I carried out developed into conversations in which participants touched upon subjects that were important to them. Carrying out semi-structured interviews benefited my research by allowing me to explore and recognize topics that were not anticipated (Mabry 2008).

Recruitment of participants and the processes of carrying out individual and group semi-structured interviews

According to the Labour Direction, almost 100% of people who are employed as domestic workers are women.¹⁸ The Labour Direction states that there are approximately 300.000 domestic workers in Chile, whereas the ILO reports that there are approximately 350.000 domestic workers in Chile. The ILO also estimates that 47% of *empleadas* work in the Santiago Metropolitan Area, 11.4% in the Valparaíso Region, 8.8% in the Biobío Region, and the rest are distributed in the other regions of Chile (ILO 2016).¹⁹ Out of the 17 female participants I interviewed, four were union leaders and 13 were domestic workers. Among the 13 domestic workers, I interviewed 10

¹⁸ Information taken from <http://www.dt.gob.cl/1601/w3-article-59923.html>

¹⁹ Information taken from: http://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---sro-santiago/documents/publication/wcms_500990.pdf

Chilean-born women who work live-in and/or have worked live-out, two foreigners, and one live-out and non-unionized *empleada*. In spite of my efforts to recruit participants who are not affiliated to a domestic workers' union, I could only obtain one interview with a non-unionized domestic worker. I was still able to gain an insight on the experiences of non-unionized domestic workers through the conversations that emerged during the semi-structured interviews. During these conversations, participants often mentioned the situations of domestic workers who are not affiliated to a union or who are not familiar with their labour rights. Participants' opinions on non-unionized domestic workers were mainly based on the experiences they have heard or discussed with their peers.

I considered the union leaders as the gatekeepers to prospective participants because their main role is to advocate for the rights and protection of domestic workers in Chile. By asking union leaders for their help, I gained access to prospective participants and to relevant information for my research (Stewart 2014). Additionally, I took into consideration their importance as advocates for domestic workers' rights in Chile; it would have been insensitive if I had not asked for the union leaders' permission to interview union members before I began to recruit participants for my interviews.

Once I was in Chile and I had already interviewed one of the leaders of SINTRACAP, I asked if I could interview union members. This first participant also provided me with the names of other union leaders I could contact about my project. This method created a snowball sampling effect in which I communicated with individuals recommended by participants. The subsequent times that I came back to the SINTRACAP house, I carried out semi-structured interviews with individuals and groups of members and leaders who consented to participate in my research. After giving my contact information to all participants, I requested that they talk to their peers outside of the union

about participating in my research in order to recruit non-unionized domestic workers. I was able to recruit one non-unionized domestic worker through word of mouth. I also got in touch with a leader of SINAINCAP (the migrant domestic workers' union) by contacting *La Alzada*, a feminist organization that had previously collaborated with the union in an event.²⁰

All of the interviews with the union leaders, except for one, were done individually. I had two group interviews (three participants in one and six participants in another) and five individual interviews with domestic workers. The union leader who was not interviewed individually participated in one of the group interviews. Before the interviews began, all participants signed an informed consent form that outlined the purpose of my study, the interview process, risks, benefits, confidentiality, and the rights of individuals who take part in the interviews. All of the interviews with SINTRACAP members and leaders took place at their head office in Santiago near the Central Station, while the interviews with other participants were carried out at their choice of location. Most interviews took place on weekends when domestic workers and union leaders were off work and had free time.²¹ The individual interviews that occurred at the SINTRACAP head office happened when there were members resting at the house for the weekend. One of the group interviews happened during the week, and the other one took place on a Saturday.

I requested to carry out individual interviews with all participants. In spite of my request to have individual interviews, some participants expressed that they felt more comfortable sharing their experiences in the presence of their peers than on their own. For these participants, I followed the protocol that I was instructed by the Ethics Board at the University of Guelph with regard to group interviews. I informed group interview participants that I could not ensure confidentiality if

²⁰ Information taken from: <http://laalzada.org/web/?p=601>

²¹ Some union leaders still work as domestic workers.

they preferred to be interviewed collectively. Notwithstanding this information, these participants insisted to on being interviewed together. The group semi-structured interview participants signed the informed consent after they became aware of the risk of confidentiality breach.

1. The advantages and disadvantages of individual and group semi-structured interviews

There are advantages and disadvantages to individual and group semi-structured interviews. The advantage of individual interviews is that I can assure participants that they and their opinions will remain confidential. The disadvantage of carrying out an individual interview is that participants may distort their answers in favour of what the interviewer wants to hear. One of the advantages of group semi-structured interviews is that participants may feel more comfortable sharing their experiences along with their peers. However, there is a risk of confidentiality breach in group interviews. In a group interview setting, some participants may speak on behalf of the group. Furthermore, some participants may modify their answers based on peer pressure.

In regard to individual interviews, the investigator can assure confidentiality because no other participants or individuals outside of the research project will have access to the names of participants. This confidentiality can allow participants to feel comfortable around the investigator. By feeling comfortable, participants can share responses that may not be accepted in a group setting. However, the interviewer can also influence the participant's responses. This influence may distort the type of information that is shared during the interview if the participant does not feel comfortable talking about a certain experience (de Leeuw 2008). In order to mitigate this possibility during my fieldwork, I reassured domestic workers and union leaders of their rights as participants and focused on themes that they were willing to discuss during the interviews (Doucet & Mauthner 2008).

Group interviews can compromise the confidentiality of participants' identities and opinions because their claims can become public knowledge. This risk of confidentiality breach can occur among participants who are active members of a grassroots movement. Due to the small number of members in a grassroots movement, it may be possible to identify who participated in the interviews and who did not participate because all movement members are familiar with one another. In this type of setting, the participants of the group interviews may reveal the identities of other members who were involved in the interview process. To mitigate this risk, I reminded all participants that I cannot ensure their confidentiality if they participate in a group interview, and that they have the right to withdraw from the interview at any time. The group interviews began after all participants were informed of these risks and signed the informed consent.

Similar to the disadvantages in focus groups, there may be individuals who speak on behalf of the people being interviewed, or some individuals may provide socially acceptable answers to conform to others' opinions (Acocella 2012; Geoffrion 2003; de Leeuw 2008). Some participants may want to answer the questions directly to the interviewer, which may discourage the contributions of others who have different opinions (Acocella 2012). This disadvantage of group interviews can occur when some participants have more experience with the topic being discussed than others. During the group interviews, I gave the opportunity to every participant to provide her opinion on the topics that were being discussed. Nevertheless, some participants were willing to share more information than others. In spite of the disadvantage of some participants speaking more than others, group interviews can also help participants feel comfortable around the interviewer because they are accompanied by their peers (Riemer 2012). Additionally, the group interview setting can create more in-depth responses because participants share their opinions with one another (Geoffrion 2003). In this setting, the interviewer can prompt new themes to discuss

based on these opinions. Regarding the members of SINTRACAP, the participants who insisted on having group interviews expressed that they had already known one another for many years and, consequently, have already shared most of the information provided in the interviews among themselves. Furthermore, union members were accustomed to participating in group activities because SINTRACAP carries out events and activities that are focused on collective participation. The two group interviews carried out with SINTRACAP members created a space similar to the workshops they have attended, in which participants gave their opinions in the form of a conversation rather than an interview.

Fieldwork in Santiago de Chile: having access to organizations that help domestic workers

I decided to carry out my fieldwork in Santiago, the Chilean capital city, because of the accessibility to domestic workers' unions and other organizations. Prior to travelling to Santiago, I contacted two domestic workers' unions to ask for their help in recruiting participants for my interviews: ANECAP and SINTRACAP. SINTRACAP replied and was willing to assist me in my fieldwork. The main branch of SINTRACAP is located in Santiago, near the Central Station, the capital's only railway station that connects trains to the southern regions. The SINTRACAP head office is a house that acts as an office for the union. This house also provides bedrooms, a kitchen, and a communal space for domestic workers who need a place to stay when they are not working. There are domestic workers who live here temporarily while they find work. Union members need to pay a small fee to use these services. The main branch of SINTRACAP also serves as the head office for FESINTRACAP, the national federation of household workers' unions, which unites five SINTRACAP branches based in different Chilean cities.

Santiago is also home to other organizations that provide services to domestic workers. These organizations include *La Alzada* and *Fundación Scalabrini*. *La Alzada* is a feminist organization

that has previously collaborated with domestic workers' unions in activities for domestic workers.²² *Fundación Scalabrini* is a Catholic organization that provides shelter for immigrants and arranges job interviews for immigrants with prospective employers.²³ In addition to SINTRACAP, there are also other domestic workers' unions that are found in Santiago, such as the main branch of ANECAP and SINAINCAP (National Union of Migrant Household Workers). As of 2017, SINTRACAP and ANECAP have branches in every major Chilean city.²⁴ SINAINCAP, which was established in 2012, is only found in Santiago. By having access to these other organizations, I made the effort to ensure that my sample pool was not limited to members of SINTRACAP. I first contacted ANECAP along with SINTRACAP, but the union did not communicate with me and I was unable to interview its active members. Nevertheless, I was able to recruit a retired activist who was once affiliated with ANECAP and was an instrumental leader in the social movement of domestic workers from the 1960s to the early 2000s. Out of the other organizations that I contacted, I was able to recruit one participant associated with SINAINCAP.

By doing my interviews in Santiago, I had the advantage of better access to my participant pool through the unions. However, I also encountered a significant disadvantage by only recruiting participants who work in the capital city. I was informed by leaders and domestic workers who participated in my interviews that the working conditions of their job sector are less regulated

²²In 2016, *La Alzada* held a collaborative event with members of SINCAINCAP, the migrant domestic workers' union in Santiago. Found in: <http://laalzada.org/web/?p=601>
 In 2014, *La Alzada* uploaded a mini documentary about its collaboration with SINTRACAP on a workshop in which members of both organizations discussed how feminist ideology can contribute to the efforts of SINTRACAP. Taken from: <https://www.youtube.com/watch?v=zkwAo7MYR2A>

²³ Fundación Scalabrini offers a week-long workshop on Chilean cuisine, first-aid, and cleaning for new immigrants who search for work as domestic workers in Chile. Fundación Scalabrini is connected with CIAMI (Migrant Centre in Santiago), an immigrant centre that organizes job interviews with prospective employers. This information is taken from: <http://fundacionscalabrini.cl>

²⁴ Although there is not an official list of all domestic workers' unions in Chile or in Santiago, the ILO provided a contact list on the last page of this report: http://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---sro-santiago/documents/publication/wcms_500990.pdf This list includes unions who are and who are not part of CONLACTRAHO (Latin American and Caribbean Confederation of Domestic Workers' Unions)

outside of Santiago, especially in the southern cities of Chile. Due to time constraints, I was unable to recruit participants who worked outside of the capital. Staying in Santiago, nevertheless, enabled me to communicate with key individuals involved in the social movement of domestic workers in Chile and it adequately assisted my search for participants.

Interview questions

All interviews were carried out in Spanish and recorded with an audio recorder after the participants signed the informed consent. I had two separate sets of questions: one for union leaders and one for domestic workers. The semi-structured interviews with union leaders started with questions about their involvement in their respective unions. They were followed with more specific questions about the unions' past and current campaigns, memberships, and collaboration with other organizations. Subsequently, I asked questions about *Ley 20.786*. The questions about *Ley 20.786* were based on the content outlined in the law, which are available on the Labour Direction website.²⁵ I also asked about the origins of *Ley 20.786*, the campaigning period, the help of influential actors, the current social position of *empleadas* in Chile, and the issues about domestic work that have yet to be addressed.

The initial purpose of this thesis was to analyze how working conditions of domestic workers in Chile have changed as a result of *Ley 20.786*. The ILO states that working conditions “cover a broad range of topics and issues, from working time (hours of work, rest periods, and work schedules) to remuneration, as well as the physical conditions and mental demands that exist in the workplace.”²⁶ In the context of *empleadas* in Chile, working conditions include their work schedule, responsibilities, uniform, salary, formal contract, and social security deductions. These

²⁵ Information taken from: <http://www.dt.gob.cl/1601/w3-article-60059.html>

²⁶ Information taken from: <http://ilo.org/global/topics/working-conditions/lang--en/index.htm>

conditions are specifically regulated by *Ley 20.786*. I aimed to analyze how the working conditions of domestic workers have changed as a result of *Ley 20.768*. However, during the interview process, participants discussed the ways that they exercised choice at work and the vulnerability of domestic workers in the south of Chile. These discussions shifted the focus of my thesis from analyzing working conditions to also studying the empowerment of domestic workers in Chile. I will touch upon these topics with more detail in the results and discussion chapters.

The semi-structured interviews with domestic workers began with introductory questions about their place of birth, the amount of years that they have been working in the job sector, and their current job status. Then, I proceeded to ask questions about their experiences as either live-in or live-out domestic workers. These interview questions dealt with the participants' working conditions, such as work schedule, responsibilities, and whether or not they have a formal contract and social security deductions. I followed up with questions about participants' relationships with their employers, such as instances in which domestic workers have been in compromising situations at work and how they dealt with these situations. In addition to these interview questions, I prepared a separate set of questions for participants who were affiliated to a domestic workers' union, were immigrants in Chile, and worked as live-in or live-out domestic workers. By having these additional questions, I was able to distinguish themes that were unique to domestic workers with different characteristics. Finally, I asked participants about the types of decisions they can make at work, how they can negotiate their work responsibilities, if they are familiar with the labour laws that protect domestic workers, and if they know which resources to use if they encounter issues at work.

Shortcomings of my fieldwork

One of the shortcomings of this thesis is timing. *Ley 20.786* was passed almost three years ago. As a result, it is too soon to analyze the full impact of this law in changing the work environment of domestic workers in Chile. My initial question would have been affected due to the small timeframe between the passage of *Ley 20.786* and this thesis. I overcame this shortcoming by expanding my focus from solely analyzing the improvements in working conditions to how the processes before and after *Ley 20.786* was passed contributed to the empowerment of domestic workers. This research project also lacks the opinion of the other organizations, representatives of state institutions, and politicians who were involved in creating *Ley 20.786* because of time constraints and the initial purpose to focus on the improvement of working conditions from the point of view of domestic workers. Although I made the effort of contacting other organizations, such as *Fundación Scalabrini* and ANECAP, I was unable to get in touch with representatives to recruit them for my interviews. The input of these actors would have contributed to understanding the reasoning behind the regulations that are outlined in *Ley 20.786*.

Another shortcoming of this thesis is the recruitment of participants. The majority of participants are affiliated with a domestic workers' union as either leaders or active members. As a result, the findings are based on the attitudes that participants have developed by getting involved in activities that promote their workers' rights. I was able to recruit only one participant who is a non-unionized domestic worker. In addition, I recruited only two immigrant household workers for my interviews in spite of my efforts to interview more non-Chilean *empleadas*. The participants who were involved in my interviews did not reflect the diverse experience of domestic workers in Chile. Due to time constraints, I was unable to recruit participants who worked outside of Santiago. While I missed my opportunity to travel outside of Santiago to carry out more interviews, the lack of data gathered on domestic workers in the regions of Chile opens the opportunity for future

researchers to explore how the regional experience differs from the capital by carrying out fieldwork outside of the Santiago. Therefore, it is necessary to include more diverse participants in future studies of the empowerment of domestic workers than the participants I recruited in my study.

Lastly, it is also worth mentioning that the group interviews limited my data gathering. Nine out of the 17 participants were involved in group interviews. Group interviews generated insightful results based on the conversations that participants carried out. However, due to the collective setting, some participants answered the interview questions more extensively than others. As a result, I was unable to gather in-depth information about every group interview participant as I did during individual semi-structured interviews.

Analysis of interviews

After the interview process finished and I transcribed all of the recordings, I analyzed my interviews by reading over my transcriptions and coding relevant information. I categorized this information into two main themes and six subthemes. With these themes, I was able to identify the common topics that were touched upon by participants in both individual and group semi-structured interviews. The two main themes were working conditions and empowerment. Based on these themes, I separated the rest of my results into six subthemes that could answer my research questions. The subthemes under working conditions included work schedule, rest days, formal contracts, and uniform use. The subthemes under empowerment were access to information and self-appreciation. In addition to the two main themes and six main subthemes, I also coded information about participants' characteristics into live-in and live-out *empleadas*, unionized and non-unionized, Chilean-born and immigrant *empleadas*, and capital city and regional city workers.

These separate themes allowed me to identify some differences among domestic workers in Chile. I used the findings under these separate themes to supplement what my results suggest in regard to working conditions and empowerment. With these themes and subthemes, I organized my results chapter with the necessary information that answers my research questions and provided additional relevant information that emerged from the interviews.

Although my fieldwork was carried out in Spanish, I translated the necessary interview passages to English in order to use them in my results chapter. I supplemented my findings with additional information I found in primary sources. These primary sources included videos, websites, newspaper articles, documents released by Chilean and international institutions that touch upon labour relations and domestic work. This additional information allowed me to analyze participants' answers based on their personal experiences within the larger context of domestic work in Chile.

The semi-structured interviews were a successful method of understanding what participants consider to be relevant about their working conditions and other dimensions of their lives. Although my original intention was to analyze the working conditions of domestic workers in relation to *Ley 20.786*, participants highlighted the importance of having the power to make decisions at work. As a result, my interview analysis also focused on finding ways in which domestic workers could feel empowered at work by having the capacity to exercise choice in the workplace without negatively affecting other aspects of their lives. I related this empowerment to *Ley 20.786* and to other characteristics that were discussed in the interviews. This discovery shifted the focus of my research from solely analyzing working conditions to studying how *Ley 20.786* has empowered domestic workers in Chile. This shift in my research consequently shaped the next

chapter, in which I present my fieldwork findings in relation to the themes I identified during my interview analysis.

Participants

In this final section, I present a brief profile of the interview participants. Instead of using pseudonyms to refer to the participants, I used the letter U for union leaders and the letter D for domestic workers. Among these two groups, I assigned a number to every participant in the order that they were interviewed. In regard to the two group interviews I carried out, I assigned the numbers based on the order that participants were sitting around the table at the common room that is found at the SINTRACAP head office.

Out of all 17 participants, nine preferred to be interviewed collectively. D1, D2, D3 were part of one group interview, which took place on a weekday at the SINTRACAP head office. D5, D6, D7, D8, D9, and U3 participated in the other group interview, which took place on a Saturday at the SINTRACAP head office.

Participants who are domestic workers

D1	Originally from southern Chile. She is unemployed and searching for work. D1 has previously worked as a live-in and a live-out domestic worker. She is an active member of SINTRACAP. D1 preferred to be interviewed in a group interview with D2 and D3.
D2	Originally from southern Chile. Currently unemployed. All of her previous jobs have been live-in. She is an active member of SINTRACAP. D2 preferred to be interviewed in a group interview with D1 and D3.
D3	Originally from southern Chile. Currently unemployed. All of her previous jobs have been live-in. She is currently finishing her secondary school education. She is an active member of SINTRACAP. D3 preferred to be interviewed in a group interview with D1 and D2.

D4	Originally from southern Chile. She has been working as a live-in domestic worker for the same employer for approximately four years. She is an active member of SINTRACAP. D4 was interviewed individually.
D5	Originally from southern Chile. She began to work as a live-in domestic worker less than a year ago. She is an active member of SINTRACAP. D5 preferred to be interviewed in a group interview with D6, D7, D8, D9, and U3.
D6	Originally from southern Chile. She has been working as a live-in domestic worker for the same employer for more than ten years. She is an active member of SINTRACAP. D6 preferred to be interviewed in a group interview with D5, D7, D8, D9, and U3.
D7	Originally from southern Chile. She has been working as a live-in domestic worker for the same employer for more than ten years. She is an active member of SINTRACAP. D7 preferred to be interviewed in a group interview with D5, D6, D8, D9, and U3.
D8	Originally from southern Chile. She has been working as a live-in domestic worker for the same employer for more than ten years. She is an active member of SINTRACAP. D8 preferred to be interviewed in a group interview with D5, D6, D7, D9, and U3.
D9	Originally from southern Chile. She has been working as a live-in domestic worker for the same employer for more than ten years. She is an active member of SINTRACAP. D9 preferred to be interviewed in a group interview with D5, D6, D7, D8, and U3.
D10	Originally from southern Chile. She has been working as a live-in domestic worker for the same employer for approximately three years. She is an active member of SINTRACAP. D10 is also a leader of FESINTRACAP, the national federation of SINTRACAP offices in Chile. D10 only answered questions about her experience as a domestic worker. D10 was interviewed individually.
D11	Originally from Bolivia. She moved to Santiago almost a year ago. She has been working as a live-in domestic workers for the same employer for less than a year. She is an active member of SINTRACAP. D11 was interviewed individually.
D12	Originally from Santiago. She has been working as a live-out domestic worker without formal contract for more than ten years. She currently works day-by-day for different employers. D12 is not affiliated with any domestic workers' unions or other labour organizations. D12 was interviewed individually.
D13	Originally from Lima, Peru. She has been working as a live-in domestic worker in Santiago for approximately ten years, but often returns to Lima to work on her personal projects. She has been working as a live-in domestic worker for the same employer for approximately a year. D13 is also a leader of SINAINCAP, the

	immigrant domestic workers' union located in Santiago. D13 agreed to answer questions about her experience as a domestic worker in Chile and as a leader of SINAINCAP. D13 was interviewed individually.
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Participants who are union leaders

U1	Leader of SINTRACAP. U1 had a significant active role in the campaign for <i>Ley 20.786</i> . Currently, she is a prominent activist of domestic workers' rights in Chile and Latin America. Oftentimes, she represents the job sector in events planned by international organizations, such as CONLACTRAHO and the ILO.
U2	Leader of SINTRACAP. U2 also had an active role during the campaign for <i>Ley 20.786</i> . Currently, U2 works as a live-in domestic worker in Santiago.
U3	Leader of SINTRACAP. U3 works night shifts as a caregiver for an elderly person. U3 preferred to be interviewed in a group interview with D5, D6, D7, D8, and D9. U3 only answered questions about her experience as a domestic worker.
U4	Retired leader of ANECAP. U4 has been instrumental in advancing the rights of domestic workers in the late twentieth century. She has been part of the movement since the late 1960s, and has participated in research studies about domestic work since the 1980s. She is also one of the founding members of CONLACTRAHO, the Latin American and Caribbean Confederation of Domestic Workers.

Chapter 5: Results

Introduction

As I stated in the Methodology chapter, my initial purpose was to interview domestic workers to analyze how *Ley 20.786* has impacted their working conditions. However, the topic of empowerment developed inductively during my fieldwork. Although the topic of empowerment was not explicitly stated, participants discussed ways in which they exercised choice in the workplace. As a result, my research question shifted from focusing solely on the working conditions to also analyzing how the processes before and after *Ley 20.786* was passed contributed to the empowerment of domestic workers in Chile.

In this chapter, I present the results of my fieldwork. I also include supplementary information in the form of websites, articles, and videos that complement my findings. First, I present the results of the semi-structured interviews with four union leaders. These results highlight the unions' involvement in the campaign to pass *Ley 20.786*, touch upon the current position of domestic workers in Chile, and address the gaps in *Ley 20.786*. By presenting the leaders' reflections on *Ley 20.786*, I orient the rest of this chapter to the changes that came with this new law.

Subsequently, I pay attention to how *Ley 20.786* has affected the working conditions of domestic workers in Chile. In order to better understand how *Ley 20.786* has contributed to the empowerment of domestic workers in Chile, it is necessary to explore how the law has affected the working conditions since its implementation. The working conditions shape the way in which domestic workers are treated at work and the decisions they can make in the workplace. As a result, domestic workers' capacity to exercise choice is shaped by the content outlined in *Ley 20.786*.

Their capacity to exercise choice, in turn, shapes the working conditions that are established at their employers' homes. Based on what participants pointed out in their interviews, both directly and indirectly, the four working conditions that were impacted the most by *Ley 20.786* were: regulated work schedule, more rest days, a compulsory contract, and uniform use in public places.

After presenting the working conditions that have changed as a result of *Ley 20.786*, I pay attention to three factors that, combined with the law, have contributed to the empowerment of domestic workers in Chile: access to well-resourced actors, access to information, and an improvement in self-appreciation. The themes that were discussed demonstrated that these factors were crucial for domestic workers to gain the capability to exercise choice at work. Based on the interviews, access to well-resourced actors referred to having access to domestic workers' unions, other organizations, and their collective activities for the improvement of the job sector. Access to information referred to having access to labour rights, helpful resources, and communication among domestic workers through social media. Self-appreciation was related to participants' personal decisions in the workplace, the times they stood up for themselves, and the times that employers demonstrated their appreciation for the domestic worker's help at home.

Lastly, I focus on the finding of the vulnerable situation of domestic workers in southern Chile. I was unable to recruit domestic workers from outside the capital. Nonetheless, union leaders and domestic workers who participated in the interviews highlighted that there is a significant difference between domestic work in Santiago and in the regions. This finding led me to conclude that the topic of domestic work outside of the capital city needs further study.

Interviews with union leaders

In this section, I first pay attention to the unions' involvement in the campaign for *Ley 20.786*. Then, I present the answers that relate to the changes in the situation of domestic workers in Chile. Finally, I focus on the changes that leaders want to address in future campaigns. Union leaders discussed situations in which domestic workers can take initiative to improve their working conditions, such as when they are well informed about *Ley 20.786* or when they make use of the appropriate resources that protect them. However, union leaders also pointed out that there are certain aspects of domestic work that are still not fully addressed in *Ley 20.786*. The interviews with union leaders allowed me to better understand how representatives of well-resourced organizations view the advancements in domestic work before and after *Ley 20.786* was passed in 2014, and how these advancements contribute to the empowerment of *empleadas* in Chile.

1. The roles of domestic workers' unions in the campaign that preceded Ley 20.786

Out of all domestic workers' unions in Chile, SINTRACAP and ANECAP have the most influence throughout the history of this job sector's social movement (Blofield 2012; Hutchison 2011). As a result, representatives from these two unions were actively involved in negotiating with the Ministry of Labour for the protections that are outlined in *Ley 20.786*. SINAINCAP, the immigrant domestic workers' union, was founded in 2011 and does not hold the same amount of influence as ANECAP and SINTRACAP.

U4, who is a retired union leader from ANECAP, helped with the organization of campaign meetings in which domestic workers would participate. U4 could not actively participate with this campaign as she had in past ones due to her age and health issues. Nevertheless, she was still an important actor prior to implementing *Ley 20.786* because of her significant contributions to the social movement of domestic workers in Chile. U4 noted that the social movement of domestic workers was historically a "movement of dialogue" rather than a movement with consistent

physical protests as other workers' movements. She added that, in spite of the low number of active members and their passive attitude, domestic workers' unions have been able to achieve their goals through alliances with other like-minded and well-resourced organizations, such as the CUT (Central Workers' Union).

U1 was one of the main representatives in the campaign for *Ley 20.786*. She met with officials, such as the Minister of Labour, Javiera Blanco, and the President of Chile, Michelle Bachelet. During negotiations with political figures and legislators, U1 highlighted that union representatives had to constantly fight for their own terms and conditions, such as the regulated work schedule. According to U1, these political figures would attempt to make union representatives compromise their terms by stating that domestic workers would face challenges finding employment because of all the protections they are demanding.²⁷ Nevertheless, U1 said that union representatives were insistent in following their own terms without compromising their demands. Consequently, they were successful in passing a law that met most of their requirements.

U2, also from SINTRACAP, was actively involved in the campaign for *Ley 20.786*. U2 pointed out that the unions mainly received "moral support" from organizations such as UN Women and the FECH (University of Chile's Students' Union). U2 highlighted that *Fondo Alquimia* was a significant contributor of financial resources. *Fondo Alquimia* is a non-governmental organization that provides the appropriate resources to other organizations to promote women and girls' rights in Chile.²⁸ In regard to the campaign for *Ley 20.786*, U2 said that *Fondo Alquimia* contributed financial resources and materials to help SINTRACAP inform domestic workers about *Ley 20.786*

²⁷ El Mercurio released an article in January 2016 that indicated that there will be a decline in the number of domestic workers in Chile due to the demands outlined in *Ley 20.786*. Taken from: <http://www.economiaynegocios.cl/noticias/noticias.asp?id=221174>

²⁸ Information taken from: <https://www.fondoalquimia.org/quienes-somos/>

and the ILO Convention 189. However, U2 noted that the resources were not enough to widely reach domestic workers who work outside of Santiago, especially in the southern regions. U2 added that there are still tensions between SINTRACAP and other feminist organizations, such as the women's branch in the CUT, in spite of their alliances. Domestic workers still tend to be forgotten in the fight of women's liberation, as U2 pointed out.

On the other hand, D13 was not an active participant during the campaign for *Ley 20.786*. D13 is a live-in domestic worker from Peru who is also a leader of SINAINCAP. She agreed to be interviewed as a union leader and as a domestic worker. D13 was in Lima when the law was passed in Chile. When I asked about SINAINCAP's involvement in the campaign, D13 expressed that the immigrant domestic workers' union did not participate as much as SINTRACAP and ANECAP. D13 explained that SINAINCAP's lack of contributions in the campaign for *Ley 20.786* was because of the immigrant status of the union president.

2. *Changes in the situation of domestic workers in Chile*

In spite of the perpetuation of the submissive and self-sacrificing *empleada*, union leaders noted that there have been some advancements in the situation of domestic workers in Chile. During the interviews, union leaders explained that domestic workers were treated as "slaves" prior to the legal reforms in the 1990s and early 2000s. Union leaders recognized that there has been a shift from seeing domestic workers as "slaves" due to advancements in sharing information and an overall improvement in education. However, domestic workers are still subjected to exploitation when they are not well informed about their labour rights in spite of the passage of *Ley 20.786* in 2014. Furthermore, union leaders highlighted the situation of immigrant domestic workers in Chile. They noted that immigrant domestic workers are more likely to demand that their employers properly follow *Ley 20.786* than Chilean-born *empleadas*.

a. *No longer seen as “slaves”*

U1, U2, and U4 described that, before the advances of the late twentieth century, domestic workers were seen as “slaves.” U1 referred to the overall lack of education among domestic workers during the twentieth century by stating that “before there were women who did not know how to read, and now that type of slavery has ended.” This overall lack of education suggested that domestic workers were not informed of their rights as workers. Union leaders noted that the unfair treatment continues when domestic workers are not aware of their rights and do not have access to reliable resources. Union leaders highlighted that household workers are starting to shift their traditionally vulnerable position in the workplace when they become informed of the laws, regulations, and institutions that protect them from abuse and exploitation. Union leaders attributed this improvement in the traditional position of domestic workers to being better informed through unions and to the overall improvement in education.

Drawing from her own experience as a domestic worker during the 1960s and ‘70s, U4 noted that when she first started working “she did not know” about her labour rights and duties. U4 added that she became aware of her rights when she began to participate in ANECAP and became an advocate for the improvement of domestic work in Chile until her retirement in the early 2000s. Her participation in ANECAP allowed her to “wake up and become aware that [she has] rights at work because [one] can think that many things can be considered natural.” U4 also noted that “in some way or another, the domestic worker is no longer the same as before.” Domestic workers participate in union activities, such as the campaign to pass *Ley 20.786*, more often than during the 1990s and early 2000s. U4 believes that domestic workers no longer fear that their employers will find out about their participation in collective activities and fire them because they are aware of their labour rights. By being aware of their labour rights, household workers are informed of

the laws that protect them when they encounter conflicts in the workplace. Similarly, U4 noted that the domestic workers' social movement has received support from outsiders, such as labour and feminist organizations, and that there are employers who support their rights and the implementation of fair working conditions.

Similarly, U2 pointed out that domestic workers are better informed now and that the job sector has developed over the years. She stated that, since *Ley 20.786* was passed, Chileans now see domestic workers as women who are “empowered, dignified, educated, and no longer ashamed of their occupation.” These characteristics contrast with the traditional notion that characterizes *empleadas* as submissive, hard-working, and self-sacrificing. U2 also noted that domestic workers can fight for better working conditions when they have access to the appropriate resources, such as a union or the Labour Direction.

b. Immigrant domestic workers in Chile

U2 and U4 discussed how immigrant domestic workers have also advanced in their social position in Chile. The two union leaders noted that immigrant domestic workers are more likely to demand better working conditions than Chilean-born domestic workers. U4 described Chilean domestic workers as more passive and “less of a fighter,” while immigrant domestic workers “had a different style.” This different style of approaching negotiations at work suggests that immigrant domestic workers are well informed of their rights in Chile. U2 added that immigrant domestic workers want their employers to follow *Ley 20.786* properly and are less likely to work under unregulated conditions. However, D13 noted that immigrant domestic workers still experience abuse and exploitation in the workplace because of their status in Chile.

The contradicting statements among union leaders can be due to their different affiliations. U1 and U2 are part of SINTRACAP, and U4 was affiliated with ANECAP. D13, on the other hand, is part of SINAINCAP. SINAINCAP is only for immigrant household workers, and it is new in comparison to other domestic workers' unions in Chile. U1, U2, and U4 have been advocates for several years, and have worked with Chilean-born and immigrant domestic workers. Consequently, they can make comparisons between the two based on the situations they encounter. On the other hand, D13 is still a relatively new leader in SINAINCAP. She has more contact with immigrant *empleadas* than Chilean-born *empleadas* through SINAINCAP. As a result, her opinion on the situation of immigrant domestic workers in Chile is influenced by the cases that she witnesses in her union and may not have much of a basis to speak about Chilean-born domestic workers.

Nevertheless, D13 noted that *Ley 20.786* has been a “great development in protecting immigrants... Now with the formal contract, [they] can learn about labour laws.” Immigrant and Chilean-born domestic workers are equally protected under *Ley 20.786*. D13 added that that state institutions, such as the Immigration Department, inspect if an employer is paying for a domestic worker's social security deductions. This inspection process is not mandated under *Ley 20.786*. Nevertheless, state institutions use social security deductions as a way to confirm that the immigrant *empleada* is legally working in Chile and can renew her work visa.

The results suggest that changes in the situation of domestic workers in Chile are more likely to occur when household workers are well-informed of *Ley 20.786* and make use of the right resources to solve conflicts at work. Union leaders noted that immigrant domestic workers are more likely to demand that their employers properly follow *Ley 20.786* because their opportunity to renew their work visa in Chile depends on its effective implementation. However, although *Ley*

20.786 was passed in 2014, the results suggest that there are gaps in the law that still need to be addressed in future campaigns for the improvement of domestic work in Chile.

3. Gaps in Ley 20.786

Union leaders recognized that there are still gaps in *Ley 20.786* that need to be addressed. For instance U1 noted that *Ley 20.786* did not address the gap of what she refers to as “*fiscalización*”: an effective implementation, inspection, and supervision of the content outlined in *Ley 20.786*. Due to this gap, U1 recommended that domestic workers should be “their own inspectors” in the workplace. U4, similarly, noted that abuse and exploitation are most likely to happen if domestic workers do not inspect their own working conditions by highlighting that this case occurs when “[domestic workers] do not complain.” Due to the individualistic and isolated characteristics of domestic work, *empleadas* are alone when they work. As a result, nobody can ensure that they are employed under fair working conditions unless they take initiative to notify the Labour Direction if they encounter conflicts at work. U1 shared the experience of a domestic worker who came to SINTRACAP for help after her employer of 30 years had fired her because she was “too old to continue working.” U1 instructed this domestic worker to go to the Labour Direction about this issue at work, but the domestic worker said that she did not have a formal contract with her employer. U1 noted that it was difficult for SINTRACAP to help this domestic worker because she did not have a formal contract with her employer. With this story, U1 wanted to highlight that it is important for domestic workers to know about the protections outlined in *Ley 20.786* because of their usefulness in solving the conflicts that they may encounter at work. By following the regulations of *Ley 20.786*, domestic workers can make use of the right resources, namely the services offered by the Labour Direction, to protect themselves from abuse and exploitation in the workplace.

U2 pointed out that it is difficult to reach domestic workers who reside in cities that are far from Santiago, and that therefore they are less likely to be informed of *Ley 20.786*. She explained that SINTRACAP does not have enough resources to reach out to domestic workers who live far from Santiago, which is why the union has struggled in protecting the rights of domestic workers who live in the regions of Chile. Nonetheless, she noted that domestic workers who are affiliated with SINTRACAP make sure that their employers follow *Ley 20.786* because they are well informed of their rights and the proper regulations of their job.

In addition, D13 emphasized that domestic workers need to establish clear working conditions with the employer due to the gaps that are in *Ley 20.786*. These gaps in *Ley 20.786* mainly deal with the working conditions of live-in domestic workers. Live-in domestic workers are not entitled to a regulated work schedule and to overtime pay. D13 noted that, without a regulated work schedule, live-in domestic workers can encounter challenges when they want to establish their own pace at work. Furthermore, live-in domestic workers may have to work overtime and *Ley 20.786* does not entitle them to overtime pay. My interviews with domestic workers suggest that there are employers who are willing to pay the live-in *empleada* for overtime hours. However, live-in *empleadas* can still run the risk of being overworked and underpaid because they are not legally entitled to compensation for additional hours. Therefore, the results suggest that it is necessary for domestic workers to inspect their own working conditions.

I now move on to present how participants have experienced changes with *Ley 20.786*. The results of the interviews with domestic workers suggest that participants have found ways to make sure that they work under the proper working conditions. Furthermore, participants' answers indicate that, in addition to *Ley 20.786*, there are other factors that can contribute to their capacity to exercise choice without compromising their living and working conditions.

Working Conditions

Although not all participants explicitly identified these conditions as the most noticeable changes, their answers demonstrated that they have somehow been affected by *Ley 20.786*. Before I present the results of this section, I must acknowledge that whether these changes are positive or negative depends on the domestic worker herself, as she may or may not agree with every protection outlined in *Ley 20.786*. The different opinions about *Ley 20.786* are evidence of the diverse characteristic of domestic work in Chile because participants draw conclusions based on their own experiences.

1. *Having a regulated work schedule*

The opinions about having a regulated work schedule differ among participants. Some participants noted that having a regulated work schedule benefits a domestic worker because she can establish a routine within the timeframe of her shifts without having to go overtime. However, other participants pointed out that having a regulated work schedule led to less time to complete all of their responsibilities at work. The shorter shifts can create stress on domestic workers who have established their work routines prior to the passage of *Ley 20.786*.

D3 expressed that “[*Ley 20.786*] makes our bosses respect our schedules. If [we] wake up at 7 [we] must be back in [our] rooms by 8 in the evening.” However, she was aware that there are employers who do not respect this schedule, and that not all domestic workers follow the 8-hour shift and end up working more hours. In addition, D13 noted that having a set amount of work hours can aid a domestic worker into finishing all of her tasks without having to work overtime. However, this controlled amount of hours applies more to live-out domestic workers than live-in domestic workers because of the content outlined in *Ley 20.786* in regard to work schedule.

The work hours that were introduced in *Ley 20.786* can create a challenge for domestic workers who are used to having longer shifts. For instance, D8 has an already established pace at work. She expressed that there is more pressure now to finish work duties in less time. D8 explained that “you are supposed to finish everything in 8 hours when you used to do it in 12, so postponing things is impossible. The employers’ schedules do not change, so they come home at the same time as always and one needs to serve them regardless of how much one gets done during the day.” She still feels limited with time at work, as the new regulations were introduced in 2015. D6 added that “sometimes [she splits] her Saturdays to alleviate [her] work duties during the week.” D5 and D11 also found it difficult to adjust to the work schedule, noting that they do not have enough time to finish all duties without going overtime. D11 noted that she has to “[she] could spend all day without resting. [She knows] about the mandatory rest time but there is not enough time [to finish].”

All domestic workers under a formal contract are required to have a regulated work schedule. However, it is difficult for employers to ensure that the employee finishes all responsibilities within eight hours. D12 pointed out that “[her] bosses are never home [when she works], so it is hard to be supervised.” In addition, D11, who works for a lawyer, mentioned that “[her boss] is never home.” Domestic workers complete most of their tasks when their bosses are not home. As a result, domestic workers have to be in charge of organizing their time around their work tasks and regulate their own schedules. During the interviews, participants such as D11 and D13 said that their employers pay them an additional amount to their monthly salary if they are needed at work outside of their regular work schedule. D11 mentioned that “if [she works] on a weekend, they must pay [her] extra.” D13 said that her boss once asked her to work for an additional day and that “[her boss] wanted to pay [her extra]... and was willing to pay for her commute to take

care of the children.” D2 said that “if there are dinner parties, [a worker] should demand additional pay,” referring to the heavy toll of serving several guests. However, participants recognized that this additional overtime pay may not be practiced in every household. Live-in domestic workers run the risk of being overworked and underpaid because *Ley 20.786* does not grant them the same right to overtime pay as live-out domestic workers.

2. *From one rest day to two rest days*

Similar to having a regulated work schedule, having more time off is either seen as a blessing or a curse by participants. Some participants criticized having two rest days because they were used to spending the majority of their time staying in their employers’ homes. On the other hand, some participants took advantage of having more time off because they found opportunities to participate in events and activities outside of work.

D6 noted that older domestic workers “do not need more rest days”, while younger domestic workers enjoy the free time “because they want to have weekends off.” She owed this distinction to age differences, expressing that older or more experienced domestic workers are used to staying at their employers’ homes, and younger workers are less likely to experience the traditional limits of shortened rest periods on evenings and weekends. D6 added that “[she] never liked when employers gave her a day off... for being a domestic worker, [she] must spend a day outside of the employer’s house and it makes [her] feel like a homeless person... [her] workplace is her home.” D7, D8, and D9, who are all live-in domestic workers and members of SINTRACAP, shared a similar sentiment. All of these participants have been with the same employer for more than a decade.

On the other hand, D13 noted that having more rest days “gives workers more time to develop,” which referred to her growth as an individual outside of work. As a Peruvian immigrant in Santiago

for more than a decade, D13 has found more time to focus on her personal projects in Lima while also being able to work as a domestic worker in the Chilean capital. Similarly, D10 is happy to have time off during the weekends because she can focus on activities outside of the workplace. Before *Ley 20.786*, D10 lived “within the four walls” of her employer’s house and “that was all [she] knew.” Now, she and D3 are finishing their secondary education to move on to further studies. D10 expressed her wishes of finding employment in a job sector that works with children. Nonetheless, D10 recognized that live-in workers may have the benefit of not paying for room and board, but it is still a job that is described as “enslaving” or too sacrificing. She added that “one is never unplugged from work” in spite of the passage of *Ley 20.786*. Some domestic workers may still encounter employers who do not accept every regulation outlined in the law, such as their right to have more free time from work duties.

The opposing opinions on rest days are evidence of the diverse experiences of household workers in Chile. Based on the results gathered, it is possible to conclude that the different opinions about having a regulated work schedule and having more time off are due to the age differences among participants. Older participants are more likely to disagree with the new regulations, whereas younger participants prefer the new regulations outlined in *Ley 20.786*. While this distinction can be true to a certain extent, I noted that opinions about having more free time can also be due to the number of years that a participant has been working in the same house. It can be difficult for participants to change the work habits they have developed if they have worked for the same household for many years. D6, D7, D8, and D9 have worked for the same employers for more than a decade, and they have all expressed some form of disagreement for having less time to finish their tasks at work. Their work routines have been established for many years prior to *Ley 20.786*, and breaking out of old habits proves to be challenging for them. On the other hand,

participants who tended to change employers more often were most likely to agree with the new time regulations in *Ley 20.786*. D1, D2, D3, D4 and D13 have been domestic workers for several years as well, but they have changed their employers every couple years. Their positive opinions on having more time off may be due to their flexibility in adjusting to a new employer's demands.

In spite of wishing that they had more time to finish their work duties, D6, D7, D8 and D9 acknowledged the importance of a regulated work schedule as outlined in *Ley 20.786*. The results suggest that domestic workers have more opportunities to exercise choice outside of the workplace. Participants can dedicate time outside of work to focus on finishing their education, to work on different projects, spend more time with their families, and to participate in workshops that are meant to improve their work skills.

3. Working under a formal contract

Participants had different ways of negotiating the conditions outlined in their formal contracts. Out of the 13 domestic workers who were interviewed, 12 had a formal contract with their employers. Some participants established the terms in their contracts with their employers, while others let their bosses write the document by following the template found on the Labour Direction website.²⁹

Unionized participants noted that the effective implementation of *Ley 20.786* and their involvement in SINTRACAP has helped them in demanding working conditions that do not negatively affect other aspects of their lives. D2 expressed that SINTRACAP has organized workshops “that help [workers] with how to defend their labour rights and negotiate at work. The

²⁹ Labour Direction provides the content of *Ley 20.786* in their website. The website also provides templates of the formal contract for live-in and live-out domestic workers. Taken from: <http://www.dt.gob.cl/1601/w3-article-60059.html>

union has been helpful, but there are still *empleadas* who prefer to work the old way.” She added that, due to *Ley 20.786*, domestic workers find it easier to negotiate their duties with their employers. D10’s experience reflects on this effect of *Ley 20.786*. She and her employer “negotiated the working conditions, salary, and other responsibilities. There were no issues when [they] wrote the contract... if there had been problems, [D10] would have left.” D11 commented that she signed her contract after she showed it to one of SINTRACAP’s leaders. She expressed that “[her employer] wanted [her] to sign the contract immediately... but [she] first showed her contract to a union leader to read it... [she feels] safer showing paperwork to someone who knows about the law.” As noted by and D13, the contract formalizes the responsibilities that domestic workers have been fulfilling for years. D13 noted that “responsibilities are already understood when one signs the contract. [The worker] understands that she has to take the role of the mother when the mother is not home.” Participants noted that there are still several employers who do not follow *Ley 20.786*. Consequently, it is difficult to know how many *empleadas* work without a formal contract because they do not have an official record of employment with the Labour Direction. In 2015, the Labour Direction reported that there are approximately 30.000 formal contracts registered with them.³⁰

Out of all participants, D12 is the only worker who does not have a formal contract with any of her employers and who does not know much of *Ley 20.786*. D12 is a live-out *empleada* who is not affiliated with any domestic workers' union. By working without a contract, D12 establishes her own schedule and her own duties according to her preferences. D12 described an occasion in which a former employer reduced her monthly salary. At first, she accepted the smaller paycheck because it was her first job as a household worker. However, after working for different employers,

³⁰ Information taken from: <http://www.dt.gob.cl/1601/w3-article-105244.html>

D12 realized that “it should not be that way and decided to work day-by-day.” By working day-by-day, D12 establishes her own rates with her employers. Now, D12 receives her payments in cash by day instead of getting a monthly paycheck. She explained that her employers tend to leave the cash on the kitchen table so she can see it when they are absent. However, D12 noted that “because she never sees [her] employers, there have not been opportunities to talk about the law.” D12 rarely sees her employers because she is in and out of the house before the employers get home from work, but she maintains a cordial relationship with all of them.

The contract is meant to be a way of formalizing domestic work by providing an official document that outlines responsibilities, work schedule, and social security deductions. However, the results suggest that there is still an ineffective regulation in regard to working under formal contracts. This ineffective regulation can occur when an employer is not willing to hire a domestic worker under a formal contract. Based on my interview with D12, a domestic worker may also choose to work contract-free when she has a good financial and personal situation. By including the compulsory formal contract as a regulation of domestic work in *Ley 20.786*, legislators make sure that employers recognize the need to hire domestic workers under more formal conditions than before. This formalization steers domestic work away from the past assumption of not being considered real work (Blofield 2012). Without the formal contract, domestic workers may experience situations in the workplace in which they have to compromise their living and working conditions. Furthermore, without having access to the right information about their rights as workers, *empleadas* may not take initiative to demand more fair conditions at work.

4. *Domestic workers' uniforms in Chile*

During the two semi-structured group interviews, participants brought up the topic of uniform and appearance when they discussed their working conditions and their relationships with their

employers. I did not prepare questions for this characteristic of *Ley 20.786* because I believed that uniform use did not hold as much importance as other regulations. Some participants highlighted the importance of having a good appearance as domestic workers regardless of the clothes they wear. Other participants, however, noted that domestic workers can still experience discrimination regardless of the clothes they wear in public. Overall, all participants acknowledged the practical necessity to have a uniform because they did not ruin their own clothes at work. All participants of the group interviews also pointed out that their employers have purchased their uniforms.

U3 is a union leader who chose to participate in the group interview as a domestic worker. She expressed that she does not understand why there is a regulation on uniform use in *Ley 20.786*. From her point of view, U3 explained that the uniform is a “secondary” characteristic of domestic work that “if [a worker] is good and does her work properly, she should not bother with wearing or not wearing a uniform.” Furthermore, U3 added that “day care workers and health care workers also wear uniforms” to emphasize its importance as a symbol of pride for her occupation. She noted that “when [the union] was campaigning for *Ley 20.786*, [she] wore her uniform to every event.” She would proudly wear her uniform in public places to demonstrate that she is not ashamed of her occupation. Moreover, D8 pointed out that, when *Ley 20.786* came into effect, her employer asked her if she felt embarrassed of her uniform. D8 answered that she did not feel embarrassed for wearing her uniform in public. Instead, D8 acknowledged that her uniform was one of the necessary tools that contribute to her good appearance and performance at work.

Other participants also pointed out the importance of their appearance in public and at work. D2 said that “if [her uniform] is pretty, then [she] will wear it in public.” When I asked what D2 would do if someone pointed out that she should not be wearing her uniform in public, she answered that she would say that she feels comfortable in her uniform and does not see the need

to change. In addition, D5 expressed that “[her] employers do not ask [her] to wear a uniform at work,” but that she preferred to use her own clothes because the apron that she was given did not suit her. D7 said that she did not wear her uniform in public, but that she always made sure that she had a good appearance.

Nevertheless, participants pointed out that domestic workers can still be discriminated based on their appearances in spite of not wearing a uniform in public spaces. D3 pointed out that “job agencies, if they see that you come dressed too nicely, might discriminate you for that.” D2 added that, if a domestic worker is dressed too nicely, she may encounter problems finding work, and that “the worker cannot look better than the employer.” D3 pointed out that some employers want the domestic worker to wear “simpler clothes,” and that some *empleadas* carry the mentality that they cannot look better than the female head of the household. Similarly, D8 stated that a domestic worker can still be discriminated even if she is not wearing her uniform in public. D8 based her opinion on her own work experience in an upper-class neighbourhood in Santiago. She expressed that she lives and works in a neighbourhood where people can already “tell that [she is] a domestic worker because [she] does not wear the same clothes as her employer... So what is the point of the uniform if they can tell that you’re not from the high-class neighbourhood?”

Although *Ley 20.786* forbids employers from coercing domestic workers into wearing their uniforms in public spaces, domestic workers can still be discriminated based on other markers of appearance, such as their clothes. As it was noted in the results, the types of clothes that domestic workers wear demonstrate a difference in social class. Domestic workers can still experience discrimination in spite of the new regulation of uniforms in public spaces. The findings also suggest that domestic workers can still develop a mentality that they cannot have a better appearance than the employers, but that they can still have a good appearance within the limits of

being a domestic worker. That is, a domestic worker can dress well as long as she wears simpler clothes than her employer. This type of mentality can be a product of differences between classes, places origin, and nationality. Nevertheless, the content outlined in *Ley 20.786* provides domestic workers with the capacity to exercise choice in regard to their appearances in public spaces.

Factors of the processes before and after *Ley 20.786* was passed that have contributed to the empowerment of domestic workers in Chile: access to well-resourced organizations, access to information, and improvements in self-appreciation

I now move on to present my results related the three factors that contributed to the empowerment of domestic workers in Chile along with *Ley 20.786*. At first, I did not set out to find these factors because my initial purpose was to learn about the working conditions. However, the topic of empowerment developed inductively during the interviews by touching upon the processes that occurred before and after *Ley 20.786* was passed in 2014. These factors were implicitly and explicitly mentioned by most of the participants. The last part of the semi-structured interviews with participant domestic workers dealt with questions about the types of decisions that they could make in the employer's household, how they communicated with the employer about work issues, how familiar they were with *Ley 20.786*, and if they knew which resources can help them in case of conflicts at work. These questions brought up ways in which participants exercised choice in the workplace without compromising their living and working conditions. Additionally, participants' reflections on their experiences as domestic workers also brought up themes related to empowerment. Based on the results of the interviews, I identified having access to well-resourced organizations, having access to information about labour rights, and signs of improvement in domestic workers' self-appreciation as factors that contributed to the empowerment of household workers in Chile. Participants' opinions on themes such as their involvement with the unions and the use of social media demonstrate that being well informed can

contribute to a domestic worker's self-worth. Furthermore, the presence of supportive employers can also contribute to an improved sense of self-worth. This improved sense of self-worth, in turn, can lead to gaining a sense of empowerment.

1. *Access to well-resourced actors: collective participation in SINTRACAP*

I interpret having access to well-resourced actors as having the opportunity to use of the resources that domestic workers' unions and other organizations provide. As U2 stated in her interview, SINTRACAP received financial support from *Fondo Alquimia* and moral support from students' unions and other influential organizations. With financial support, SINTRACAP had access to useful resources to carry out their activities. The moral support of other influential organizations allowed SINTRACAP to become relevant in the discussion of domestic workers' issues in Chile. The union-related activities that participants discussed were made possible by the resources that SINTRACAP had as a result of its alliance to other organizations. Before the interview process began, I predicted that participants would discuss their active affiliation to SINTRACAP's workshops. With this in mind, I paid attention to how participants addressed their involvement in their union. All unionized domestic workers I interviewed are active members of SINTRACAP except for D13, who is affiliated to SINAINCAP. As a result, these findings mainly show the experiences of women who participate in SINTRACAP.

During one of the group interviews, D6, D7, D8, and D9 touched upon the challenge of cooperating with other domestic workers because of the isolated nature of domestic work. D8 pointed out that "it is a general problem for all of [them]" to find it challenging to participate in a collective setting. However, domestic workers can build a strong, reliable, and well-resourced

social network when they participate in spaces that are meant to improve their living and working conditions, such as domestic workers' unions.

All participants, except for D12 and D13, are affiliated with SINTRACAP. These participants have been involved in workshops and marches with the union. Some of these workshops included how to negotiate a formal contract with the employer and how to communicate with employers when there is a conflict at work. These workshops were organized in collaboration with the feminist organization *La Alzada*, and they lasted for over a year.³¹ These workshops were designed and planned out after representatives of *La Alzada* had talked with SINTRACAP members about their personal experience of encountering conflicts at work. Participants learned ways in which they could use words and body language to better communicate with their employers while also learning about the ideas and practices that perpetuated their subordinated role at work. These ideas and practices, as presented in the workshops, were shaped by *empleadas'* identities as women workers. D3 indicated that the workshops organized by SINTRACAP have “opened [her] mind and have made [her] value [her] work.” She expressed that before joining the union, she was not well aware of her rights as an employee. D1 also shared this sentiment when she related her self-worth as a domestic worker to the information she has gained in the activities organized by SINTRACAP. D2 expressed that she has learned through the union about her rights and duties as a worker. She added that the SINTRACAP members “are more awake now” after participating in the campaign to implement *Ley 20.786*.

Domestic workers who participated in the campaign to pass *Ley 20.786* became informed about the law's content, as well as the ILO Convention 189. The campaign included negotiations with

³¹ Information taken from: <http://www.anarkismo.net/article/27630>

state authorities and political figures, as well as protests to bring attention to the public about domestic workers' rights in Chile.³² With this campaign, union members became better informed about *Ley 20.786* and of the resources that can help them in compromising situations.

2. *Having access to information about labour rights and helpful resources: the use of technology and social media*

I interpret having access to information as being exposed to facts and resources that help disadvantaged individuals. With this interpretation in mind, I relate using social media to having access to information about domestic workers' rights and helpful resources. During my fieldwork in Santiago, the Chileans I interacted with noted that people of lower socioeconomic backgrounds, such as household workers, have access to cellphones and internet because of the low costs of phone bills. Although only one participant mentioned the use of social media, it is an important aspect of sharing and having access to information about labour rights and helpful resources because domestic workers can connect with one another when they do not have the opportunities to interact in the same physical spaces. Furthermore, the use of social media contributes to domestic workers' unions efforts to reach *empleadas* who do not have physical access to their resources.

Currently, domestic workers' unions lack resources to reach out to all domestic workers in person. However, they have found different mediums of informing *empleadas* about their rights as workers. SINTRACAP has attempted to reach out to domestic workers through social media by creating videos. For instance, SINTRACAP released a video about their 2015 campaign *#NoSomosNanas* (*#wearenotnannies*).³³ This campaign came after *Ley 20.786* was passed, and its

³² Information based on this video: <https://www.youtube.com/watch?v=ZGLtQ5yYvYY&t=172s>

³³ https://www.youtube.com/watch?v=gB_ZNiwqYnc

main purpose was to encourage *empleadas* to join SINTRACAP. This campaign also demanded that the Chilean state should effectively regulate employers to ensure that domestic workers are working under fair conditions. SINTRACAP and other domestic workers' union are also active in Twitter by uploading pictures of their campaigns and reaching out to domestic workers who may not have access to the union office in other parts of Chile.³⁴

The use of social media is a significant way for household workers to have access to well-resourced actors and information about labour rights in Chile. Domestic workers can learn about *Ley 20.786* by using their phones to gain information about their labour rights and to get in contact with helpful organizations. Individuals are not physically present in the same place and are connected through technology to share their knowledge. U2 emphasized that “the [female worker in Santiago] has access to social media and to more information. She will eventually realize that she cannot be exploited at work.” The competition among telecommunication companies in Chile has led to lower mobile monthly or prepaid plans and, as a result, people with less means have more access to information through electronic devices.³⁵ As U2 pointed out, domestic workers benefit from using social media because they create spaces in which they can share their experiences with one another in spite of working by themselves. The use of social media is useful for domestic workers because they can connect with one another. The four walls of the employer's home had previously limited domestic workers' interactions with one another. Social media,

³⁴ <https://twitter.com/search?q=%40fesintracap>

³⁵ In 2014, Subtel (*Subdepartamento de Telecomunicaciones*) published a chapter that discussed the modernization of telecommunications in Chile in relation to the increasing competition among companies. Having more competition among telecommunication companies ensures that prices remain low and that more Chileans have access to electronic devices. The chapter is called *Telecomunicaciones*, and can be found here: http://www.subtel.gob.cl/images/stories/apoyo_articulos/notas_prensa/cta_publica_2010_2014/capitulo_telecomunicaciones_06012014.pdf

ultimately, breaks down the physical walls that constrict the *empleada*'s communication with her counterparts.

3. *Improvements in self-appreciation*

With more access to information and access to well-resourced actors domestic workers can learn to value their contributions in the workplace. This self-appreciation can allow *empleadas* to speak up in the household because they acknowledge their importance in their employers' home. During the interviews, participants would often express that they felt valued at work by using the verb "*valorar*." The verb "*valorar*" can be translated into English as acknowledging the value or worth of someone. For instance, D3 noted that the workshops and classes she has attended with SINTRACAP have made her "value her work." D2 said that employers "value [a domestic worker's] work more than before" because *empleadas* are responsible for the employers' children. Participants would demonstrate that they began to feel valued when they became informed about their rights at work. With *Ley 20.786*, domestic workers have more opportunities to exercise choice in regard to their working conditions. This capability of exercising choice, in turn, can create a sense of self-worth among domestic workers who have been in a traditionally subordinate position. This idea of appreciating themselves, in turn, enables domestic workers to acknowledge their importance in their employers' household. Therefore, the results identify that self-appreciation can refer to the sense of worth and the personal value that participants have for themselves.

U2 explained this process of self-appreciation as first having to "lift up the worker from the ground and make her see her value at work and as a person. [Afterwards], we must capacitate her with better skills at work." U2 continued by discussing how a domestic worker has better chances of improving her working conditions if she feels good about herself and values her presence at work. My findings suggest that there were two ways in which participants showed signs of

improvement in their self-appreciation. The first way was by learning how to value their own work and making their employers acknowledge this value. Participants learned how to value their work by getting involved in SINTRACAP and by learning from previous work experiences. Notably, the second way in which participants showed signs of improvement in self-appreciation was by how their employers valued their contributions in the household and their growth as individuals. Some participants talked about this second way when they noted that their own self-esteem was low before working for the employers who valued their presence in the workplace. One participant noted that she felt valued at work due to the several years that she has spent being employed by members of the same family.

a. Empleadas valuing their work

Domestic work is an occupation in which employees do not have much interaction with others. Therefore, it can be challenging to develop a sense of self-worth in a space where their contributions are invisible. Nevertheless, the results suggest that domestic workers can learn to appreciate themselves when they share a space with other like-minded individuals, such as unions or workshops that address their work issues.

D10 expressed that “somebody has to do the work at home” and that she no longer feels embarrassed of working as a household worker. D10 owed the improvement in her self-worth to her involvement with SINTRACAP, which has “changed her look on life.” Before joining SINTRACAP, she only saw her life within the four walls of the employer’s home, but now she recognizes her importance at work. If she feels that her work is not acknowledged by her employers, she makes them appreciate it. For instance, D10 explained how she and her employer negotiated the responsibilities, work schedule, and pay on her formal contract. D10 expressed that

she would have resigned if her employer had not agreed to her terms because she recognizes the importance of her work in a house.

D4 also owed her sense of self-worth and “valorization” to being part of SINTRACAP. She expressed that in SINTRACAP, union members “help one another with words of encouragement.” Furthermore, D4 noted that “the years [she] has spent with [SINTRACAP] have been very helpful... [she has] a place to go to at all times.” In regard to her current job, D4 noted that, at first, she had several disagreements with her employer. However, as time passed, her employer started to appreciate her contributions in the household. Now, D4 stated that she is able to make her own decisions at work with regard to her work schedule and duties, and that her employer listens to her and respects her decisions.

D1, D2, D3, D6 and D8 also discussed that they are not ashamed of being *empleadas* because they know how valuable they are in the employer’s home and the opportunities they have been given in the job sector. D6 also commented that “when men show interest in [her], [she says she works] as a household worker with pride.” Additionally, D2 recognized that *Ley 20.786* has helped domestic workers in negotiating better working conditions. With *Ley 20.786*, *empleadas* can establish or negotiate their own standards at work. These standards, in turn, are signs of improvement in self-appreciation because *empleadas* are aware that they should not work under conditions that compromise other aspects of their lives.

b. Employers valuing an empleada’s work

One of the criticisms related to domestic work is the idea that a domestic worker is part of the employer’s family. This idea blurs the lines between the work and personal relationships that employers have with their domestic employees (Blofield 2012; Vergara Varas 2014). The idea that

a domestic worker is “part of the family” can undervalue her contributions to the household as a remunerated employee. More importantly, this sense of belonging in the employer’s family can create situations in which domestic workers have to compromise their working and living conditions in favour of the needs of the employer. However, the results suggest that domestic workers can also feel valued by developing a close relationship with their employers. Participants recognized that employers contributed to the improvement of their self-worth when they were encouraged to participate in activities outside of work and when they have been employed in the same household for many years. This appreciation in the workplace, in turn, can contribute to a domestic worker’s self-worth, which can encourage her to recognize the importance of her opinions and responsibilities in the workplace.

For instance, U3’s experience with one of her previous employers shows how she began to value her contributions in the household. U3’s former employers encouraged her to get an education and to participate in activities outside of the household. At first, U3 was shocked by this opportunity because she was used to working in a traditional master-servant relationship, which limited her activities outside of the workplace. U3 expressed that “she could not believe” that her employers would give her permission to go out for a walk, or allow her to go to bed if it was too late. Eventually, U3 began to understand that her employers valued her presence in the household, and wanted her to develop as an individual outside of work. This understanding led U3 to appreciate herself, and to demand that her other employers value her work.

Similarly, D6 described her experience with her current employer. She noted that some employers “take into account [the domestic worker’s] needs and feelings.” Her current employer calls her by her first name and asks her if she has had a good day at work. D6 also noted that her employer once took over the domestic duties when she was going through personal issues and

needed to take time off. D6 highlighted that her employer told her to “leave [work] and take as much time as [she] needed.” D6 acknowledged that this type of treatment has raised her self-esteem and helped her appreciate her presence and contributions at work because she notices that her employers care about her wellbeing. She recognized that her employers treated her as a person rather than as a “slave.”

D7 also acknowledged that she has a close relationship with her employer and her employer’s family. D7 has worked for her current employer, a widow, for 18 years. Prior to this job, she had worked for her current employer’s relatives for 25 years. D7 said that she left her old work with “good terms and with good references,” and that they helped her find her current job. Similarly, D7 also noted that her employer often asks about the wellbeing of her own family members. Therefore, D7 noted that she has strong connections with her employer’s relatives due to the years she has worked within the same family. This close relationship demonstrated that D7 was appreciated in her workplace and that her employer respected her. In addition, D7 expressed that she supervises herself at work because her employer does not control or regulate her working conditions. D7’s relationship with her employer contributed to her sense of self-worth because she recognized that her contribution in her employer’s home has been acknowledged and valued for decades.

This treatment demonstrates that domestic workers can also show signs of improvement in self-appreciation when employers acknowledge their importance in the household. The results suggest that employers acknowledging domestic workers’ contributions can lead to domestic workers recognizing their own self-worth as employees, which in turn can contribute to their opportunities to exercise choice at work. However, a domestic worker can be exploited at work when the employer blurs the line between work and personal relationships. By blurring this line,

employers can consider domestic workers as “part of the family” and undervalue their contributions as remunerated workers in the household. This devaluation is more likely to occur when an *empleada* does not make sure that she works under fair conditions. If an *empleada* is well-informed of her labour rights and supervises her working conditions, she can then recognize if she is being exploited or not.

The case of domestic workers in the southern Chile

For the last part of this chapter, I address the results in regard to domestic workers who reside in the southern regions of Chile. Due to its long and narrow geography, Chile is divided in 15 regions from North to South. These regions are subdivided in provinces, which are then subdivided in communes. When participants talked about southern Chile, they referred to the regions that are found south of Santiago and the Biobío region.

Going in the field, I had predicted that attitudes towards certain aspects of domestic work would differ among *empleadas* who worked live-in or live-out, who were born in Chile or abroad, and who were or were not part of a union. However, I did not expect that participants would comment on the vulnerable situation of domestic workers in the southern regions as opposed to the capital city. I only address the situation in the south of Chile because participants focused on the situation in this part of the country. Participants were not familiar with the experiences of domestic workers in the northern regions of Chile. As a result, I was not able to gather information about the situation of domestic workers in the north, and it requires further study. Although I was not able to recruit participants who worked in the south of Chile, U1, U2, and D2 explained that regional domestic workers are in a significantly more vulnerable position than their capital counterparts.

D2 noted that in the south women may get paid less than the national minimum wage. According to her, the employer sometimes may pay an *empleada* the minimum salary and then discount the social security deductions. This discount of the social security deductions lowers an *empleada*'s salary to less than the minimum wage. U1 and U2 noted that employers Santiago are more likely to follow *Ley 20.786* because laws are better implemented in the capital city than in regional cities. Most of the population and wealth are concentrated in Santiago.³⁶ U1 explained that domestic workers have higher salaries in Santiago than in other parts of Chile. Furthermore, the campaign for *Ley 20.786* mainly took place in Santiago because the main branches of SINTRACAP and ANECAP are in the capital city. Consequently, domestic workers' unions have more influence in the capital city than in other parts of Chile. The lack of accessible resources in the regional cities is another causal factor in the vulnerable situation of domestic workers in southern Chile.

In the regions, U2 noted that the exploitation of domestic workers continues to happen. Regional domestic workers are less likely to have a formal contract with their employers. As a result, regional domestic workers get paid less than the minimum wage and work unregulated hours. U2 pointed out that immigrants are aware of the unregulated conditions in the south of Chile, which is why they choose to find work in Santiago. U2 added that:

“In the regions, especially the south of Chile, it is very difficult to initiate participation in unions because there is a fear that everybody will find out and that the worker will not be able to find employment....But when living conditions are so vulnerable, women do anything for their children even if that means working for less than the minimum.”

³⁶ By 2010, 40% of the national population lived in the Santiago Metropolitan Area. Information taken from: http://www.ine.cl/canales/menu/publicaciones/compendio_estadistico/pdf/2010/1.2estdemograficas.pdf

Based on U2's answers, other factors can prevent regional domestic workers from speaking up in the workplace. These factors include fear of being fired and being labelled as a demanding domestic worker, which could compromise an *empleada*'s future employment opportunities. Another factor is poverty and hunger, which can lead domestic workers to accepting vulnerable conditions because they may be desperate to provide for their families. U2 noted that these factors are more prevalent in the southern regions because employers who live in the regional cities tend to follow the traditionally oppressive notions of domestic workers.

These results suggest that *Ley 20.786* is more likely to be properly enforced in Santiago as opposed to the southern regions of Chile. Furthermore, the ineffective implementation of *Ley 20.786* in the regions allows for employers to impose unregulated working conditions for domestic workers, which can include a work shifts that last longer than 12 hours, no overtime pay, limited rest time between work hours, and no contract or social security deductions. With less regulated working conditions and less access to information about their workers' rights than in the capital city, regional domestic workers may find themselves in compromising situations in which they cannot exercise choice without negatively affecting their living and working conditions. Additionally, their vulnerable position may perpetuate the social construction of the submissive and self-sacrificing domestic worker because they do not have the appropriate tools, such as access to a well-resourced domestic workers' union, to demand better treatment at work. Although domestic workers' unions have fought to abolish this social construction of the submissive *empleada* for decades, advocates are still struggling to reach out to regional domestic workers.

Summary of chapter

With regard to the current position of domestic workers in Chile, the four union leaders I interviewed noted that there have been improvements, but that there are still domestic workers who are in a vulnerable position at work. The interviews with union leaders shed light on issues that have yet to be addressed, such as the lack of a regular schedule for live-in domestic workers or the ineffective inspection of *Ley 20.786*. Overall, most participants demonstrated that *Ley 20.786* caused immediate changes to four conditions of their work: a regulated work schedule, more rest days, a compulsory formal contract, and the use of uniforms in public spaces. Participants mentioned or discussed these issues to different extents, some explicitly and some implicitly.

Although I first set out to analyze the working conditions in relation to *Ley 20.786*, my research question shifted towards the empowerment of domestic workers due to the topics that were discussed during the interviews. During the interview analysis, I found ways in which participants exercised choice in the workplace without compromising their living and working conditions. The four working conditions I identified in this chapter suggest ways of how *Ley 20.786* can contribute to an *empleada*'s capacity to make choices in the workplace without negatively affecting other dimensions of their lives. The results suggest that the processes that occurred before and after *Ley 20.786* came into effect also affected the ways in which domestic workers exercise choice in the workplace. I identified three factors from these processes: having access to well-resourced actors, having access to information about labour rights and helpful resources, and showing signs of improvement in self-appreciation. I related access to well-resourced actors to having the opportunity to use the resources provided by domestic workers' unions. I related having access to information about labour rights and helpful resources to the use social media in sharing facts and in connecting domestic workers with one another. I associated having an improved self-appreciation to recognizing the value and necessity of domestic work in the household and making

employers appreciate the *empleadas'* contributions in the household. These factors, along with *Ley 20.786*, have contributed to the empowerment of participants. Finally, the results suggest that domestic work in the regions of Chile is still less regulated than in the capital city. This finding suggests that there is an inconsistent implementation of *Ley 20.786* in Santiago and other parts of Chile. In order to better understand how the results of this chapter relate to the theoretical understanding of empowerment, I now turn to discuss the concepts that I presented my literature review with the data gathered in my fieldwork.

Chapter 6: Discussion and Conclusion

Introduction

In this chapter, I first present the answers to my research questions. Then, I move on to explain how my findings connect to the frameworks about power relations, consciousness transformation, and empowerment that were presented in the literature review. I first pay attention to Naila Kabeer's (1994) four forms of power in relation to having access to information about domestic work and showing signs of improvement in their self-worth. Then, I connect my findings to the concepts related to consciousness transformation. The concepts of consciousness transformation that I present are oppositional consciousness, contradictory consciousness, and *conscientização* (Brockett 2005; Freire 1970; Morris & Braine 2001). I pay attention to the ways in which domestic workers can transform their consciousness to become more aware of the sets of ideas and practices that have traditionally and historically oppressed them in the workplace and in Chilean society. Subsequently, I relate my results to Naila Kabeer's (1999, 2008) interrelation of resources, agency, and achievements to better understand how domestic workers in Chile gain a sense of empowerment by drawing on the appropriate tools to gain their capacity to exercise choice at work.

I move on to identify the usefulness and drawbacks of the theoretical concepts I presented. In this section, I pay attention to how the theoretical concepts can be applied to the context-specific notions of domestic workers. I also discuss the limits that I encountered in relating my results to these concepts. Then, I explain the shortcomings of this thesis, such as the limits on participant recruitment. The next section pays attention to practical and future research suggestions about domestic work in Chile. Lastly, I explain the practical contributions of my thesis to the study of domestic work.

Research questions: How has *Ley 20.786* improved the working conditions of household workers in Chile? How has *Ley 20.786* contributed to the empowerment of domestic workers in Chile?

My findings indicate that *Ley 20.786* has led to some improvements in the following working conditions: having a regulated work schedule, having more rest time, writing a compulsory formal contract, and monitoring the use of uniforms in public spaces. Researchers should revisit these improvements in the future when *Ley 20.786* is already established for a prolonged amount of time in Chile. The results suggest that a domestic worker's capacity to choose is shaped by the regulations outlined in *Ley 20.786*. With the content outlined in *Ley 20.786*, domestic workers have the power to establish working conditions that suit their personal needs. However, due to the diverse experiences of domestic workers in Chile, we cannot say that *Ley 20.786* is the only factor that has contributed to their sense of empowerment. This sense of empowerment can be generated if we combine *Ley 20.786* with factors related to the campaign process before and after the law came into effect. These characteristics are having access to well-resourced actors, having access to information about workers' rights and supportive resources, and showing signs of improvement in self-appreciation. When domestic workers feel empowered, they can set their own limits at work without negatively affecting other dimensions of their lives. This empowerment may lead to a more effective implementation of *Ley 20.786* in the future. This effective implementation includes filing complaints to the Labour Direction, domestic workers monitoring their own working conditions to make sure they are not being exploited at work, and fining employers who do not properly follow *Ley 20.786*. By effectively implementing *Ley 20.786*, empowered domestic workers contest their traditionally vulnerable position in Chile and advance their rights as workers.

Relating power relations to access to well-resourced actors, access to information, and self-appreciation

The traditional power relation between domestic workers and their employers perpetuates the hegemonic notion of the submissive and self-sacrificing *empleada*, whose life is shaped by her employer's needs (Chaney & García 1988; Stefoni & Fernandez 2011). Although this notion still exists in some parts of Chile, such as in the southern regions, the results suggest that there have been changes that advance the social position of domestic workers in Chile. These changes modify the power relations that have excluded the labour conditions of domestic workers from the decision-making agenda of dominant groups. With more access to well-resourced actors, *empleadas* become better informed of their labour rights. Using social media also supplements domestic workers' access to information about their labour rights and helpful resources. With cellphones, domestic workers have access to social media networks of unions, such as the SINTRACAP Twitter account and YouTube channel. With these networks, domestic workers' unions can provide *empleadas* helpful resources, such as the contact information to the Labour Direction, when *empleadas* do not have physical access to the unions. By getting better informed, domestic workers identify their self-worth in the workplace. My findings suggest that domestic workers show signs of improving their self-appreciation by valuing their contributions in their employers' households. The results also suggest that domestic workers can improve on their self-appreciation when employers recognize their necessity and their contributions in the household. This acknowledgement challenges the traditional power relation between masters and servants, in which the employer exploits the employee and the employee cannot speak up in fear of job termination. I draw from Naila Kabeer's (1994) four forms of power to better understand how having access to more information and well-resourced actors and improving their self-worth has contributed to domestic workers' capacities to exercise choice at work without compromising their living and working conditions.

By building a framework with the four forms of power, I argue that well-resourced organizations and actors can give domestic workers the *power to* recognize the *power over* that dominant groups have, which perpetuates their traditionally subordinated position (Kabeer 1994). With the help of these well-resourced organizations, domestic workers can also generate *power with* by finding strength in numbers among other like-minded women (Kabeer 1994). Domestic workers can generate their *power with* by participating in collective spaces where their rights as workers are recognized (Kabeer 1994). Finally, domestic workers can build on their *power within* when they become aware of the social norms and traditions that have perpetuated their subordinated position (Kabeer 1994). *Power within* can also be generated in the different ways that participants acknowledged their value in their employers' homes and their value as individuals (Kabeer 1994).

First, I relate *power to*, *power over*, and *power with* to having access to well-resourced actors. With access to well-resourced actors, domestic workers can build on their *power with* by communicating with one another, and can also become aware of the *power over* that dominant groups have on selecting what issues go in the decision-making agenda. Well-resourced actors give domestic workers the *power to* by providing them with the right tools to challenge their traditionally vulnerable position in the workplace. Then, I relate *power to* and *power with* to having more access to information about labour rights and tools that help household workers (Kabeer 1994). This factor explains how domestic workers have begun to configure their power relations at work because they are better informed about their rights and the resources that can help them in compromising situations. Domestic workers begin to value themselves in the workplace, and can make their employers value them as well. As a result, I relate *power with* and *power within* to showing signs of improvement in self-appreciation (Kabeer 1994). My fieldwork results also

suggest that domestic workers can show signs of improvement in their self-appreciation when their employers recognize their contributions in the household and encourage them to grow as individuals. In order for this improved self-worth to occur, participants have to be well-informed, which is generated by being given the *power to* and recognizing the *power over* that dominant actors have perpetuated (Kabeer 1994). The order of the forms of power that I present in this section does not apply to every household worker in Chile. Nevertheless, I aim to build a framework in which I can better understand how *empleadas* configure their power relations and, in turn, gain the capacity to exercise choice in the workplace without compromising their working conditions.

1. *Having access to well-resourced actors: power to, power over, power with*

The results suggest that the involvement of well-resourced actors is imperative in promoting the sharing of information among domestic workers. These well-resourced actors can be outsiders (organizations, institutions, or influential individuals) who hold more power than domestic workers in Chilean society, or they can be domestic workers who have organized themselves in groups to contest their traditionally vulnerable position (Kabeer 1994). The purpose of these well-resourced actors is to provide the *power to* other domestic workers to create spaces in which they become liberated from the dominant sets of ideas or practices (Kabeer 1994). Well-resourced actors provide the right tools and information to create strategies of empowerment that challenge traditional notions about their job sector (Kabeer 1994).

Domestic workers' unions have also created spaces where domestic workers can generate strategies to challenge the traditional notions of their job sector. Domestic workers' unions have also received support from other well-resourced organizations that promote the development of women and girls in Chile. For instance, *Fondo Alquimia* provided financial resources that gave

domestic workers' unions the *power to* share information about the demands and negotiations during the campaign for *Ley 20.876*. Additionally, *La Alzada* gave *power to* domestic workers' unions by providing them with the right tools to create spaces for participants to become aware of the dominant ideas and practices that subordinate them. With this information, participants could find ways of exercising choice in the workplace by communicating with their employers in ways that did not compromise their living and working conditions.

Finally, getting involved in the project for *Ley 20.786* allowed campaign participants to recognize the *power over* that the dominant groups have in creating the decision-making agenda in Chile. In the case of domestic work, dominant groups can refer to the employers, organizations, and institutions that perpetuate the traditionally vulnerable position of domestic workers by establishing sets of practices and ideas that do not promote the improvement of this job sector in Chile. The results suggest that the passage of *Ley 20.786* was also successful due to the alliances that domestic workers' unions created with key individuals and institutions, such as the Ministry of Labour and the Labour Direction. With these alliances, domestic workers' unions received help from well-resourced actors that supported the campaign's goal. The passage of *Ley 20.786* was a configuration of the power relations between domestic workers and the dominant groups that included their issues in the decision-making agenda. Ultimately, the campaign for *Ley 20.786* shifted the *power over* that dominant groups perpetuated by demanding opportunities to exercise choice in the workplace with regard to labour conditions.

Domestic workers' unions built on their *power with* by allying with like-minded organizations (Kabeer 1994). Through these alliances, domestic workers' unions created spaces in which members generated *power with* by voicing their personal interests and concerns without having a dominant group speak on their behalf (Kabeer 1994). Domestic workers' unions built their strength

in numbers by informing *empleadas* about their rights and merit as workers through campaigns and workshops. With this strength in numbers, domestic workers' unions could also reach out *empleadas* who did not have access to participate in their collective activities by engaging in social media.

By having access to well-resourced organizations, domestic workers can become aware of the *power over* that dominant groups have in choosing which issues are considered relevant and which issues are not (Kabeer 1994). With access to well-resourced organizations, domestic workers learn how dominant groups have benefitted from excluding their issues in the decision-making agenda. Participants indicated how they did not know about their rights as workers until they started to join organizations and unions. This lack of information normalized participants' subordinated status in the workplace and in Chilean society. By becoming aware of the *power over* that dominant groups have, domestic workers can generate their *power within* and begin to value their contributions in the workplace. This appreciation of their contributions, in turn, can lead domestic workers to take initiative to exercise choice at work.

2. *Having access information about labour rights and helpful resources through social media: power with, power to*

Although it was not explicitly stated, the results suggest that having an electronic device with connections to the internet and social media can be an effective way of learning about topics related to domestic work. The cost of cellphone plans in Chile is relatively low in comparison to other countries because of the competition among telecommunication companies.³⁷ As a result, people with less means, such as domestic workers, can have access to social media and to more

³⁷ Information taken from:

http://www.subtel.gob.cl/images/stories/apoyo_articulos/notas_prensa/cta_publica_2010_2014/capitulo_telecomunicaciones_06012014.pdf

information. Domestic workers generate their *power with* by using social media to build their networks with individuals, unions, and organizations. Although these networking opportunities do not happen in physical spaces and the primary purpose of using social media is not to gain information about domestic workers' rights, *empleadas* can find ways of becoming aware of the sets of ideas and practices that perpetuate their disadvantages in the workplace. Furthermore, well-resourced organizations that advocate for the improvement of domestic work can use social media as a tool to generate the *power to* promote their goals to try and reach out *empleadas* who may not have the opportunity to participate in collective activities outside of their work and personal duties. For instance, the videos that SINTRACAP has uploaded on YouTube and their presence on Twitter can give domestic workers the *power to* take initiative to improve their own working and living conditions (Kabeer 1994). SINTRACAP attempts to communicate with domestic workers in different parts of Chile by using social media as a tool to reach out to women who may not have the opportunity to participate in campaigns or activities.

3. *Signs of improvement in self-appreciation: power with, power within*

In regard to self-appreciation, the results suggest that there are two ways that domestic workers can show signs of improvement in their self-worth. The first way is by having access to information about labour rights and the available resources that help domestic workers. By being well-informed, domestic workers begin to value their contributions in the household. The second way occurs when an employer acknowledges a domestic worker's importance in the household. The results suggest that an employer's support can help improve a domestic worker's self-esteem because they feel valued at work. In relation to the four forms of power, I apply the concepts of *power with* and *power within* to household workers' signs of improvement in their self-appreciation (Kabeer 1994).

a. *Empleadas valuing their work*

The results suggest that domestic workers begin to exercise choice in the workplace when they feel valued. Participants learned how to value their work by getting involved with SINTRACAP. By participating in collective activities with the union, domestic workers begin to acknowledge their contributions at work and their necessity in their employers' homes. Interview participants expressed that being involved in organizations outside of work has helped them to appreciate their work by learning about their rights and by sharing a space with other like-minded individuals. In collective spaces, such as a domestic workers' union, individuals can encourage one another and work together to improve their living and working conditions.

In this type of setting, domestic workers generate their *power within* by becoming aware of the social norms that have perpetuated their traditionally vulnerable position (Kabeer 1994). They find strength in numbers by building on their *power with* like-minded individuals and organizations (Kabeer 1994). By building on their *power with*, domestic workers who participate in collective settings can take initiative to voicing their concerns in public spaces through workshops and campaigns that promote the improvement of their working conditions (Kabeer 1994). The results indicate that participating in this type of space contribute to an improvement in self-worth as domestic workers. This improvement in self-worth leads domestic workers to exercise choice in the workplace because they recognize that their contributions in their employers' homes matter and that their voices should be heard.

b. *Employers valuing domestic workers' contributions in the household*

It is also necessary to recognize that domestic workers' improvements in self-appreciation can be a product of their employers recognizing their value and contributions as remunerated workers.

This way of improving self-appreciation is manifested when domestic workers who have a low self-esteem are employed by individuals who show signs of valuing them and encourage them to grow as individuals.

This acknowledgement can encourage domestic workers to exercise choice at work because their employers respect them. More importantly, the employer's acknowledgement can contribute to the *power within* that domestic workers can generate at work (Kabeer 1994). The results suggest that domestic workers can recognize the social norms that have kept them in a traditionally vulnerable position with past employers when they work with a family that appreciates them. The acknowledgement of employers also encourages domestic workers to participate in activities outside of work that can help them develop as individuals. This personal development, in turn, can allow domestic workers to build on their *power with* by finding like-minded people in spaces outside of the workplace (Kabeer 1994). However, being valued by an employer can also lead a domestic worker to be considered "part of the family." This consideration can compromise the position of a domestic worker in the employer's house. Her contributions may not be considered real work because she is seen as a family member rather than a remunerated employee (Blofield 2012). This consideration can lead to exploitation in the workplace, which can include working more hours for less pay. Therefore, it is necessary that domestic workers are aware of the *power over* that employers have (Kabeer 1994). Household workers can become aware of this *power over* by identifying the ways they can be exploited at work, such as working prolonged hours without additional pay or not having rest days. Nevertheless, the results suggest that domestic workers can also improve on their self-worth when their employers acknowledge them. This acknowledgement can configure the power relations in the household because domestic workers can take initiative to exercise choice in relation to their working conditions.

This improvement in self-appreciation also relates to a change in consciousness. Domestic workers can experience a change in consciousness by becoming aware of the social norms that have perpetuated their traditionally vulnerable position in the household and in society (Brockett 2005; Freire 1970; Morris & Braine 2001). This consciousness transformation allows domestic workers to take initiative in changing their living and working conditions where they deem it necessary.

Consciousness transformation

As indicated in the literature review, consciousness transformation is associated with the *power within*: a change in one's self-image, which happens when disadvantaged individuals become aware of the dominant ideas and practices that perpetuate their traditional vulnerability in society (Kabeer 1994; Troutner & Smith 2004). In other words, consciousness transformation occurs when individuals become aware of their vulnerable, oppressed, and subordinated position in a community or a society. There are different concepts of consciousness transformation, which take into account context-specific notions into changing the consciousness of the disadvantaged.

In this section, I first analyze oppositional consciousness and contradictory consciousness in relation to my findings (Brockett 2005; Morris & Braine 2001). I identify which labour characteristics and mentalities subordinate domestic workers, and which aspects can defy this subordination. Then, I relate my findings to *conscientização* by paying attention to collective activities that take place outside of domestic work (Freire 1970). With these concepts of consciousness transformation, I explain how domestic workers can become aware of their traditionally vulnerable position in the workplace and Chilean society, and how they can take initiative to draw from the appropriate tools to change their position. The diverse experiences of domestic workers in Chile suggest that there is not a one-size-fits-all pathway to understanding

how they transform their consciousness. Nonetheless, the results suggest that domestic workers can transform their consciousness by participating in spaces and activities that contest their traditionally vulnerable position.

1. Oppositional consciousness and contradictory consciousness: the tension between counter-hegemonic values and culture of subordination

Oppositional consciousness can arise from the contestation between cultures of subordination and oppositional culture (Morris & Braine 2001). Cultures of subordination are made up of notions, practices, and ideas that disadvantaged people use as survival strategies to cope with adverse social conditions (Morris & Braine 2001). On the other hand, culture of opposition includes notions, ideas, and practices that relate to resistance to domination (Morris & Braine 2001). Well-resourced actors are imperative in forming oppositional consciousness because they the aspects of oppositional culture over those of culture of subordination (Morris & Braine 2001). By reaching the mental state of oppositional consciousness, oppressed individuals identify their vulnerable state, identify the injustices done to their group, demand change, and form a collective effort to work towards that change (Morris & Braine 2001).

In a similar manner, contradictory consciousness emerges when there is a tension between the hegemonic values that disadvantaged individuals use to justify their passive roles in society and the counter-hegemonic practices that defy these passive roles (Brockett 2005). This tension can translate into conflicted thoughts and feelings towards certain aspects of a disadvantaged and subordinated person's life (Brockett 2005). Well-resourced actors can give the disadvantaged the *power to* contest this tension by providing the right tools to alter the existing power relations between dominant and subordinate groups (Brockett 2005; Kabeer 1994). This *power to*, in turn can encourage the disadvantaged to change their narratives by drawing upon their counter-

hegemonic values instead of the dominant ideologies that have justified their subordination (Brockett 2005).

There is a conflict of subordinate and resistant reasoning and feelings in oppositional consciousness and contradictory consciousness (Brockett 2005; Morris & Braine 2001). In both concepts, the presence of well-resourced actors is necessary in shaping this conflict to the advantage of oppressed groups by drawing on their ideas and practices of resistance. However, it is also crucial to recognize the cultural notions that perpetuate the subordination and passive roles of individuals in society before moving on to draw on counter-hegemonic values. The results identified certain aspects of cultures of subordination and of resistance among interview participants. Therefore, I now relate my findings to these cultures to then discuss how well-resourced actors have aided in transforming the consciousness of domestic workers in Chile.

a. Culture of subordination and hegemonic ideologies

In oppositional consciousness and contradictory consciousness, hegemonic values are ideologies, practices, traditions, notions, and norms that perpetuate and justify the passive role of a disadvantaged group in a society (Brockett 2005; Morris & Braine 2001). These hegemonic values determine the *power over* that dominant groups and institutions have on the decision-making agenda (Kabeer 1994). With this *power over*, dominant groups and institutions can justify the exclusion of certain issues, and disadvantaged groups can accept this exclusion as a normal aspect of their everyday lives (Kabeer 1994). The results suggest that, with regard to some of the working conditions outlined in *Ley 20.786*, domestic workers still practice these hegemonic values in spite of the advances that this law promotes in Chilean society.

One of the hegemonic values that I identified in the results is the opinion in regard to appearance. *Ley 20.786* prohibits the employer from coercing the domestic worker into wearing her uniform in public spaces.³⁸ This protection in *Ley 20.786* suggests that domestic workers can choose to wear their uniform in public without being coerced into it. However, the results implied that domestic workers can still develop a mentality in which they cannot dress better or have a better appearance than their female employers. This mentality can be due to the traditional ideas about appearance that participants discussed in the group interviews. For instance, participants discussed that they had to look “simple” in comparison to their female employers, but that they still needed to keep a good appearance at work. These aspects of appearance justify ways of marking the differences in social status between employers and domestic workers in spite of the new regulations with regard to uniform use in public spaces. *Ley 20.786* grants domestic workers the choice to wear the uniform in public without the employers’ coercion. However, the results suggest that there is still a notion of subordination because some domestic workers adopt a mentality that perpetuates the social divides between employer and employee based on appearance. This mentality can be identified as a strategy of survival, as participants noted that dressing too nicely can affect their future job prospects. Domestic workers can assure future employment by adopting an appearance that still differentiates them from employers regardless of uniform use.

Another cultural notion of subordination that domestic workers can internalize is reflected in the differing opinions on the regulated work schedule and on having more rest days. All participants recognized the importance of having more regulations in the time *empleadas* spent at work. However, there were negative opinions about having less time spent at work. These negative

³⁸ Information taken from: [http://www.bcn.cl/leyfacil/recurso/trabajadoras-y-trabajadores-de-casa-particular-\(nueva-ley\)](http://www.bcn.cl/leyfacil/recurso/trabajadoras-y-trabajadores-de-casa-particular-(nueva-ley))

opinions included participants feeling uncomfortable having to leave their employers' homes on rest days. This discomfort can be related to the traditional notions that domestic workers should spend prolonged hours at work with little rest time in between shifts. With this mental state, domestic workers who are not well-informed of their labour rights can justify their exploited roles in their employers' homes (Brockett 2005; Morris & Braine 2001). This justification, in turn, builds on the *power over* that perpetuates their traditionally subordinated position in Chilean society.

This feeling of discomfort can be associated to the union leaders' descriptions of Chilean-born domestic workers. According to some of the union leaders I interviewed, Chilean-born domestic workers tend to be more passive than immigrant *empleadas* because they have historically developed the notion that being exploited is a common characteristic of their work duties. The social construction of the passive *empleada* can be considered a strategy for survival because domestic workers may fear getting fired if they do not follow the ideas and practices that subordinate them (Brockett 2005; Morris & Braine 2001). In turn, this cultural notion can justify the exploitation of traditionally vulnerable domestic workers who are not well-informed of their rights as workers and, therefore, cannot build on counter-hegemonic values and practices. The results suggest that this notion is more common in the south of Chile than in Santiago, but this distinction requires further study. Nonetheless, the results suggest that when domestic workers are well-informed of their labour rights, they can start to use counter-hegemonic values and practices of resistance to begin to transform their consciousness.

b. Counter-hegemonic values and oppositional culture

Oppositional culture and counter-hegemonic values relate to forms of expression that manifest the resistance of a traditionally subordinated group (Morris & Braine 2001). My findings indicate that one of the most notable aspects of counter-hegemonic practices among domestic workers is participating in collective activities to promote their labour rights. The nature of domestic work limits the interactions among *empleadas* because they tend to work by themselves (Chaney & García Castro 1989). In this isolated space, domestic workers are inclined to justify their passive roles by practicing cultural notions and traditions that perpetuate their subordinated positions. However, when domestic workers participate in collective activities with other like-minded individuals, they can generate their *power with* to practice cultural notions of resistance against dominant groups (Kabeer 1994; Brockett 2005; Morris & Braine 2001). In these spaces, domestic workers can gain access to information about their rights as workers. This access to information, consequently, can lead domestic workers to carry out other counter-hegemonic practices. These practices can include demanding adequate working conditions and communicating their opinions to employers in regard to issues about their job occupation.

However, in order to create these spaces, it is necessary to have the support of well-resourced outside actors (Brockett 2005; Morris & Braine 2001). The results indicate that the support of well-resourced organizations, such as *La Alzada* and *Fondo Alquimia*, can elevate the oppositional cultural notions that can encourage domestic workers to contest their subordinated positions (Morris & Braine 2001). In these spaces, well-resourced organizations can give the power to domestic workers to identify the traditional norms and practices that subordinate them. For instance, the workshops organized by SINTRACAP and *La Alzada*, domestic workers can become aware of the traditional social norms that subordinate them by reflecting on their personal

frustrations as working women of lower socioeconomic backgrounds.³⁹ By becoming aware of their place as working women, domestic workers can transform their consciousness and take initiative to improve their working conditions. Domestic workers can also draw upon their counter-hegemonic values by speaking up in the workplace. Voicing opinions that disagree with the employer's challenges the social construction of the submissive *empleada*. As a result, having access to the right tools, support, and information can allow domestic workers to elevate their counter-hegemonic practices.

2. Conscientização

Becoming aware of social norms that perpetuate the oppression of a group is also a characteristic of *conscientização*. *Conscientização* develops in a space where students and teachers can generate their *power within* by learning through a problem-posing education system (Freire 1970; Kaber 1994). With this problem-posing education, students and teacher engage in critical and liberating dialogue that encourages them to become critically aware of the oppressive notions, ideas, and practices of a society (Freire 1970). By becoming critically aware of their oppression in society, individuals can raise their consciousness and act upon change.

The results suggest that the workshops on body language and communication that were organized by SINTRACAP and *La Alzada* encouraged this type of problem-posing education. In these workshops, organizers and participants became co-learners and co-teachers. These workshops were designed and organized after learning about the struggles that workshop participants have experienced in order to bring awareness to their social position. This awareness, in turn, allowed workshop participants to learn how to use the appropriate body language and

³⁹ Information taken from: <http://www.anarkismo.net/article/27630>

vocabulary to communicate with their employers. Workshop organizers learned about the struggles of domestic work and how it relates to the issues that working women of lower socioeconomic backgrounds experience in Chile. This *conscientização* was developed with the help of well-resourced organizations and actors with the purpose of promoting the rights of domestic workers. With this consciousness transformation, domestic workers can then draw upon the appropriate tools and resources to change their realities without negatively affecting their living and working conditions.

Due to the heterogeneity of domestic work in Chile, it is challenging to find a pathway of consciousness transformation that applies to all *empleadas*. Nevertheless, the results suggest that domestic workers may still practice cultural notions of subordination as strategies of survival in the dominant society. My findings also indicate that domestic workers may go through moments in which they realize that their vulnerable positions are a product of dominant ideas and practices. These moments can be triggered in collective activities, where domestic workers gain information about their labour rights. In these collective activities, domestic workers take initiative to contest the hegemonic ideologies that subordinate them. With a transformed consciousness, *empleadas* can make use of the right tools to gain a sense of empowerment in the workplace. Now, I turn to Naila Kabeer's (1999, 2008) interrelation of resources, agency and achievements in order to demonstrate how these dimensions have contributed to the empowerment of domestic workers in Chile.

Resources, agency, and achievements

By having a transformed consciousness, a domestic worker can become aware of her contributions in her employer's household, participate in collective efforts to improve working conditions, and work towards changing her vulnerable position in the workplace. A transformed

consciousness empowers the *empleada* to make decisions without negatively affecting other dimensions of her life (Brockett 2005; Freire 1970; Morris & Braine 2001). Once domestic workers have a transformed consciousness, they can finally draw on their resources, agency, and achievements to gain a stronger sense of empowerment (Kabeer 1999, 2008). Naila Kabeer interrelates these three dimensions to build a framework in which disadvantaged individuals can gain the capacity to become decision-makers of their own affairs.

Kabeer (1999, 2008) refers to resources as the human, material, and social tools that disadvantaged individuals can make use in pursuit of their goals. These resources can include job skills, education, financial assets, property, social networks, and relationships that individuals can draw on. With these resources, disadvantaged individuals can make use of their agency to define their goals and act on them (Kabeer 1999, 2008). With reliable resources and agency, disadvantaged individuals can work towards their achievements, which are the defined outcomes of their efforts to improve their living and working conditions (Kabeer 1999, 2008). The results suggest that household workers can make use of their resources, agency, and achievements when they are members of a domestic workers' union. Furthermore, employers also influence the resources, agency, and achievements that domestic workers can use to exercise choice in the workplace.

Being a member of a domestic workers' union gives *empleadas* access to human, social, and material resources that can help them improve their living and working conditions. Through domestic workers' unions, social media, social networks and relationships, *empleadas* can draw from their social resources to find support among peers in searching for new employment and learning about information that can help them at work. The findings also indicate that domestic workers' unions provide material resources to *empleadas* in the form of a living space when they

do not have a place to stay. Having access to workshops, such as the ones organized by SINTRACAP and *La Alzada*, allows domestic workers to improve their job skills, which contributes to their human resources. By being members of a domestic workers' union, *empleadas* become aware of the reliable, accessible, and available resources they can use on their path towards empowerment.

Supportive employers can provide domestic workers with different resources than the unions. Material resources include the financial assistance to purchase property and the monthly salary. Social resources include the employer's reference and recommendations for future employment opportunities if a domestic worker wants to change jobs. Lastly, human resources include the skills that a domestic worker has gained due to her employer's support, such as finishing her secondary education.

Agency refers to the concept of choice, which influences an individual's capacity to voice opinions and to exit unfavourable situations (Hirschman 1970; Kabeer 1999, 2008). The results suggest that agency is manifested when well-informed domestic workers find the voice to express their concerns in the workplace with employers, peers, and organizations. Domestic workers who learn about their labour rights can become agents of change because they are familiar with information that improves their living and working conditions. The effects of having agency lead domestic workers to recognize that they have the choice to leave their workplace if their demands are not addressed. *Empleadas* can effectively become agents of change if they are able to draw from resources that can help them sustain their living conditions. Furthermore, household workers can also make use of previous achievements, such as the passage of new legislations, to become agents of change. For instance, household workers can now choose to wear their uniforms or to wear their own clothes in public spaces due to the regulation outlined in *Ley 20.786*. This

regulation prohibits the employer from coercing the worker into wearing her uniform in public, which grants the *empleada* the power to choose a labour condition that she was previously incapable of choosing.

Having reliable resources ensures that domestic workers do not compromise other dimensions of their lives if they speak up at work and are met with a negative response. With reliable, and available resources, *empleadas* can voice opinions and exit unfavourable situations when necessary because they have support to fall back on. Supportive employers also configure the ways that domestic workers practice their agency at work. Domestic workers are more likely to voice their opinions with successful outcomes if their employers show signs of appreciating their contributions in the household. With supportive employers, household workers have opportunities to achieve goals that relate to the improvement of their living and working conditions.

Lastly, achievements are the concrete and successful outcomes of choice (Kabeer 1999, 2008). These achievements are manifested when disadvantaged individuals and groups use their resources and agency to work towards their goals with successful outcomes. In the case of domestic workers in Chile, achievements include passing new laws and successfully negotiating for appropriate working conditions at work. The passage of *Ley 20.786* is a successful outcome of domestic workers drawing on the unions' resources and becoming agents of change to improve the working conditions of their job sector in Chile. With this achievement, *empleadas* can draw upon a piece of legislation that protects them regardless of nationality or job status. Domestic workers can successfully negotiate for working conditions that do not affect other dimensions of their lives, such as establishing a work schedule that gives them more time outside of work. The passage of *Ley 20.786* can also encourage domestic workers to become active participants in unions and organizations that promote improvements in their job sector. By getting involved with a domestic

workers' union, *empleadas* have access to reliable and supportive material, social, and human resources that can contribute to the improvement of their working and living conditions.

It is necessary that domestic workers become aware of the social norms that oppress them before they are able to voice their concerns and modify their working conditions. Domestic workers with a transformed consciousness can effectively use the tools of resources, agency, and achievements to contest their places in society and manifest a sense of empowerment that can help them improve their workplace and living dimensions (Kabeer 1999, 2008). Without being aware of the need to change their working conditions, domestic workers cannot take initiative in improving their lives and, as a result, their paths towards empowerment become limited.

Advantages and limits of theoretical concepts

The theoretical concepts I used to discuss my results help us interpret how domestic workers can exercise choice in the workplace without negatively affecting other dimensions of their lives. However, not all theoretical concepts apply to the different pathways towards exercising choice that I identified in my findings. Some of the conclusions that I reached are influenced by the attitudes of participants who are involved in activities outside of work. The ways that household workers have developed their capacity to exercise choice differ because of their sources of information and how they have recognized their value in the workplace. Nevertheless, I identified ways in which the theoretical concepts I used are applicable to the diverse experiences of *empleadas*. I also recognized how my findings can contest the theoretical concepts I discussed. As a result, the advantages and limits of the theoretical concepts I discussed demonstrate that context-specific notions shape the diverse experiences of household workers in Chile.

1. The four forms of power: advantages and necessary modifications

The four forms of power are particularly useful in explaining how power relations exist in the context of domestic work. Kabeer's (1994) four forms of power are helpful in conceptualizing and identifying the characteristics of these power relations to better understand how power is configured in different dimensions. Kabeer (1994) presents the process of power configurations by first recognizing how the *power over* that dominant groups have generates the *power within* oppressed groups. This *power within* is used to build on the power with other like-minded individuals and influential actors, who provide oppressed groups with the *power to* contest their subordination (Kabeer 1994).

Although Kabeer's four forms of power are useful in conceptualizing power relations, it is necessary to modify her framework to better understand how power is configured in the public and private dimensions of domestic workers. These modifications take into consideration the context-specific notions that configure the power relations in domestic work. These context-specific notions contest the categorization of certain groups in the lives of domestic workers. For instance, supportive employers can give the *power to* domestic workers by providing them with the right tools to challenge their oppression. These supportive employers contest the *power over* that employers traditionally have as a dominant group over household workers. Furthermore, the results suggest that *power within* can be generated after domestic workers form their *power with* other like-minded individuals in collective spaces such as union workshops rather than before joining these groups. Domestic workers learn about the *power over* that subordinates them after forming the *power with* their counterparts by sharing information and experiences about their work.

2. *Consciousness transformation: advantages and modifications*

Oppositional consciousness and contradictory consciousness are useful in conceptualizing the hegemonic and counter-hegemonic values that shape the traditionally vulnerable position of domestic workers in Chile. By conceptualizing these values, we can identify which characteristics of domestic work are hegemonic or counter-hegemonic values and practices. Oppositional consciousness and contradictory consciousness interpret how well-resourced actors, such as SINTRACAP and other organizations, can elevate the notions of resistance among domestic workers to transform their consciousness. The cultures of subordination that I identified in my findings and analyzed are applicable to the experience of unionized and non-unionized domestic workers. These cultures of subordination deal with strategies of survival that did not explicitly relate to participation in a domestic workers' union or an organization that promotes the improvement of household work in Chile. For example, the mentality of having a different appearance from the employer can be manifested by *empleadas* who are or are not involved in collective activities outside of work. These strategies of survival can be manifested in the experiences of domestic workers who have not actively participated in collective activities outside of the workplace. However, the counter-hegemonic values that I outlined in my discussion mainly dealt with the experience of unionized domestic workers. As a result, the practices and values of resistance that I identified in my findings are more applicable to unionized domestic workers than to non-unionized domestic workers.

Furthermore, the employer's influence in the improvement of a domestic worker's self-appreciation also challenges the pathway towards consciousness transformation that is conceptualized with oppositional consciousness and contradictory consciousness. Oppositional consciousness and contradictory consciousness apply to situations in which critical actors contest the tension between cultural notions of subordination and notions of resistance. Employers who

value their *empleadas* challenge these concepts because they tend to be considered part of the dominant group that perpetuate the traditional notions of domestic workers. By being part of this dominant group, employers possess the *power over* which issues are included in the decision-making agenda of domestic workers (Kabeer 1994). However, employers can also contribute to the consciousness transformation of *empleadas* when they show signs of appreciation for remunerated household work. The results suggest that supportive employers contest the hegemonic values that justify domestic workers' passive roles.

The results also suggest that well-resourced actors who are meant to support domestic workers' unions can also hinder the advancement of household workers in Chile. I particularly refer to the feminist movement, which has historically promoted the liberation of upper and middle class women by replacing housewives with remunerated domestic workers (Chaney & García Castro 1989; Stefoni & Fernández 2011). Within the context of household workers' movement in Chile, I identified instances in which alliances with feminist organizations have led to positive outcomes, such as the activities with *La Alzada*. However, the results also indicate that feminist groups, such as the women's branch of the CUT, can be part of the dominant group that benefits from the subordinate position of *empleadas*. As a dominant group, well-resourced feminist actors and agents can exclude domestic workers' issues from the decision-making agenda by focusing on the liberation of women who benefit from hiring an *empleada*. By experiencing liberation, well-resourced feminist actors can perpetuate the cultures of subordination that shape the traditional mistress-servant relationship between employers and employees. Therefore, it is necessary to acknowledge that ideological differences can alter the roles of feminist organizations in transforming the consciousness of domestic workers.

Conscientização is helpful in analyzing and conceptualizing the spaces such as the workshops that SINTRACAP organized with *La Alzada*. In this type of space, domestic workers are both teachers and learners of ways in which they are oppressed at work and in Chilean society. The results suggest that *conscientização* is applicable in contexts such as these workshops. The method of problem-posing education is mostly found in spaces where domestic workers can collectively identify the social norms that oppress them and work towards building strategies to challenge their oppression. It can be argued that *conscientização* is limited to these physical spaces due to the isolated nature of domestic work that limits the interactions among *empleadas* and their counterparts. However, the use of social media challenges the isolated nature of domestic work. Having access to social media provides domestic workers with the opportunity to share information with one another when they are limited from interacting in person. Household workers can create virtual spaces in which they learn about their oppression through problem-posing education. Originally, *conscientização* did not consider the use of social media to contest oppression because it is a concept that was created before technology became a prominent method of sharing information. As a result, it is necessary to configure this concept in order to interpret how using social media creates virtual spaces in which participants can share information as co-teachers and co-learners.

3. *The usefulness of resources, agency, and achievements*

Finally, the interrelation of resources, agency, and achievements is useful in conceptualizing my findings. Influential actors, such as SINTRACAP and supportive employers, are imperative in identifying the reliable resources that domestic workers have access to. These resources include the social connections that SINTRACAP possesses, the classes and workshops that are offered to members, and a house that is open to domestic workers who pay a fee. They also include their

salary at work and the employer's references for future employment opportunities. Furthermore, SINTRACAP has carried out successful campaigns for the improvement of domestic work, and the union was an instrumental actor in the creation and passage of *Ley 20.786* in 2014. Having access to these resources and being informed of these achievements can encourage domestic workers to use their agency to establish favourable working conditions.

The interrelation of resources, agency, and achievements is also useful in identifying how household workers are limited from gaining empowerment when they do not have access to one of these tools. Not all unionized domestic workers have access to the same resources and opportunities, and not all domestic workers are employed by bosses who support their development as individuals. To better explain this lack of resources, agency and achievements, I refer to the case of domestic workers in the southern regions of Chile. The results suggest that *empleadas* in southern Chile are in a significantly more disadvantaged position than their counterparts in Santiago.

Regional employers are more likely adopt the traditional mistress-servant relationship because *Ley 20.786* is less enforced in the regional cities than in Santiago. By working under this traditional relationship, domestic workers are limited from using their agency to voice their concerns and exit unfavourable situations because they do not have access to reliable resources. The regional branches of SINTRACAP lack the same material resources as the head office in Santiago. As a result, domestic workers' unions in the regions are limited from using their achievement in passing *Ley 20.786* and carrying out successful campaigns to encourage *empleadas* to voice their concerns. These factors contribute to the lack of agency of domestic workers. Without available and supportive resources, a domestic worker is less likely to leave an employer that exploits her because she may not be able to seek help to improve her living and working conditions.

Recommendations for future research

As stated in the previous section, it is too soon to analyze the full impact of *Ley 20.786* in the work environment of *empleadas* in Chile. Although I was able to discuss how *Ley 20.786* has contributed to the empowerment of domestic workers in Chile, my research was mostly limited to the experience of unionized domestic workers in Santiago. Nevertheless, my findings indicate some characteristics and issues about domestic work require further research.

It is necessary to analyze how the relationship between domestic workers and employers affects the effective implementation of *Ley 20.786*. It can be useful to study how employers enforce *Ley 20.786* in their homes, or how they negotiate duties with domestic workers. Future studies can identify which factors generate employers' support for domestic workers' development as individuals, and which factors related to the employer-employee relationship lead to the exploitation of domestic workers. Learning about the employers' perspective creates a more comprehensive view on the current situation of domestic workers in Chile.

Future research should also study how the influence of domestic workers' unions has grown or declined since *Ley 20.786* was passed in 2014. This influence can be analyzed by studying the growth of members over the years. Future studies can examine how domestic workers' unions remain relevant in Chilean society by paying attention to their alliances with other influential actors. In addition, it is necessary to study how feminist groups contest or perpetuate the subordinated role of household workers in Chile. Some upper and middle class feminist organizations may benefit from disregarding the demands of domestic workers. Other feminist groups may acknowledge the invisibility of household workers and work towards improving the living and working conditions of *empleadas*.

Finally, it is necessary to address the issues that domestic workers encounter in regional cities, towns, and villages. Researchers can pay attention to how the experiences of domestic workers differ between Santiago and the regional cities. By identifying these differences, future studies can contribute to the ways that regional domestic workers can find ways to exercise choice in the workplace.

Practical contributions to the study of domestic work in Chile

Practically, this thesis is particularly useful for legislators in Chile to understand how *Ley 20.786* is starting to impact domestic work. This thesis is also useful for policy makers in other countries that have ratified the ILO Convention 189 to better understand how the effective enforcement of labour laws impacts domestic workers. The results presented in this thesis are useful for the actors behind the creation and enforcement of *Ley 20.786*, such as politicians, civil servants, and union leaders. These results suggest the effects on the working conditions of domestic workers when *Ley 20.786* is properly enforced and when it is not. With these results, influential actors can evaluate the effective implementation of *Ley 20.876* and what areas of this law need to be improved in future campaigns and projects. Furthermore, this thesis can act as part of the body of evidence to supplement further projects that promote the improvement of domestic work in Chile and in other countries.

This thesis provides a more recent vision of domestic work in Chile by gathering information that takes into account recent legislative changes and treaties that promote the improvement of this job sector. There have not been many studies that focus on *Ley 20.786* due to its recent implementation. Although it is too early to examine its full impact in Chile, we can begin to study the immediate changes that have happened as a result of *Ley 20.786*. This thesis is one of the first studies that analyze how *Ley 20.786* is starting to impact domestic work in Chile. The

improvements in working conditions as a result of *Ley 20.786* suggest that the traditional notion of the self-sacrificing domestic workers changes when the law's contents are being followed properly. This thesis acts as a starting point that encourages further study in the topic of domestic workers' empowerment in Chile and Latin America. Furthermore, this thesis can be used as a basis for future research on how this topic evolves in future years as *Ley 20.786* and similar laws in other countries are properly enforced.

Appendix

AFP: administradoras de fondos de pensiones

ANECAP: Asociación Nacional de Empleadas de Casa Particular – National Association of Household Employees

CONLACTRAHO: Confederación Latinoamericana y Caribeña de Trabajadoras del Hogar – Confederation of Latin American and Caribbean Domestic Workers’ Unions

CUT: Central Unitaria de Trabajadores –Workers’ Central Unit

Dirección del Trabajo: Labour Direction

Trabajadora/Empleada de casa particular: Household worker/employee

FESINTRACAP: Federación de Sindicato Interepresas de Trabajadoras de Casa Particular – Federation of Household Workers’ Unions

JOC: Juventud Obrera Católica – Young Catholic Workers

ILO: International Labour Organization

Nana: nanny

PROMEDU: Fundación para la Promoción y el Desarrollo de la Mujer – Foundation for Women’s Advancement and Development

SERNAM: Servicio Nacional de la Mujer – the National Service for Women

SINAINCAP: Sindicato Nacional Inter Empresas de Trabajadores-Trabajadoras Inmigrantes de Casa Particular⁴⁰ – National Union of Migrant Household Workers

SINTRACAP: Sindicato Interepresas de Trabajadoras de Casa Particular – Union of Household Workers

⁴⁰ A “sindicato interempresa” is a trade union that has members who work for different employers. This definition is taken from: <http://www.opech.cl/movisociales/talleresprofes/sindicatos.pdf>

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