

# **How institutional contexts matter: Migration and domestic care services and the capabilities of migrants in Spain and Sweden**

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# How institutional contexts matter: Migration and domestic care services and the capabilities of migrants in Spain and Sweden

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*Abstract:*

Migrant care work is now part of the equation in solving the care deficit in many European countries; however different policy incentives and political settings shape the expansion in privatization/marketization of care/domestic work and the services migrants provide for them. Using Sen's capabilities framework this study engages with the processes shaping private markets for care/domestic services in households and what effects they have on the conditions of work, wellbeing and scope of alternatives of migrants in two societies that differ along the triad of regimes: welfare/care, migration and employment. Based upon multiple data sources including 90 interviews conducted in three cities, Barcelona, Madrid and Stockholm, we find precarious working conditions in the sector in both countries. We conclude with a discussion of the dilemmas in constructing policies for improving the conditions in the private care/domestic services sector and addressing the care deficit in European societies with aging populations.

*Key words:* Care regime, Migration regime, Employment regime, Migrant domestic workers, Capabilities, Precariousness

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## **1. Introduction**

Two general patterns can be observed in European societies that reflect the intersections of migration and care: an expansion in privatization/marketization of care/domestic work and the use of migrants to perform these tasks who comprise a low wage sector, many of whom work informally and lack the social benefits and rights and protections of the majority in the receiving country (Anderson 2000; Lutz 2008; Leon 2010). Within this ostensible convergence in trans-national migration and care/domestic work, there is heterogeneity and diversity in the who, where and why of migration into the care/domestic sector and in the patterns of formal/informal care markets and the regulation in the employment and conditions of work of migrants. These differences are reflected in the broader processes of inclusion and exclusion of migrant workers (Anderson 2010).

Migrant care work is now part of the equation in solving the care deficit in many European countries. It reflects a set of conjunctures. From the demand side, they include aging societies: women's increased labour force participation without a concomitant increase in social investment in care (Daly and Lewis 2000). From the supply side, they encompass trans-national migrations from poorer to richer nations providing a low wage work force, migrating from the Global South to the North and from Eastern to Western Europe, the latter influenced by EU enlargement and the free flow of persons rule. Alongside these processes, there has been an expansion in the private markets for care/domestic services. However, to view the emergence of this low-wage service sector merely in terms of supply and demand does not suffice for explaining why and how these markets operate the way they do across welfare regimes. Missing in the market paradigm is how policies structure markets (Morel 2015; Shire 2015; Hellgren 2015; Hobson and Bede 2015) and how the institutional context shapes the sector and those who are employed within it. The underlying factors behind the expansion of private markets for care/domestic services are dependent upon the care regime (how care is organized and financed in a society) and the care deficit in public services for children and the elderly (the care deficit). But the demand for private care/domestic services may also result from specific policy incentives that can stimulate demand: the implementation of generous tax deductions as in Sweden, which is a response to the time deficit in dual earner families as well as the household care service deficit for the elderly.

Rather than convergence in care and domestic work in European societies, which has been a central focus in the comparative literature (Williams and Brennan 2012) we engage with the processes shaping expansion in private markets for care/domestic services. Going beyond the divide in the literature between public and private care employment in the sector, we focus on how migrants are positioned in care/domestic markets (Shutes and Walsh 2012) and how this shapes their conditions of work and wellbeing. What have the effects been of policies to formalize the sector both on the demand for services, as well as those employed in it? We also address the extent to which the financial crisis and recession has had an impact on the markets for care/domestic work and the employment of those working in the sector, which is prominent in the case of Spain.

In our study, we compare two societies with different welfare/care and migration regimes, Spain and Sweden. Within the overall aim of this project, defined as to map the political settings affecting migrant care provision, our focus lies on the situation of migrant domestic workers in the private care/domestic sectors. To what extent does the institutional context matter in the inclusion, wellbeing and working conditions of migrant care/domestic workers, and their capabilities for finding alternatives? We seek to fill a research gap within the literature on migration and care: (1) the need for multi-dimensional analyses of macro (policy), meso and micro levels and (2) a theoretical framework that integrates these multiple dimensions into a framework for comparative research (Williams 2010; Kilkey et.al 2010). With its multi-dimensional and institutionally embedded framework, Sen's capabilities approach provides the analytical space for linking macro, meso and micro level factors, as shown in our multi-dimensional model. For our empirical analysis we use a range of methods and data collection, including comparative policy analysis and qualitative interviews supplemented with quantitative data. Included in our analysis is the role of stakeholders and civil society actors, which has not been fully addressed in the research on migration and care/domestic work.

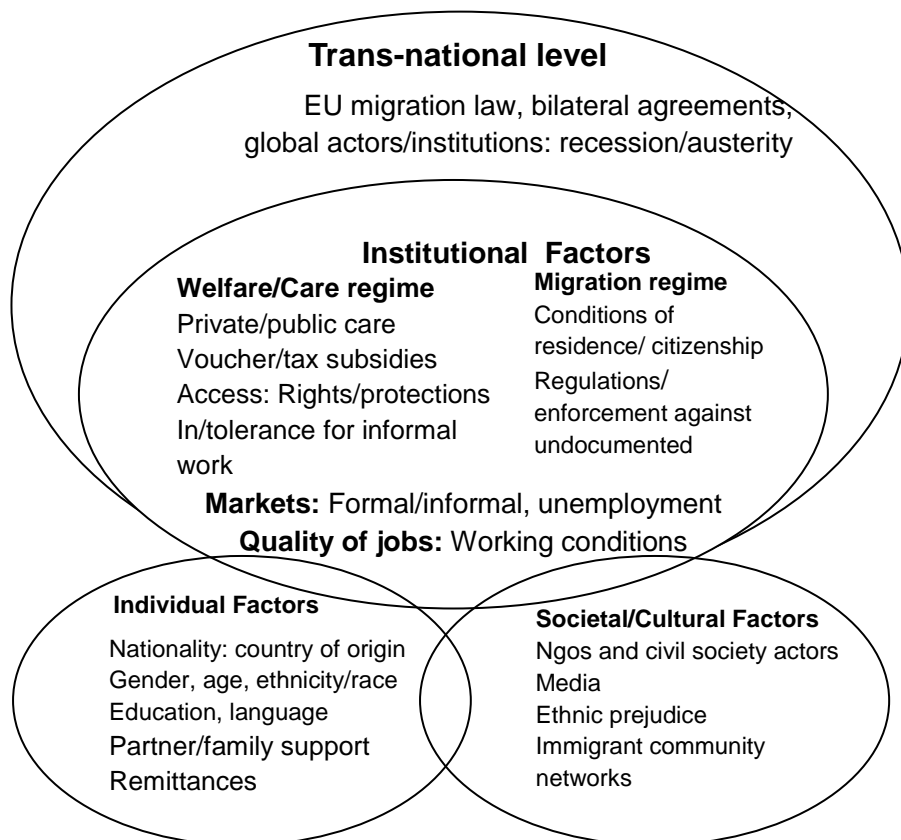
This report consists of four parts: Conceptual framework; Context; Data, analysis and results; and a Concluding discussion. In the first section we present our theoretical model, based on Sen's capabilities framework. In the Context section, we compare the differences in institutional configurations that are considered most relevant to markets in private care/domestic services and the conditions for workers in them: i) the welfare/care regime; ii) migration regime and iii) employment regime. Then in Part three we turn to the presentation

of the data and analysis based upon unique data collected for the project. We conclude with a discussion of our results and the policy implications of migration and the expanding markets in care/domestic services.

### **1.1. Conceptual framework**

Sen's capabilities framework is useful for our comparison of migrant care/domestic workers in Sweden and Spain. For our research on migrant care/domestic workers, Sen's approach provides a multi-dimensional and dynamic framework for capturing the differences in institutional contexts and the diversities among our population. The figure below illustrates the different levels in our capability set: the individual, institutional and societal/cultural factors that shape the potential of an individual (agency) to achieve wellbeing and quality of life. We use the concept of capabilities in the broadest sense: the means and resources individuals have to achieve a decent standard of wellbeing and quality of life as well as the scope of alternatives they have for making change (Sen 2006). Sen (1992) makes a distinction between wellbeing achievement and agency achievement. However these two dimensions often work in tandem for those working in the care/domestic private market sector, characterized by low wages and precariousness, in which migrant workers are over-represented. Their education and skills are devalued, and their low incomes and poor quality of jobs hinder their possibilities for change, including developing new networks or furthering their education, or becoming more proficient in the language.

Figure 1: Model of the Capabilities Set for Migrant Care/Domestic Workers



We apply this model to our two cases, but it could be generalized beyond our cases. Our adaptation of Sen’s framework of the factors shaping the capability set places institutional factors at the heart of our multi-dimensional model (Hobson 2011). The first layer of our multi-dimensional model is the trans-national level, which is crucial for understanding the capabilities of migrants beyond the national institutional context. First, global inequalities are driving the trans-national political economy of care (Anderson 2000; Kofman and Raghuram 2015). Second, trans-national actors and institutions have had a direct impact in shaping the migrants and markets in the private care/domestic sector. The EU for instance paved the way for the free flow of migrants across member states. Not to be forgotten is the role of global financial institutions in catapulting the global financial crisis alongside the role of global actors in formulating subsequent austerity measures. Both of which have had an effect on the widening inequalities across and within societies, such as high levels of unemployment, greater precariousness and cuts in services (Karamessini and Rubery 2014; Banyuls et al. 2009; Hemerijck 2013).

In the model, individual factors encompass gender, age, ethnicity and human capital, standard dimensions in capabilities (Hobson 2014). We also include relational dynamics: partner and family support, which can increase capabilities or alternatively, commitments to family support in the home country, involving remittances, can weaken capabilities to make claims for better working conditions, or devote time to increasing education and skills.

Social/cultural actors, such as civil society actors, e.g. NGOs and unions, can strengthen the capabilities of migrant workers in the sector by creating pressure for better employment conditions, as well as offer individual migrants assistance with legal advice, and even harbouring of undocumented workers. In Spain, churches are often quasi employment agencies for migrant workers in the care/domestic sector. NGOs in both countries have campaigned for access to health care and schooling for all migrants, benefitting migrant care/domestic workers without legal migration status (Hellgren 2015). Media and public debate raises awareness about the exploitation of migrant workers, which can lead to change in the laws and policies. Grass roots mobilizations supported by civil society actors have led to mass regularizations of undocumented migrants (Hellgren 2014). The ILO Directive (2013) addressing decent working conditions for domestic workers provided leverage for actors within countries to influence the decision to pass legislation to formalize the sector (León 2010).

As is obvious from the model, the different levels; individual, institutional (at trans-national and national levels) and societal factors, are nested within each other, highlighting the interactive dimensions within capabilities. Institutional factors in our model are patterned after the standard configurations in welfare/care regime and migration regime frameworks (Mahon et.al. 2012; Korpi 2000; Anttonen and Sipilä 1996; Williams 2012), with some modifications. We have included specific policies that are pertinent to private care/domestic markets: government subsidies and vouchers (as parts of the welfare/care regime). Moreover, not just regulations, but enforcement of them matters for the capabilities of the undocumented. Markets and employment conditions are separate dimensions suggesting that the impact of the welfare and migration regime may or may not be determinant for working conditions or the capabilities and wellbeing of migrants employed in the sector. Laws regulating employment protections and rights may or not be enforced. Moreover, they may not capture the diversity in the patterns in formal/informal care markets.



## **2. Institutional contexts**

Research on migration and care among researchers in Europe has focused on the policy regime level. Williams (2010), Kilkey et al. (2010) and Bettio et al. (2006) have set the agenda arguing for the importance of looking at the interactions among different regimes or policy domains: welfare, care, migration and employment regimes, when analyzing the configurations in migration care work. However, the employment regime (Simonazzi 2009; Da Roit and Weicht 2013) is the weakest link in the triad. In the following section we consider how these policy domains shape the nexus in care, migration and markets (Williams 2012; Kilkey et al. 2010).

### **2.1. Care regime**

Within the overall framework of the welfare regime, the care regime has been a key concept in comparative research and operationalized in terms of how care needs of individuals are met, organized and financed in societies (Antonnen and Sipilä 1996). Path dependencies can be seen in the public and private mix of care (Daly and Lewis 2000), but also preferences in care (what Pfau-Effinger (2005) refers to as care cultures). What care services are covered by the state and not is closely related to the emergence of private markets to fill the gaps (Fahlén et al. forthcoming). Sweden and Spain represent countries with divergent care regimes that shape the extent and types of migrant care work. Sweden represents the Nordic model of the institutionalized dual earner model (Korpi 2000), with extensive public provisioning for childcare and elderly and high levels of women's employment. Spain exemplifies the Mediterranean familialist model, which assumes that the family is responsible for care of children and the elderly, where there is little public provisioning for public care services, and where there are existing cultural norms that care should remain in the home (Cáceres 2010; León 2010; Peterson 2007). In the following section, we compare the differences in the two care regimes and consider how they shape the expanding private market sector in care/domestic services.

#### **2.1.1. Sweden**

In Sweden, care for children and elderly is based on universal rights and is highly subsidized. Only 10% of the costs for preschools are covered by parents' payments (Hanspers and Mörk

2011). The publicly financed childcare in Sweden is extensive and includes the universal right to preschool from age 1-6, and after school-centres up to age 13. Preschools are widely used: in 2012, 84% of all children between ages 1-5 were enrolled (Nordström and Dunér 2014). (For a more detailed presentation of specific care policies in Sweden and Spain: see Appendix 2).

Elderly care is also publicly subsidized and includes the right to services according to assessed needs. Municipalities are obliged to offer nursing homes and home care at an income adjusted price rate, with a regulated maximum price. In addition, there are day care centres, and some municipalities offer grants for kin providing care in the home. Elderly care in Sweden has undergone change from a large use of placements in nursing homes to an increase in elderly living longer in their own homes; the supply of nursing homes has been limited in the last 5 years. Only 5% of the elderly above 65 live in nursing homes, while 12% in the same group have publicly subsidized domestic care and help (socialstyrelsen.se). With the leaner municipal budgets, services for the elderly have been reduced (Meagher and Szebehely 2009; Björnberg 2011) and those with low incomes increasingly refrain from subsidized domestic care/help due to too high costs, and increasingly rely on help from kin (Socialstyrelsen 2012; Szebehely 2011). The elderly with adequate incomes have turned to the private market, which costs less, for additional services using the tax subsidy. However it is important to keep in mind that these services complement care services that are provided by municipalities.

### **2.1.2. Spain**

In contrast to Sweden, a large share of the care for children and elderly/dependant persons in Spain is market based. One exception is the widely used public school, which is a universal right from age 3, when the public preschool program starts. School is not compulsory for children 3-6 years old, but the vast majority of Spanish children (95,2%) start school at the age of 3 ([http://www.educacio.novaciutadania.bcn.cat/es/-qu%C3%A9-dice-la-ley-\\_1026](http://www.educacio.novaciutadania.bcn.cat/es/-qu%C3%A9-dice-la-ley-_1026)). 68% of the Spanish children attend public schools free of charge (except for meals and school material), while 32% (generally families with higher incomes) opt for private or semi-private (*concertado*) schools ([http://sociedad.elpais.com/sociedad/2014/06/01/actualidad/1401644024\\_776502.html](http://sociedad.elpais.com/sociedad/2014/06/01/actualidad/1401644024_776502.html)).

The care deficit is for children under 3 years of age. There is a limited number of daycare centres, and costs that vary across regions and depending on whether they are public or private, but the costs are much higher than in Sweden. Having a child in a public daycare centre from 9-17 costs between 200-300 Euros per month, and in a private one, around 400-500 Euros per child and month. 48% of Spanish children under 3 are in daycare, of which 31,6 % in publicly supported and 68,4 % in private ones (Spanish government report 2013).

In Spain, the care deficit is acute for the elderly. Eldercare is not a right, and there are limited public and private nursing homes with costs that are prohibitive for most families. While the costs are income adjusted and regulated in Sweden, in Spain the costs for a place in a public nursing home often surpasses the average pension of 820 Euros/month by hundreds of Euros and often more than doubles it in private care services. In contrast to Sweden, the private care sector in Spain is costly and lacks adequate subsidies. Similar to Sweden, families in Spain are able to apply for subsidies for care for elderly and disabled in the home based on a law, the Ley de Dependencia (dependency law), implemented in 2006. It has however been difficult to obtain the subsidy in practice (Casado and Fantova 2007), and its existence is currently being debated due to limited resources in the wake of the recession (Fahlén et al forthcoming).

Despite these differences in care regimes, in both Sweden and Spain there has been an expansion in private markets for care/domestic services. The reasons for the emergence of private care/domestic service markets with large proportions of migrant workers and their forms differ in the two contexts. In Sweden, the market was stimulated by a tax subsidy that made it more affordable to hire a domestic worker and thereby gain more life quality (Hellgren 2015; Hobson et al. 2015). The only eligibility criteria were that you had to be at least 18 years of age and have a taxable income exceeding the deduction (Skatteverket 2014). Implemented in 2007, by the liberal-conservative government, the main objective of the reform was to regularize an informal sector, and the assumption was that the subsidy would cover the social costs of legal employment. Another motivation was to increase gender equality, an irony that its opponents highlighted in the debates surrounding this controversial policy in which they claimed that this was gender equality for highly educated middle class women (Hobson et al. 2015).

The policy known as RUT activated a latent demand for extra services. Among European countries who provide subsidies for care/domestic services, it is one of the most generous policies. It entitles the buyer to a 50% deduction in cost of the service with a maximum of 50,000 SEK (about 5,300 Euros) per year to each person in the household (so that a couple could claim 10,600 Euros). While childcare is still a marginal part of the market, though households use the RUT for extra childminding, (high income) elderly are overrepresented as buyers of cleaning services; 35% of the buyers are over 65 years old, and it is most used by the group older than 85 (Skatteverket 2011; Sköld and Heggemann 2011).

In Spain, the expansion of this market is a response to women's increased labour market participation and the care deficit in childcare and for the elderly. In the past, some of the care needs had been met by internal migration; however, with expansions in women's education and opportunities, this source of cheap care labour began to decline at the same time that mothers of young children began entering the labour market (León 2010; Petersen 2007; Hellgren and Hobson 2011). Trans-national migrant care workers appeared as a "win win solution" to bridge the care gap. Though it reduced the pressure on politicians to expand public services (Cáceres 2010), it is a solution that has benefitted middle and upper class families.

The majority of those using private sector care services in Spain are families with children and the elderly, similar to those in Sweden. However in Spain, the size of the sector and the services purchased reflect the dependency of families on the private market for meeting care needs. Compared to Sweden, where 7% of the households are purchasing these services (Fahlén et al. forthcoming), Spain doubles that figure with 14,4% (INE 2012). Moreover live-ins, which represent a share of the care/domestic market in Spain, are virtually non-existent in Sweden (there are private nannies but they are marginal). However, they represent a small share of the market also in Spain. Statistics show that 3,8% of the Spanish households who buy private care/domestic services hire live-in workers, while 80% hire someone for less than 10 hours per week (INE 2012).

What is similar in both countries is that private care/domestic services are not affordable for all families. In Sweden, the average cost for domestic services in the private formal market is between 22 and 28 Euros an hour, often with a base cost. The RUT subsidy is not a universal benefit, which is seen in the high incomes of those using the service among families and the

elderly (Sköld and Heggemann 2011; Fahlén et al. forthcoming). Spain is a society with lower incomes, especially after the crisis, and the costs for many families are prohibitive: from 700 or 800 Euros a month is standard minimum price for live-ins, and hourly wage ranges from about 8 to 10 Euros (though undocumented migrants may charge less). There is an inequality in access, particularly for the elderly given that payment for home-based elderly care is insufficient, and the meagre public subsidies are very difficult to obtain (Casado and Fantova 2007; INE 2012).

## **2.2. Migration regime**

Sweden and Spain have different migration regimes in terms of who can enter a country and the governance over who can remain in the country. These differences are shaped by the demand for cheap labour in sectors as care/domestic work, as well as the tolerance/intolerance for informality.

### **2.2.1. Spain**

In Spain, the migration regime, together with the labour market structure, has clearly been significant for the supply of a (largely undocumented) migrant workforce that came to occupy the low-paid positions that the national workforce rejected (Cachón 2001; Moreno and Bruquetes 2011). Simonazzi (2009) argues that the informal economy preceded undocumented migration, acting as a strong pull factor, and that the two processes re-enforced each other. Immigration politics applied in Spain can roughly be summed up in two terms, *quotas* for regular labour immigration establishing the demand according to sector, and *regularizations* (Izquierdo 2005; ILO report 2009), through which undocumented immigrants are granted residence permits. It appears clear that the Spanish migration regime has influenced on the expansion of the private, to a high extent informal, market for care/domestic services.

At present, virtually all legal channels for non-EU labour immigration to Spain are closed due to the financial crisis and high unemployment rates, though there is an ongoing regularization process for those who have stayed irregularly in the country for 3 years and have a job contract. Economic migration from third countries is therefore currently irregular by default,

which contributes to an increasing vulnerability and exploitation of migrant care/domestic workers with ever weaker bargaining power (Spanish government's publication 2015; Hellgren 2015).

Over the past decade, the estimated number of undocumented migrants in Spain has hovered around one million. In 2011, 1,257,101 migrants without a valid residence permit were registered in the Spanish registers of inhabitants, *Padrón municipal* (www.ine.es, May 2011). As a result of the crisis, immigration overall has decreased and many immigrants with residence permits have recently left the country, so it is difficult to estimate the current number of undocumented migrants<sup>1</sup>. Spanish policy-makers and immigration officials however confirm that the massive return of migrants that was expected in the wake of the crisis is so far not happening, though large numbers of both immigrants and national Spaniards left the country in 2012, and, particularly, 2013 (Bosch; Rendón, interviews 2014). Immigration officials in Barcelona state that 70% of the migrants they assist daily at the city's attention centres, offering basic information and service to immigrants, are undocumented (Rodríguez and Serra, interviews 2014). For a more detailed presentation of specific migration policies: See Appendix 2.

### **2.2.2. Sweden**

Sweden, in contrast to Spain, is characterized by a strong governance structure in which irregular immigration and informal employment are sanctioned. Undocumented migrants are comparably few in numbers, but are forced into a clandestine and often highly precarious existence. Also unlike the Spanish case, immigration to Sweden over the last decades has not mainly been economic, but most permits were granted to asylum seekers and for family reunification (e.g. Schierup et al 2006). However, since the expansion of the European Union in 2004, labour immigration has begun to increase again, with Poland as one of the main sending countries (www.scb.se, Feb 2010). Moreover, the rules for labour immigration outside the EU became significantly liberalized in 2008, when the Conservative government implemented a new law together with the Environmental party. Employers now have the right

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<sup>1</sup> The present method of estimating the number of undocumented migrants in Spain is to compare the number of legally residing immigrants with the number of foreigners registered in the residential registers. However this does not result in meaningful statistics. According to current statistics, over 200,000 more individuals hold residence permits than those who actually live in the country, which does not reflect the real situation and makes it impossible to estimate the number of undocumented migrants. On January 1<sup>st</sup> 2015, 4,718,864 foreign nationals were registered as inhabitants in Spain, while 4,925,089 held a Spanish residence permit (ine.es June 2015; Spanish government's report 2014).

to hire employees from outside the EU as long as salaries and conditions meet the same standards as those applicable for the Swedish workforce ([www.regeringen.se](http://www.regeringen.se), Feb 2010). The reform has been strongly criticized by LO, the main Swedish trade union, and other unions share their critique. According to trade union actors, the new law for labour immigration has led to a growing supply of low-paid migrant workers in Sweden, and a dramatic increase in the illegal trade with work permits as a “window of entry” into Sweden when the asylum channel is not applicable. Job contracts often pay less than promised, expire or may not even exist, and these migrants stay irregularly to work in the informal economy. Undocumented workers are according to union actors increasingly present in low-wage sectors on the Swedish labour market (Arvidsson, interview 2009, Sandberg, interview 2014, Hellgren 2015). A comparison with Spain regarding migration trends shows an increase in immigration over the last year. Sweden receives comparably large numbers of refugees, at present largely from Syria, which is apparent from migration statistics ([migrationsverket.se](http://migrationsverket.se), July 2015).

Undocumented migrants are not able to register in any official Swedish registers, which complicates an accurate estimate. In 2011, a governmental report estimated that there were “not more than 35,000” undocumented migrants living in Sweden (SOU 2011:48, 62). Currently, the Union centre for undocumented migrants in Stockholm estimate 50.000-75.000 undocumented migrants in Sweden today, “though it is of course impossible to say” (Sandberg, interview 2014).

### ***2.2.3. Social rights of undocumented migrants in Spain and Sweden***

An important part of the migration regime consists of what social rights are granted or denied to migrants, which significantly influences their possibilities to integrate into society, their capabilities and life chances. In both Sweden and Spain, legally recognized immigrants largely have the same rights as citizens, except some political rights (as voting rights). In terms of access to social rights the main boundary is instead drawn between immigrants with residence permits – from temporary to permanent - and undocumented migrants (Hellgren 2014). It is however important to note that legal residence indeed may be a temporary and weak status, as permits may not be renewed unless a valid job contract can be presented.

The granting of basic social rights to undocumented migrants had until recently not been a particularly controversial question in the Spanish context. The Spanish immigration law from 2000 stated that irregular immigrants who register with their local population register (*Padrón Municipal de Habitantes*) “will be fully entitled to health care in the same conditions as Spaniards” (Romero-Ortuno 2004). In September 2012, however, a new law entered into force that formally excludes undocumented migrants from the public healthcare system. Patients will not be denied urgent healthcare, but they will be charged the full cost for this unless they have a private health insurance. Medical staff and NGOs have protested massively against the new law, implemented by the Conservative government elected in November 2011. Several regional governments, such as Andalusia and Catalonia, have furthermore decided to disobey the law, which has intensified their conflicts with the central government in Madrid and illustrates how actual practices may depend on the choices made by institutional actors at different levels (Hellgren 2014).<sup>2</sup>

In Sweden, the evolution has partly been the reverse. Access to public health care for undocumented migrants has been a highly politically contentious issue over the past decade, in which NGOs and churches have been actively involved. Since July 2013, undocumented migrants have the same right to basic health care as recognized asylum seekers, which includes urgent health care, maternity care and birth control (vardforbundet.se, October 2013). Undocumented children were also granted the right to schooling. A government commission that recommended a law change to grant all undocumented migrants access to the public healthcare system probably played an important role (SOU 2011: 48, 304–310). Yet, the governmental commissioner had to take into account the concern that access to public healthcare would serve as an inducement for an increased irregular migration to Sweden—a concern that has been expressed by the Ministry of Migration and that reflects a dilemma that is strongly felt in the Swedish welfare state: how to grant the right to healthcare for ethical reasons without recognizing irregular immigrants’ right to stay (Hellgren 2014). The tensions around social rights to undocumented migrants illustrate a dilemma for welfare states, which face the expansion of precarious low-wage sectors that rely on cheap (informal) migrant

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<sup>2</sup> The law is currently being modified again, so that irregular immigrants are to be included in the public health care system, which according to the Spanish prime minister Mariano Rajoy is done to solve the problems with extreme cues at emergency clinics as these were the only ones attending undocumented migrants while the law was in force. Media and the political opposition however claim that this is rather a pre-electoral strategy to meet the massive protests by medical staff and the public, and reluctance to admit that the law change was a failure in the first place (<http://www.elmundo.es/espana/2015/03/31/551a819122601d6a7c8b4588.html>). These tensions reflect how the question of public health care to undocumented immigrants has become increasingly contentious in Spain.



labour, and raise questions about the boundaries of social membership in societies where an increasing number of workers are irregular or have temporary residence permits (ibid).

### **2.3. Employment regime: markets and migrants in the sector**

The employment regime is the least specified in the research on interlocking policy domains in care and migration (Hobson et al. 2015). Within the comparative welfare state literature, employment regimes have been derived from the Varieties of Capitalism (VOC) paradigm (Hall and Soskice 2001). The Swedish welfare state with its employment protections and high levels of union membership is the prototype of the coordinated economy. Spain has been characterized as a segmented market economy (Banyuls et. al. 2009), with protections and rights for insiders and precariousness and few employment rights for outsiders (Guillén 2010).<sup>3</sup>

Within VOC and other typologies of employment regimes, the role of organized labour is a crucial dimension (Gallie 2007). Comparing Sweden and Spain, there are vast differences in union density in the two countries, respectively 68% in Sweden (OECD 2013), and 18% in Spain (OECD 2012: [http://stats.oecd.org/Index.aspx?DataSetCode=UN\\_DEN](http://stats.oecd.org/Index.aspx?DataSetCode=UN_DEN)). Also the levels of temporary precarious work are much higher in Spain than in Sweden (22,9% compared to 14,6% (Hobson and Bede 2015)). The domestic/care sector mirrors the employment regime in Spain with high levels of precarity and low union density. In Sweden the sector deviates from the general employment practices in which 89% (84% in the private sector) of all Swedish employees are covered by collective agreements (Medlingsinstitutet, yearly report 2014). Union membership in the private domestic sector is very low in comparison to overall membership in Sweden; about 15% for the whole sector, though the difference is much greater between the numerous small companies and the two large firms in the sector (which employ roughly 14-18% of the domestic workers in Sweden). There, about half of the workers are affiliated with the union (Johansson, Huldt, interviews 2014).

In Spain the private care/domestic services sector has always been characterized by informality, although Simonazzi (2009) and others argue that the low wage informal economy preceded undocumented migration, acting as a strong pull factor, and that the two processes

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<sup>3</sup> Spain is often referred to as hybrid type between Coordinated and Liberal economies, in which Mediterranean countries are often placed in the VOC literature.

re-enforced each other. Compared with Sweden, Spain has a greater tolerance for informality in the economy. The estimated share of informal work in the economy is 25% (Moreno and Bruquetes 2011). There are currently 433.362 domestic workers registered as active in the Spanish social security register ([http://www.seg-social.es/Internet\\_1/Estadistica/Est/AfiliacionAltaTrabajadores/AfiliacionesAltaLaboral/index.htm](http://www.seg-social.es/Internet_1/Estadistica/Est/AfiliacionAltaTrabajadores/AfiliacionesAltaLaboral/index.htm)); how many work informally in the sector is impossible to estimate, but the number is likely to be high. 2,5 million Spanish households hired a domestic worker in 2009 (INE 2012).

Within the care/domestic sector, informality in Spain was institutionalized in a special regime for household workers in 1985. Before that, domestic work was not recognized at all in labour law (Léon 2010). The special regime for domestic work placed employees in the sector outside the standard employment rights and protections of other workers. In 2011, legislation in Spain was reformed by the Socialist government requiring anyone who hired a private domestic/care worker to offer a job contract and pay the worker's social security costs. The elected Conservative government amended the law in 2013, weakening it so that those working less than 60 hours per month for one employer have to pay their own social security costs, on average approximately 150 euro per month, which adversely affect most working on an hourly basis for many families. None of those employed in the sector are entitled to unemployment insurance (<http://www.empleo.gob.es/es/portada/serviciohogar/>).

In Sweden there are no reliable estimates of the proportion of informality in the economy, probably partly because of the sanctions against informal work, but it is estimated at about 5% by the Tax Authorities (Skatteverket 2011), which most likely underestimates the level. The passage of the RUT subsidy resulted in a dramatic expansion of private companies offering domestic services, a 24% rise in only four years after its enactment (Håkansson 2012; Hobson and Bede 2015). In 2014, the estimated number of private companies providing domestic services, according to the Swedish employers' organization Almega, was "between 2,500 and 3,500". It is difficult to provide any accurate estimates of the number of companies in the sector since many offer other services besides domestic work, and may not be registered primarily as "RUT sector companies" (Huldt, interview 2014). It is even more difficult to estimate the number of domestic workers in the sector because we do not know how many are not working for registered companies or who work informally, but from estimates for RUT companies it ranges from 14,000 to 17,000 (ibid; Johansson, interview 2014).

Both these countries with different employment regimes have passed legislation to formalize and regulate the private care/domestic sector: the RUT in Sweden (the tax subsidy), and the law in Spain that ended the special labour regime for domestic workers in order to regulate the sector; to collect taxes on the work performed as well as improve the conditions of work. However, to what extent these strategies actually formalize the sector and how they affect the daily lives of migrants working in private markets for care/domestic work is the more relevant question. Within the framework of capabilities, we consider whether these strategies increase the capabilities for migrants' wellbeing and scope of alternatives for improving their situation.

There is an assumption in the literature that migrant labour has been driving the low-wage precarious private domestic/care sector. Estévez Abe (2015), comparing OECD countries in 2000, suggests that markets for outsourcing in care/domestic work exist in societies with vast differences in inequalities and a low skilled (migrant) labour force. Here it is important to make a distinction between low skilled jobs and low skilled migrants. Research in Europe shows that migrant care/domestic workers do not fit the stereotype of the low-skilled, low educated workers in the global care chain literature (ILO 2012; Williams 2010). In both Spain and Sweden, native born women still represent the majority doing care/domestic work if one takes into account the entire care/domestic work sector and include smaller towns (Fahlén and Sanchez 2015; Sanchez and Serrano 2015; see figures 7.1.3 and 7.1.4 in Appendix 1). Migrant care domestic workers are over-represented in cities.

In Spain the expansion in private markets for household services exceeds the rising rates of immigration (see figures 7.1.1 and 7.1.2 in Appendix 1) alongside the increasing levels of maternal employment. In Sweden this pattern parallels the rise, which reflects different migration and care regimes. First the majority of migrants have not been economic migrants. As discussed above, before the labour immigration law reform in 2008 Sweden only allowed very limited numbers of economic migrants outside the EU to be granted work permits. The private market for household services in Sweden is roughly half the size of the market in Spain (7% versus 14,4 %) (Fahlén et al. forthcoming; INE report 2012).

Another assumption in the literature is that the public crowds out the private markets for care/domestic services. However the expanding private markets for care/domestic services actually result in more complexity, that is, they produce greater stratification in the sector (Simonazzi 2009), which reflects the differences between Spain and Sweden in care and

migration regimes. In Sweden, the care/domestic sector consists of several tiers. At the upper end are those doing care/domestic work for the elderly employed by the public sector in municipalities, directly or outsourced from a public sector agency. They have better pay and working conditions than the strictly private market. A greater proportion of Swedish born workers are attracted to these jobs compared to those working in private firms, mainly consisting of migrants, who may be performing many of the same tasks for the elderly as outsourced workers employed via the municipality. In the second tier, the private market, which has lower pay and more insecure jobs, immigrants are the main group employed (Fahlén et al. forthcoming). Within this precarious labour market, there is another bottom layer, which is illegal employment, in which the majority are undocumented migrants who have the worst employment conditions, paid half or less than the standard wage in the sector. In Spain the gradations are less pronounced between legal and illegal employment. The stratification in wages and work conditions exists between Spanish born and migrants working in the sector. These differences in the sector reflect how ethnic and migrant status are interwoven in the care and migration regimes, which in turn shape capabilities for wellbeing (Hobson et. al. 2015; Hellgren 2015).

### **3. Stakeholders between institutional structures and migrant workers**

Stakeholders and civil society actors encompass a broad range of actors who influence the capabilities of migrant care/domestic workers at the societal level. The role of stakeholders is under-researched and under-theorized in the research on migration and care, yet intermediary actors representing different interests influence politics and practices that affect both the functioning of the private care/domestic services sector and the situation of migrant care/domestic workers. In our project, one of the main aims is to incorporate the meso level and to explore the political activities of civil-society actors and their relevance in agenda setting and policy making. For this purpose, we have performed 20 stakeholder interviews within the scope of this project. The respondents were chosen to represent a broad spectrum of intermediary actors involved in both decision-making that influences on the conditions in this sector, advocacy for the rights of migrant domestic workers, and the actual market for private care/domestic services. The categories of stakeholders vary between Sweden and Spain, which reflects what actors are salient in each of the contexts. A full list of the interviewed stakeholders is provided in the reference list at the end of this report.

In addition, we have had access to another 26 interviews performed in relation to a related research project on migrant care work and migrants' rights<sup>4</sup>, and 68 stakeholder interviews related to migrants' rights and claims-making for an extension of social rights of immigrants performed 2004-2011 as the focus of a doctoral dissertation project (Hellgren 2012). Findings from these studies have also been taken into account during our analysis.

### **3.1. Stakeholders: different agendas and discourses on migrant domestic workers**

Internationally, the ILO has been a crucial actor in setting standards for domestic care work (Hobson and Bede 2015, ILO 2012). In both Spain and Sweden, there are few stakeholders who actively advocate for improving the job conditions in this sector. We will provide a summary of the most important intermediary actors present in relation to the private care/domestic services markets in Spain and Sweden, respectively.

#### ***3.1.1. Spain***

Unions have only recently begun to address the situation of migrant care/domestic workers in both our cases. In Spain, the large trade union Comisiones Obreras (CCOO) was involved in negotiations with the Spanish government and employers' organizations preceding the elaboration of a new law, intended to formalize the sector and improve employment conditions for private care/domestic workers. CCOO was a strong advocate for the law reform as discussed above, which included domestic workers in the General Employment Regime (with the exemption from unemployment benefits that other workers are entitled to under this regime).

Comisiones Obreras have also initiated some projects to increase awareness and union affiliation among domestic workers, but according to Ghassan Saliba, their representative in immigration questions, they received little interest, as the workers are mainly concerned about finding more work (Saliba, interview 2013). Overall, stakeholders involved with the domestic/care sector in Spain agree that the financial crisis, together with the continuing

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<sup>4</sup> These interviews were performed by Inma Serrano during 2013-2014 within the scope of the research project Do Welfare Regime Matter. Care and Migration in Two Institutional Contexts, supported by the Riksbankens Jubileumsfond.

demand for cheap care services, are structural factors that significantly limit the possibility to improve conditions for workers in the sector (Hellgren 2015).

There is also a range of NGOs and associations that represent migrant domestic workers locally around Spain, though currently, organizations representing this group of workers focus on finding work for basic subsistence; advocating for better job conditions or more rights becomes secondary (Hellgren 2015). One advocacy group, PATH (Platform for Associations of Domestic Workers), was formed with the objective to unite and promote the interests of domestic workers, inform political and social actors about the conditions in the sector, denounce exploitation, write law proposals for improvements and offer free legal advice. However, they have faced barriers and resistance toward gaining improved working conditions for the domestic/care workers among both users of migrant care/domestic services and institutional actors. The reason for this is that both recognize that higher salaries would hinder families from buying these services, and increase pressure on authorities to cover care needs of families (Peterson 2007).

Policy-makers and immigration officials in Spain do not specifically target migrant domestic workers as group, but the interviewed stakeholders representing this category recognize that these workers constitute one of the most vulnerable groups in society, especially the unknown but presumably high number of undocumented domestic workers. At present, the Spanish state offers voluntary return programs to encourage unemployed migrants to leave the country, but places are limited and many migrant workers do not match requirements to have their return financed (they can, for instance, not be undocumented). As several of the respondents highlight, the female migrant domestic workers are also often under pressure from family in the country of origin to continue sending remittances, and to return without savings is not considered an option for many of them. Instead, they try to subsist day by day on a labour market with growing precariousness and lack of job opportunities (Rendón, Rodríguez, Serra, Bosch, García, interviews 2014).

By tradition, Catholic churches are central actors on the private market for domestic/care services in Spain. The general employers' organizations are not actively involved in this market, because the main employers are households (Recio Ortega, e-mail interview 2014). Churches are generally not actively involved in defending the rights of workers. They may however also offer social assistance (for instance food and housing) for unemployed migrant

domestic workers. They mainly have functioned as employment agencies for households and workers. According to the trade union *Comisiones Obreras*, there is also an emerging presence of intermediary actors as domestic work agencies who charge workers for job search (Saliba interview 2013), something that several of the interviewed migrant workers assert.

### ***3.1.2. Sweden***

In Sweden, few stakeholders are at all involved with migrant domestic workers, who constitute a largely invisible and under-represented collective. Swedish policy makers and immigration officials do not address migrant domestic workers as group. Churches are also not visible in this context, though the Swedish church has been a strong defender in migrants' rights struggles as an amnesty campaign for hidden refugees in 2005 (Hellgren 2014).

The only organization that formally represents this group of workers in Sweden is the trade union *Kommunal*, who affiliates domestic workers with the condition that they are formally employed by companies who have signed collective agreements (which, in turn, only applies to a minority of the workers in this sector). Lars-Sture Johansson, a spokesperson of domestic workers at *Kommunal*, says that they have been slow to respond to this sector but that they started to increase their work, including organizing seminars to increase awareness of what the union does (Johansson, Ingesson, interviews 2014). They are nevertheless ambivalent in their support of migrant care/domestic workers, because Swedish trade unions have been critics of the RUT deduction and the private market for domestic services. To advocate for migrant domestic workers is problematic for trade unions, as this implies the recognition of a sector characterized by poor quality of jobs. Therefore, they question whether the sector should be legitimized and subsidized, rather than if and how job conditions could be improved. In Sweden, actors involved with this sector --both representatives of employers (interest organizations and companies) and of workers -- are actively involved in debating the RUT deduction, and often represent opposite positions. The employers' organization *Almega* has accused *Kommunal* of not representing workers' interests and being "more interested in abolishing the sector than defending the interests of their affiliates" (Ingesson, Johansson and Hultdt, interviews 2014).

In contrast to the apparently ambiguous and passive position of *Kommunal*, the independent trade union *Syndikalisterna*, SAC (a "libertarian socialist union with strong anarchistic

influences" according to their website, sac.se), organizes undocumented migrant workers working in different sectors in Sweden through their Register method. This consists of an agreement to accept a certain minimum salary for a given work task performed by the worker. SAC uses methods such as boycotts and blockades against employers who violate these agreements (Hellgren 2014). Though they do not specifically address domestic workers, these groups may be represented by SAC as a comparably large share of them are undocumented. According to the head of the Union centre for undocumented migrants in Stockholm, one out of ten cleaners in Stockholm is undocumented (Sandberg, interview 2014). The methods of SAC are however strongly criticized by other unions for tolerating salaries and conditions far below collective agreement levels. All in all, the presence of migrant domestic workers, as well as the expansion of other low-wage sectors, indeed constitute a challenge for Swedish trade unions. Moreover, the question of migrant workers' rights in general is contentious. It represents a moral conflict between the trade unions' overall aim to defend Swedish workers' conditions on the national labour market – for whom cheap, irregular labour represents a threat – and the solidarity with the most exploited.

To summarize the positions of the diverse stakeholders described in this section, in Spain, the organizations representing migrant domestic workers focus on job search, and in Sweden, the trade unions' focus lies on the RUT subsidy rather than the situation of the workers, but in both there are few actors directly addressing the problems of this group of workers. Among stakeholders in Spain that we interviewed for this project, the argument that people are not willing or able to pay more for these services is central and serves to justify and hinder the possibilities to improve the conditions of those working in this sector.

#### **4. Description of data and analysis**

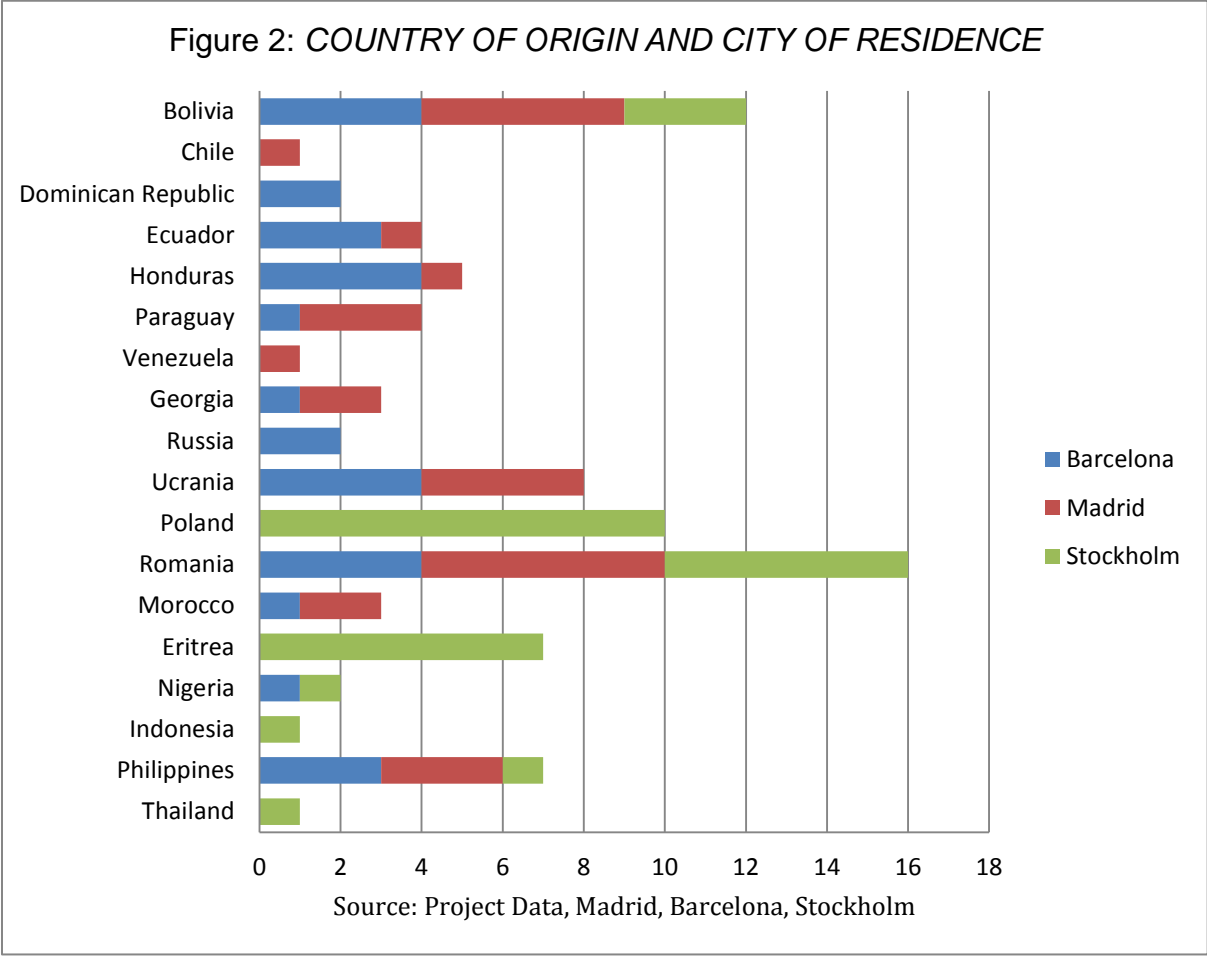
The data for this paper is based upon semi-structured qualitative interviews of migrant care/domestic workers that we conducted in three cities: Madrid, Barcelona and Stockholm, during 2013-2014; in total 90 interviews.<sup>5</sup> Our decision to include two cities in Spain was based upon the recognition of the regional cultural differences and historical legacies. Also, at the time of the data collection, there were different policies regarding migrants' access to

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<sup>5</sup> The interviews include the respondents work situation and conditions of work, family situation, social networks, and future plans. The average length of the interviews is one hour. All interviews were completed between August 2013 and February 2014. The data was coded into Dedoose, a software package that allows for a mixed method approach.



healthcare. Using statistical analyses, including Register Data, Census data, the European Social Survey, and Labour Force Surveys, we established which were the largest migrant groups in the country within the migration population, and the largest within-group proportions employed in the care/domestic work sector. The latter was our main selection criterion along with migration period, which included only those who migrated between 2000 and 2013. In addition we sought to reach groups representing different socio-cultural backgrounds and geographic regions.



Our interviewees are from countries encompassing Europe, Latin America, Asia and Africa. We distinguished between those who are visa-exempted, and those who require a visa for entry.<sup>6</sup> They do not represent a sample of all care/domestic workers in either country and we cannot make claims about the sector as a whole. Rather the qualitative study in three cities

<sup>6</sup> Migrant care/domestic workers were located through immigrant associations, NGOs, churches (acting as employment agencies in Spain), immigrant group websites and networks: we used referral sampling sparingly (limited to one contact per interviewee).

offers a close-up lens on daily experiences of migrants working in the sector that reflect differences in institutional contexts and can vary across individual life situations. We cannot do justice to the rich and varied experiences of migrant care/domestic workers in this paper. We concentrate therefore on those aspects that relate to how the private market for care/domestic services shapes the capabilities of migrants working in the sector, their wellbeing, quality of life and scope of alternatives for making change. These encompass formal/informal work, conditions of precariousness and exploitation that are inherent in the market and the stratification within it.

Using Sen's capabilities framework, our analysis seeks to capture the multi-dimensionality in the factors shaping the experiences of migrant care/domestic workers, recognizing their diverse backgrounds and reasons for migration. We begin with individual factors; then turn to markets and employment situations and working conditions. In the last section of the analysis we focus on the scope of alternatives that migrants have to improve their situations and their possibilities for alternative futures, two key dimensions in the capabilities framework. Throughout our analysis we integrate how our comparative cases reflect differences in welfare/care, migration and employment regimes, the institutional embeddedness of capabilities.

#### **4.1. Diversities in the migration project**

This section focuses on some of the individual factors in the capabilities model (see Figure 1 above), particularly those concerning the family situation of migrant care/domestic workers in our study.

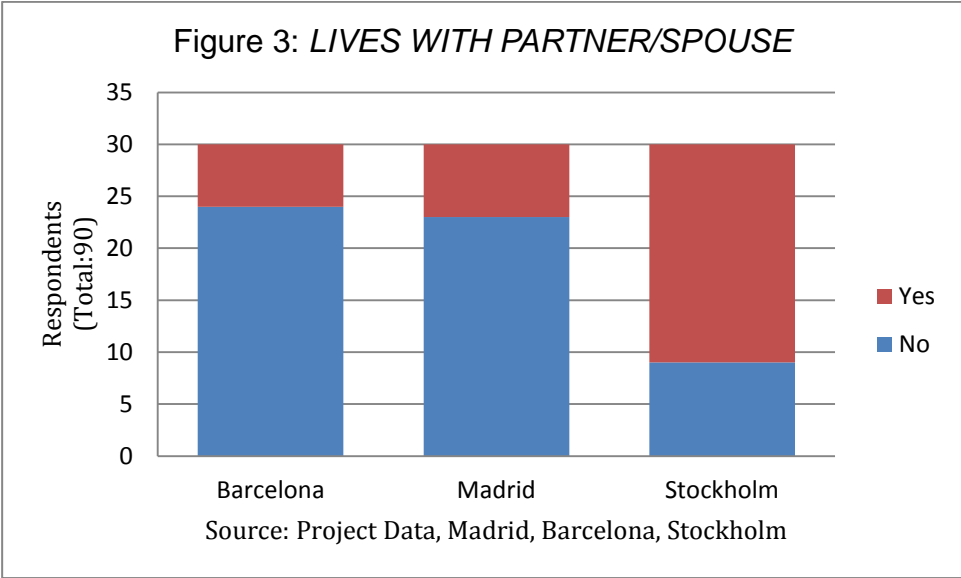
##### ***4.1.1. Reasons for migrating***

There are important contextual differences concerning the migrants' motivations for migrating to Sweden and Spain. In Stockholm, only 11 of the respondents had economic reasons to migrate, while in Madrid, 23 gave this answer, and 21 in Barcelona. Many respondents have come to Sweden to be with a partner/husband, though there are also several cases, particularly from within the EU, where the spouses have migrated together to improve their economic situation. Overall, in Sweden, economic motives dominate among the migrants from Bolivia and Eastern European EU countries: Poland and Romania, while

African (mainly Eritrean) and Asian migrants tend to have moved to be with their partner, or to marry. Some are also refugees.

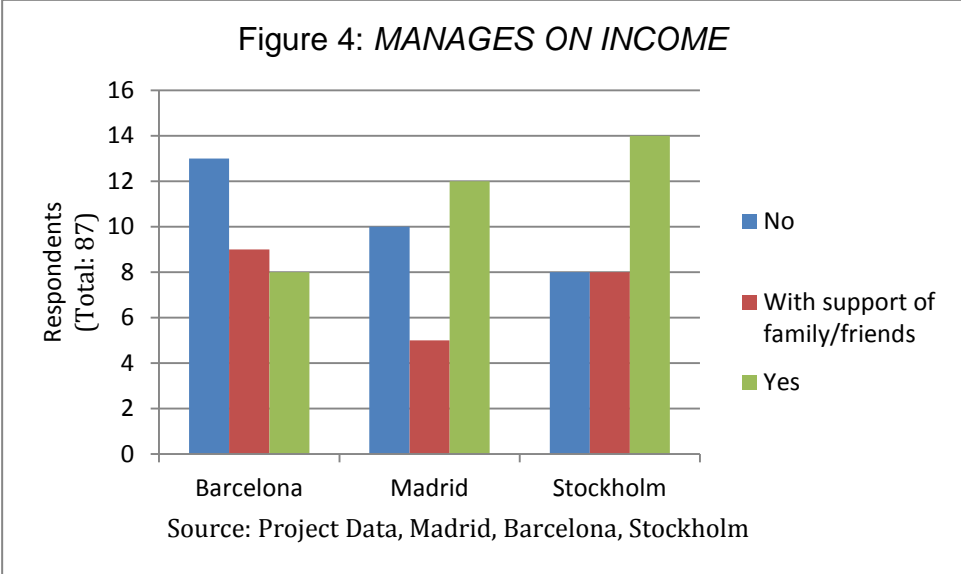
**4.1.2. Family composition and location**

In our study, migrants in Sweden were more likely to have partners living with them than in Spain. Only 13/60 of the respondents in Barcelona and Madrid live with their partners, while the corresponding number for the respondents in Stockholm is 21/30. The difference in relationship status reflects migration regime differences in the two countries. The vast majority of migrant care/domestic workers stay in Spain as undocumented migrant care/domestic workers or with temporary residence permits and do not have any legal rights to family reunification. In contrast, most non-EU migrants among our Stockholm respondents obtained their residence permits through family reunification.



Only a minority of the respondents in Madrid and Barcelona can manage on their incomes, which reflects the high proportions that are unemployed and the drop in salaries as result of the crisis and recession. 18/60 respondents were unemployed at the time for the interview, consistent with NGO estimates of about 27% unemployment in the sector (Martí, interview 2013). As shown below in Figure 4, less than half of the respondents in Stockholm independently manage on their incomes, though most do manage their economy with the support of family (partners and husbands) and friends. Among the Swedish respondents, having a partner not only weakened the effects of financial and job insecurities of migrants

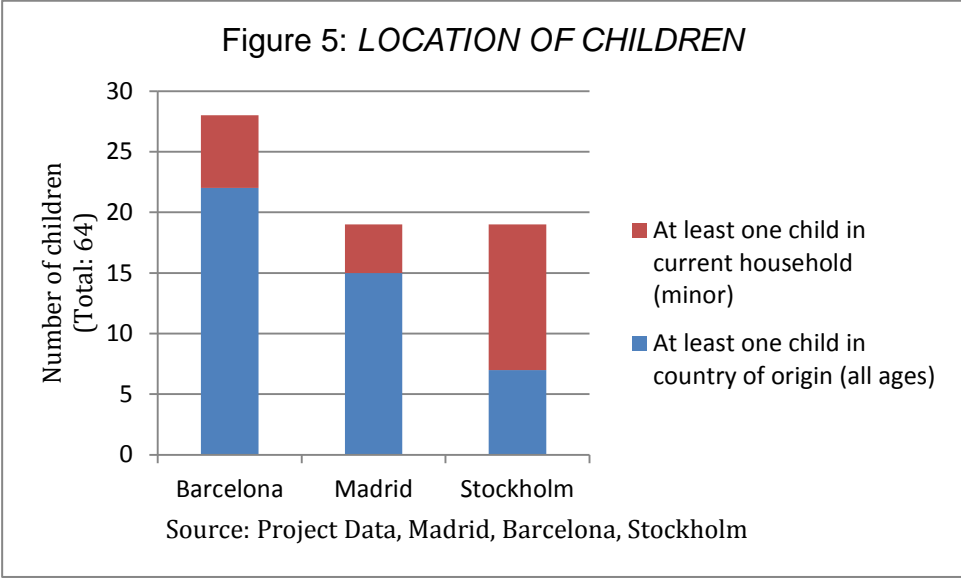
working in the sector (as the figure above on manage on one’s incomes shows), but also opened up the possibilities for improving one’s employment situation through study of language.



While there are advantages to having a partner present, in Sweden, there are certain limitations for migrants who obtain their residence permit through family reunification. Firstly, they are tied to their partners for 2 years before they get a permanent residence permit, which makes their permit to stay in the country dependent on the continuation of the relationship that granted it in the first place. Other reports have shown that this situation has lead migrants to stay in abusive relationships in order to stay in Sweden (SOU 2012:45). Secondly, their eligibility to the social support they can receive highly depends on their partner; they do not get benefits based on their individual situation, but on the household income (<http://www.socialstyrelsen.se/hittarattmyndighet/ekonomisktbistand>). Several of our interviewees have stated that this is a disadvantage they experience as family reunification migrants, compared to the financial support refugees receive.

Moreover, many of the migrant workers have children. It is more common for migrants in our Swedish sample to live with their children, compared to Spain where several migrants have left minor children in their countries of origin (see Figure 5). The number of minor children living with their migrant mother is higher in Stockholm than it is in Madrid and Barcelona combined. The total number of children left behind is greater among migrants in Spain; three times as many minor children are left behind by migrants in Spain compared to Sweden (10 in

Spain compared to 3 in Sweden). Besides migration regime differences, this reflects the fact that it is too expensive for many single migrant mothers in Spain to provide for their child, given the lack of affordable child care (a rather ironic situation as this is part of the care deficit they fill through their labour), and the incompatibility between work schedules and children's care needs. The situation is particularly difficult for mothers of children younger than age 3, i.e. before they can participate in the universal pre-school. For live-ins, having children with them is impossible.



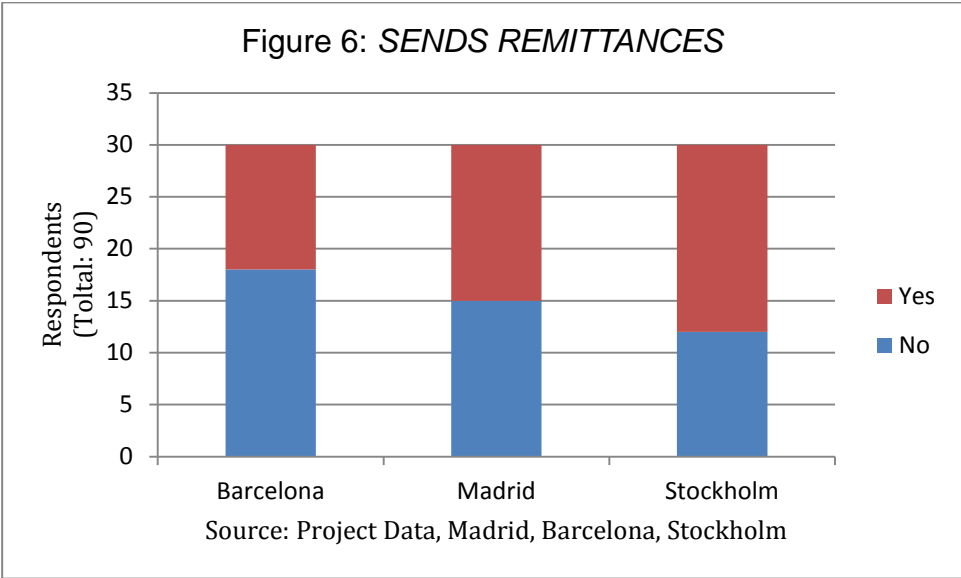
Migrants who do have children in Sweden state that it is difficult to combine parenting with the demands of care/domestic work, as employers prefer employees that are always available and not away when a child is sick, etc.

**4.1.3. Remittances**

Many migrants in the care/domestic sector are obliged to send remittances home for the care of their children left behind or for their families. The differences in the family situation of migrant care/domestic workers are thus reflected in their remittance behaviour, and the location of their children is an indicator of the level of support that they are expected to contribute with.

The proportion of migrant domestic workers in Stockholm who send remittances is at the time of the interview slightly larger than in Spain, but among the majority of our respondents in

Stockholm, these are not a major support for the family in their country of origin. For many of them, sending remittances was not a reason for migrating, as it was in Spain. The form for remittances is also different: while in Spain, migrant workers generally send a monetary contribution every month (in our study ranging from about 100 to 300 Euro or more depending on capacity), migrants in Sweden help in a more occasional manner, such as contributing financially with house repairs, car maintenance or medicines at time of crisis. One explanation for this is that, as we have shown, leaving children behind is a more common practice among migrants in Spain compared to Sweden. However, migrants in Sweden who do have minors, and in some cases young adult children, left behind do send monthly contributions to pay for school/university fees, food and house rent.



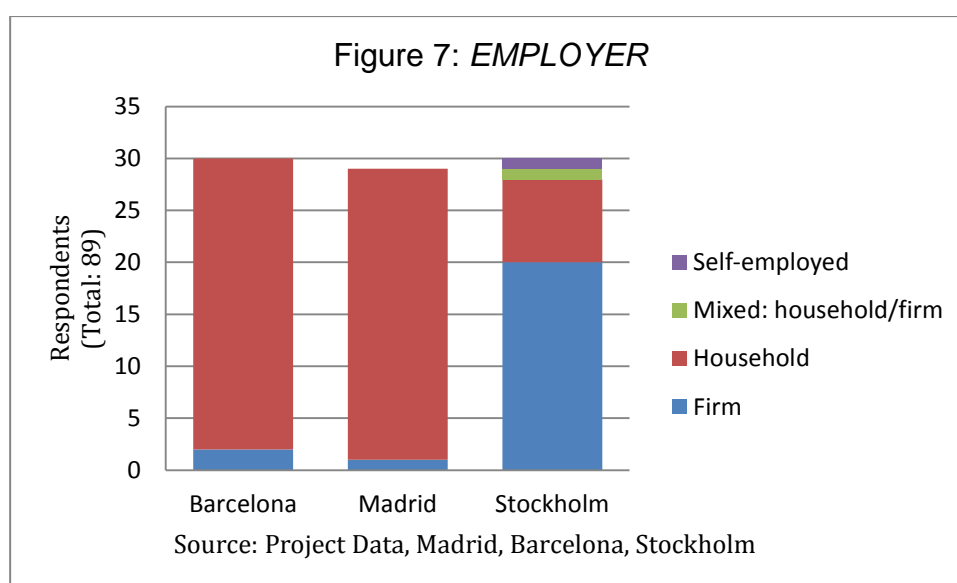
As this section shows, migrant care/domestic workers in Spain and Sweden have different aspirations with their migration projects and live under different conditions. One needs to consider to what extent these diverse situations affect their scope of alternatives and futures, and moreover, to what extent differences in the institutional contexts shape the sector itself and the migrants employed in it.

**4.2. Working conditions in the private domestic/care sector**

**4.2.1. Employers and employment forms**

The respondents in our study are representative for the configuration of the domestic sector in Stockholm, which is dominated by firms who employ workers and provide their services to

households. In our Stockholm group, two thirds work for firms and only eight respondents are directly employed by households. Given the need for expertise in Swedish tax law and fluency in Swedish language, it is not surprising that only one of our migrants was a self-employed owner of a company. Nearly all our respondents in Spain were employed by private households. In proportion to the size of the market, few firms exist in the care/domestic sector in Spain; they generally provide services for publically subsidized care services, which are very limited ([http://www.seg-social.es/Internet\\_1/Pensionistas/Derechos/Serviciosociales/index.htm](http://www.seg-social.es/Internet_1/Pensionistas/Derechos/Serviciosociales/index.htm)).

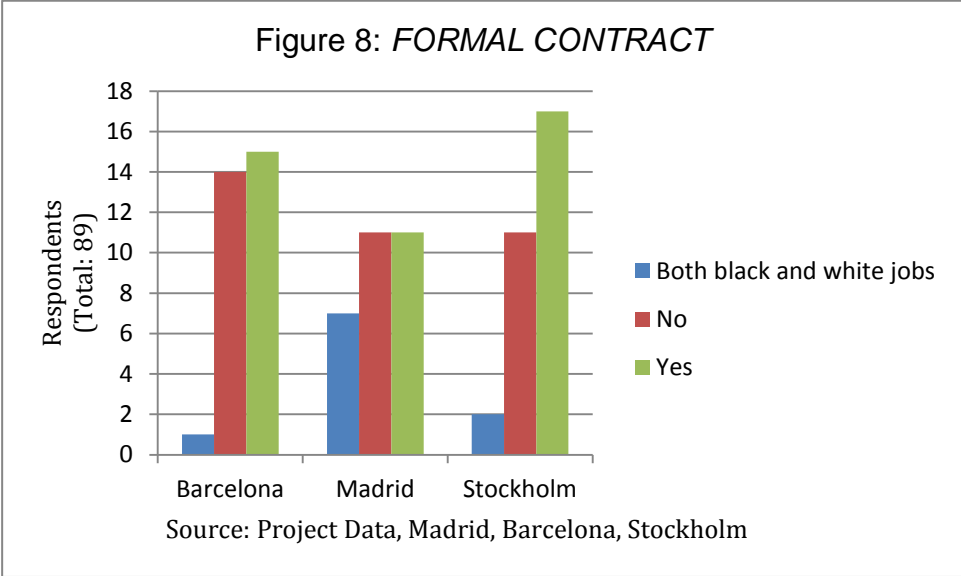


#### 4.2.1.1. Formal/ informal contracts

We would expect a great deal of variation in our two cases when considering formal and informal contracts, given the differences in tolerance and intolerance for informality in Spain and Sweden and the dominance of firms in Sweden. Surprisingly, we found levels of informal employment to be almost as high in Stockholm as they are in Madrid and Barcelona. About 40% (12/30) of the respondents in Stockholm were at the time of the interview working informally, and the vast majority has had previous experience of informal work in the domestic sector. More than half (32/60) of the respondents in Barcelona and Madrid work informally.

The goal of the Swedish tax subsidy was to formalize the sector. Nevertheless, the respondents in Stockholm maintained that firms are able to claim the tax deduction while

subcontracting workers informally and avoid paying social contributions, which is confirmed by Swedish trade union representatives and stakeholders (Hellgren, 2015). Moreover, we found instances of both irregular and documented migrants working at the same firms, as well as documented migrants working partly formally and informally. These practices are more likely to be found in small firms, which comprise a large proportion of the sector. Informal work in the domestic sector is not confined to any one migrant group; it cuts across different nationalities and migrant statuses, though migrant status is overall a crucial divide in Sweden.



Among our Stockholm respondents, we found that half of the EU migrants (8 out of 16) at the time of the interview were also working informally, at least partially. This is surprising since they have the rights to enter Sweden and find a job contract while they are here; they have access to a personal ID number and a temporary residence permit ([skatteverket.se](http://skatteverket.se)). The explanation we found from our respondents is that many employers demand an ID number before making a contract with a worker. Consequently, EU-labour migrants who don't have a personal ID-number are often forced to accept informal work for lack of other alternatives. It is a catch 22 situation: you need a personal ID to get a formal contract, but you cannot obtain an ID number without a work contract.

Having a formal contract does make a difference when considering access to employment rights and protections, such as paid vacations and sick leave: only 30% of the workers without a job contract have a right to paid vacations compared to 75% of the formally contracted workers. Differences in employment regimes are visible in the rights to unemployment



benefits. In Sweden, domestic workers with regular employment contracts had access to unemployment benefits, something they are by law excluded from in Spain (unless they are employed by firms, which is much more unusual in Spain compared to Sweden). In both Sweden and Spain, however, we also find that the labour rights, as sick leave and vacations, are not always taken in practice. In Sweden many of our respondents did not take vacations but instead received extra pay, which is standard practice for hourly workers, the most common employment form among our Stockholm interviewees. Several did not take sick leaves because of the competition for jobs in firms as this example suggest.

“Sometimes when I’m sick I don’t stay at home. Perhaps I can rest for a few hours anyway, at work. That is a problem with the cleaning company. If you get sick often they will not hire you. They say ‘no thank you’. You cannot get sick or you will not have a job.” *Bolivian domestic worker, Stockholm*

In Spain a common practice was to deny time off for vacations. There, a formal employee may file a legal complaint, unlike an informal one, but the consequence may well be the same: that she loses her job. Migrants working in Spain highlight the difficulties of negotiating vacations with a household as the employer.

“I take vacations when she [the employer] says I can. The truth is that it is not very fair, she promised me I would get vacations in September but then her friends came to visit and she wanted me to cook for them and take care of everything. She had also said I could take vacations last January, but then she said I had to come in three times per week anyway, so I could not leave.” *Russian domestic worker, Barcelona.*

From our interviews, we found that formal employment makes some difference in Spain for the conditions of work and scope of alternatives for migrant care/domestic workers. Informal workers, whose conditions depend solely on the good will of their employer, overall are worse off, but having a formal contract may not offer protection against the violations of one’s rights or the effects of precarious working conditions.

“They made some promises that they did not comply with. Like when they agreed I could go to the Philippines and the week before they changed their mind. Since they started paying me the Social Security she gets angry all the time: “You didn’t clean

this”, “I pay you! I pay Social Security! Even if it’s holiday I pay you and look!” And I’m trying to understand her... But it’s very difficult. She’s always accusing me.”

*Philippine domestic worker, Madrid*

#### 4.2.1.2. Formal/informal migrant status

Regarding formal/informal migration, our study reflects the divergent migration patterns and regimes in Spain and Sweden. Among our respondents, 53/60 migrants in Spain arrived as undocumented (13 were still undocumented at the time for the interview) while in Sweden, only 4 non-EU migrants had no residence permit upon arrival and none of them were still undocumented at the time of the interview. Not having a residence permit was an issue raised by some of the Spanish respondents because it weakened their negotiation position with the employer. However, being undocumented may also make migrant workers more attractive to employers for that very reason<sup>7</sup>. Some of our unemployed respondents with “papers” claimed that newly arrived, undocumented female migrants from Honduras and Nicaragua were willing to take lower salaries and increased the competition for getting the jobs. The wage difference between documented and undocumented workers is however not as striking in Spain – where there sometimes is no difference – as in Sweden, where those without legal papers are paid about one half to one third of the wages compared to workers with residence permits.

“For the first years I was illegal. I had no papers, I did not exist in Sweden. I did not know anything about the rules, I just accepted, and when I counted... it was 30 or 20 kronor per hour [about 3 or 2 Euros]... and you destroy your hands, your body [...] After I got the residence permit they paid right, but still...they want to decide, ‘you have to do this, you cannot do that, you have no education, you don’t speak Swedish...” And they don’t want to give you a contract, they said ‘you can work the first days, the first months’...but without a contract”. *Bolivian domestic worker in Stockholm*

Moreover, the overhanging threat of deportation and inability to go to the police makes irregular migrants in Sweden easily exploited. Several respondents with the experience of

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<sup>7</sup> Bommes’ (2004) makes the point that irregularity might be a competitive advantage in expanding informal labour markets.

working without a legal permit in Sweden have been sexually harassed at work and denied payment after a job is completed.

“I remember when I was working at a [cleaning] firm called X. And... there, there was an owner who looked at me. Like, like interested in me. And... he gave a lot of work. And then. He came and greeted me with flowers, candy and... one day he came to the place where I lived [...] And then “Eh, open the door, I’m here... I decide and I am your boss. And you have to treat me in the way that I want”. And then, I couldn’t do anything, since I was.. still illegal, at that time. And I couldn’t call the police, nothing. I left the job and the money. I didn’t get paid. Nothing. After he acted like that against me. It was, it was... horrible at that time.” *Bolivian domestic worker in Stockholm*

Boundaries between legal statuses are more fluid in Spain compared to Sweden, and temporary residence permits are easily lost if migrants do not hold a job contract when renewal is due (which is a basic requirement together with 3 years’ irregular stay in the country). This is in turn often an arbitrary process that depends much on the good will of employers who may or may not formalize the employment, which is one of the reasons it is important for workers to foster a good relationship with their employer. In practice, this has also lead to a situation where the formal contracts that undocumented workers need to apply for regularization may be signed by employers, but with the condition that the actual social security costs (25,80% of the salary) is passed on to the worker, of which the employer by law is required to cover 21,70% and the employee 4,10% ([http://www.seg-social.es/Internet\\_1/Trabajadores/CotizacionRecaudaci10777/Basesytiposdecotiza36537/index.htm](http://www.seg-social.es/Internet_1/Trabajadores/CotizacionRecaudaci10777/Basesytiposdecotiza36537/index.htm)).

“I had a horrible time. They denied it [the regularization] to me three times. First there was this massive regularization in 2005 and then I didn’t match the requirements because I arrived in 2004. But my boss really liked me and tried to help me, but nothing. And then I started working with another employer who owned a business but they had tax problems, it was in 2008, so when I just had been here for 3 years and could apply... I trusted a lawyer and because of her fault I lost the chance. Then I changed lawyer but the crisis just started, the employer had a debt with the Tax authorities so they denied my application.” *Venezuelan domestic worker, Madrid*

#### **4.2.2. Job profile and tasks**

There are important differences between Sweden and Spain concerning the job tasks in the private domestic/care sector, as well as regarding the tasks performed. These differences reflect the countries' respective institutional structures and causes behind the demand for private care/domestic services. In Sweden, cleaning jobs predominate; the vast majority of our interviewed domestic workers here are hired for cleaning tasks and only one sixth were hired to take care of children. We found no cases where migrants were working exclusively in elderly care, but many were providing cleaning for elderly. In contrast, in Madrid and Barcelona, where care jobs are more widespread, we have found a wider range of job regimes, including one non-existent in Stockholm: the live-ins<sup>8</sup>. 19/60 workers in Spain live with the person they care for. The majority of these (13) are mainly hired to care for elderly, which reflects the widest care gap in Spain. They perform multiple and overlapping tasks, and several are on duty throughout the night. We also found instances where migrants were hired to care for both children and elderly in the same household, though this is not a common situation. Only half of our respondents in Spain were mainly hired for cleaning tasks and one fifth mainly for childcare. This is illustrative of domestic workers in Spain covering existing care gaps, particularly for the elderly.

##### *4.2.2.1. "Over employment" of live-in workers*

The live-ins are domestic workers who live in the same house where they work. The majority of our interviewed live-in workers in Madrid and Barcelona (13 out of 19) are mainly hired to care for elderly, which reflects a major "care gap" in Spain. These workers live at their employers' house and are besides the care tasks also generally required to perform most or the household chores. All of them work more than 40 hours per week when employed; in several cases, they start around 7.30 and finish at bedtime, around 23.30. Several of them are expected to be on duty 24 hours from Monday-Friday or Saturday; some only have a few hours off per week. Some also state that they are expected to fulfil functions as gardener and even English teacher for children within the job agreement, for a monthly salary that generally ranges from 700 to 1000 euro (and includes food and housing).

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<sup>8</sup> There is a special regime for domestic workers hired directly by households in Sweden – "*Lagen om husligt arbete*", which mainly applies to nannies and au-pairs. Union actors state that this profession exists and may be increasing in Sweden, but this sector is largely unknown and assumed to be dominated by informal employment (Johansson and Ingesson, interviews 2014; Williams and Gavanas 2008.)

“I have to do what the lady tells me to. If the child for example has to go to school, I get up at 7.30 to get him ready and take him, and then I may work until 23 if there is much to do. The child eats lunch at home so I prepare that, then I have to take him back to school, then go and get him... Now is a holiday so he does not go to bed until 23.30 and I am working all the time. I clean, cook, take care of the child, take him to his activities, I shop, I do everything. Every day, I am only off work on Sunday mornings.” *Russian live-in worker, Barcelona*

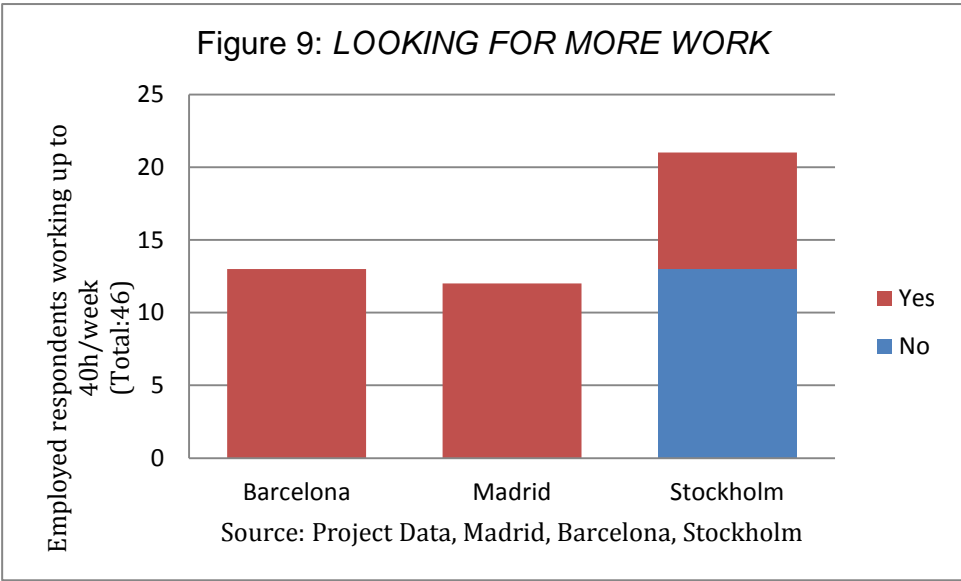
The live-in workers in Spain experience the strongest exploitation in terms of long and demanding work hours among our respondents. The job conditions vary according to the needs and willingness of each employer, which implies a high level of arbitrariness. The psychological effects of this employment regime are often strongly felt; several of them state that they are “not free, depressed, do not have a life”, and can, for instance, not engage in romantic relationships nor have their children living with them. On the other hand, these workers are by far the best off in economic terms and their jobs are less precarious than other groups of workers. Particularly among the older live-in workers, some claim that the relative material security they experience makes up for the lack of “a life of their own”, while many workers who are hired part-time or per hour experience difficulties to make ends meet.

#### ***4.2.3. Underemployment and economic vulnerability***

Having too few work hours to earn a living wage is a situation shared by the majority of all respondents, and generally perceived as a more serious problem than experiences of exploitation and disrespect. With the exception of the live-ins, workers in both Spain and Sweden tended to be underemployed and complained about having too few hours. In Spain, the main reason given for this is the decrease in demand for particularly cleaning services because of the financial crisis; clients prioritize indispensable services as eldercare, and unemployed Spaniards take over domestic chores hitherto performed by migrant workers (Hellgren 2015). In Sweden, the lack of full time employment results from the intense competition in the market and firm practices of using a flexible labour force. A supervisor at Hemfrid (one of the two large domestic services companies present in Sweden), asserts that about 90% of their more than 1,800 employees work half-time, and they have no fulltime employees (Engström, e-mail interview 2015). According to the trade union Kommunal, this is because “people want someone to clean on Thursdays or Fridays or before the holidays, not

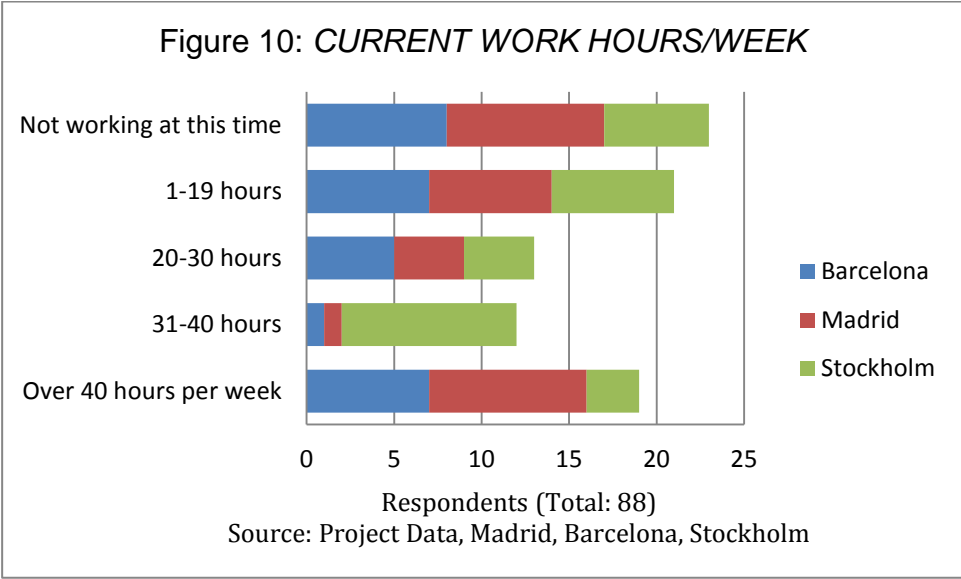
on a Monday or Tuesday” (Johansson, interview 2014). Two thirds of our respondents in Stockholm are employed on an hourly basis; these employments are characterized by their lack of job security and unpredictability in number of work hours. Moreover, our findings show that standard practice in the sector is unpaid transportation time, which is a major concern for our interviewees; it is very time-consuming since the commuting distances between jobs are often long. Work hours are often far from enough, placing particularly workers who depend on this income for their maintenance in a very precarious position (Johansson, Ingesson, Huldt, Engström, interviews 2014).

One measure of underemployment is looking at how many of the workers who are in current employment are in search of more work in the sector. While all those working less than 40 hours/week in Spain state that they are looking for more work, this was only the case for about one third of those in the same situation in Stockholm, which is shown in figure 9 below.



This is also an indicator of how dependent the workers are on incomes from the sector, or if they instead are able to combine work in the sector with other activities (work in other sectors or studies) and thereby improve their capabilities. Dependence on the sector, in turn, is in our study strongly related to the workers’ personal situation: the lack or presence of family support, most significantly a partner contributing to the family income, and having or not minor children living with them are essential factors for the standard of living and scope of alternatives of these migrant women. Thereby, they indirectly influence these workers’ position on the labour market in terms of being able to make choices or forced to accept

virtually any conditions; being able to plan for a better future or focusing mainly on survival on a day to day basis. As figure 10 shows, the workers in Sweden overall work less hours weekly than the Spanish workers. However, the low number of workers looking for more work hours in Sweden also reflects the unpaid time they spend commuting, which means that for many of them, it is not possible to work more hours – as they are in practice already working full time.



**4.2.4. Experiences of exploitation**

Many of the respondents in all three cities have experienced exploitative situations at work, which may take different expressions. A common form of exploitation is unpaid extra work. Several of the workers in our sample who are employed per hour or have part-time arrangements experience the problem of a too heavy workload for the contracted time. 31 of all the interviewed workers assert that they do not have enough time to finish their tasks within the set schedule (which may imply that they are forced to perform unpaid extra work, or lose their employment); of these, the by far largest share is found in Stockholm where 19 out of 30 domestic workers have this experience, which reflects the structural features of the market.

“I didn’t manage to finish in four hours, and I always used to think: “Are they, in fact, going to pay me the extra time? Maybe they will think I lazed and I am doing it on purpose”...And sometimes they would pay me for the extra time, they would admit

that I had worked four hours and a half...But sometimes they wouldn't, and I didn't dare tell them... It was up to me but I didn't tell them and no...it was not ok...for me.” *Romanian domestic worker, Stockholm*

“They pay for 3 hours but then they want you to stay and do things... she wants me to cook for her but she will not pay for that. She says that as we are friends... sometimes she gives me a sweater or something.” *Moroccan domestic worker, Barcelona*

When asking questions about self-perceived exploitation, one must bear in mind that the experienced exploitation may not be equal to an “objective” definition of exploitation. It may also be related to the expectations of the workers and the general context; what one perceives as reasonable to expect. In Sweden, the labour rights are traditionally strong, and workers may be shocked to find themselves in exploitative situations when they expected something better. “I didn't think that this kind of jobs existed in Sweden”, as an Eritrean domestic worker in Stockholm says. A Polish domestic worker in Stockholm was outraged by the treatment of an employer whose vacuum cleaner was broken:

“The worst situation was when I had to clean the floor on my knees, but I did it. If I would know it in advance [...] She walked close behind me and pointed with the finger what I should do. I have my experience... and because I have the experience in the cleaning service I do not let anybody treat me like this. I know I do not have problems finding a new job. I just did not want to see that woman afterwards.” *Polish domestic worker in Stockholm*

In Spain, workers' position on the labour market is generally weaker, and exploitation is widespread in many sectors. A certain normalization of exploitation is common among our respondents. For instance, a Paraguayan care worker would not complain though she had to shower the elderly person she cared for despite of having a broken leg, “she did not trust the other girl they sent”. A Honduran worker would not ask the client to pay for the extra hours she works when the child she cares for is sick, as “they are so good people, they treat me like family”.

There are good and bad firms in Sweden and good and bad employers Spain. In the latter there is more room for exploitation where the individual household sets the terms. Of course,



where the professional contact is generally established directly between the workers and the household, a good relationship may be fostered that increases workers' wellbeing; some respondents describe their employers as "like family", and feel that they can rely on them for help with practical matters. However, the high degree of informality and personal relations with the employer also results in arbitrariness, in that employers' set the conditions and may pick workers according to their taste and preferences, particularly in current times of high unemployment.

#### ***4.2.5. Stratification within the market: client preferences and ethnic stereotypes***

Individual factors including language skills, age, and ethnic hierarchies play a role in the employment situation. Results from a buyer survey in Sweden shows that clients prefer to buy cleaning services from Swedes, followed by other Europeans and a hierarchy of mostly non-Europeans at the end of the spectrum (Fahlén et al. forthcoming). The findings are supported by the observations made by workers in Stockholm, among which the Polish claim to have a reputation for being the best cleaners and that "when they [clients] hear that there is a Pole in the team, they are more eager to cooperate [with the firm]". Several workers state that Swedes get better working conditions than migrants – they get paid more and face lower demands from the firms. Moreover, being proficient in Swedish was a determining factor for gaining access to employment in larger firms, which were at the top of the job market pyramid in the sector, with union coverage and benefits. Those without language skills have few options and less bargaining power, as this account by a Polish immigrant suggests.

"My friends who do not speak Swedish nor English; they cannot work in the company where I'm working. You have to be able to communicate. I have some friends that are working in Polish companies, but I know that they are forced to do more extra work than I do. Sometimes the client asks me to do something extra and I do it. But if it is a bigger job, then everything has to go via the company. I know that the girls who don't know any other language have no choice but to work for Polish companies. I am not saying that all Polish companies are the same. Still, I know that some of those working for them have to lift things or use ladders. For me, I see this kind of work as dangerous work." *Polish domestic worker, Stockholm*

In Spain, a vast majority of the migrant workers are proficient in Spanish, however, individual characteristics apparently matter more in the private market for care/domestic workers than in Sweden. Many of our interviewees believe that clients' ethnic stereotypes and perceptions on their country of origin are central for their "employability." Preferences involving physical appearance, skin colour, beauty or youth are part of the job profile. Several of our respondents state that the ideal employee in the sector is good-looking, fair-skinned and "sophisticated", with a high educational level and (particularly English) language skills. The latter is apparently most relevant when the job tasks include childminding (helping with homework, contacts with schools, etc.).

Bolivians and Romanians are overall the nationalities who have experienced most disrespect and negative attitudes that they relate to their ethnicity. In Spain, several respondents speak of clients preferring to hire young, blond, well educated girls; "looking Spanish" or European is perceived as an advantage, while several unemployed Latin American respondents with "indigenous" appearance think that clients don't like the way they look. There are also more testimonies of mistreatment at work among this ethnic group. The workers' wellbeing and position on the labour market is thus also affected by how high their individual characteristics are valued by clients, which as we have seen is more strongly felt in Spain compared to Sweden.

#### **4.3. Migrant domestic workers' scope of alternatives and future perspectives**

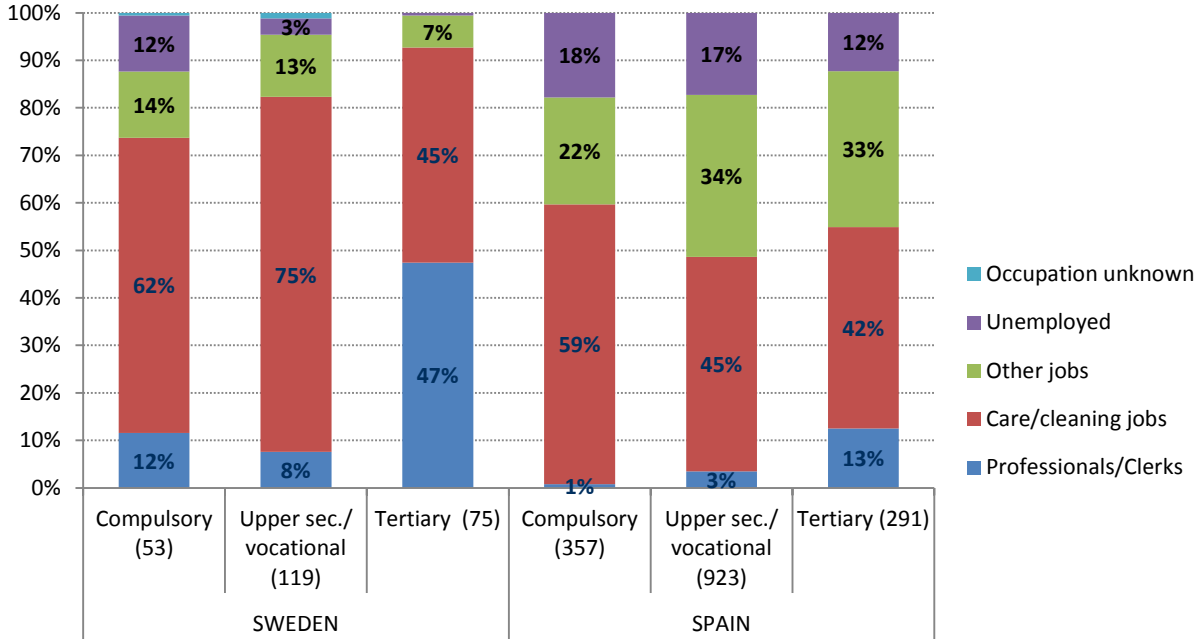
For most of our respondents, leaving the sector was considered to be a path to better quality of life and wellbeing. Here we see differences in the institutional contexts when considering the capabilities to leave the sector.

The female migrant care/domestic workers in our sample were not a pool of unskilled migrant labour in the supply chain for care/domestic work (Ehrenreich Hochschild 2003). The majority of the interviewed workers in all three cities have secondary or tertiary education (Fahlén and Sanchez 2015). The interviewed women in our three cities represent a diverse group with varied employment backgrounds in their country of origin. Some had been teachers or business owners; others technicians, factory workers or shop assistants. A few worked in hospitals. However their credentials were not recognized, reflecting the devaluation of education received in their country of origin and the deskilling of the migrant labour force

across Europe; Spain and Sweden were positioned second and third in OECD comparative data considering over-qualification of immigrants for their employment (OECD, 2008; p. 139)

Though our data does not allow us to see how many workers in the sector are able to leave the sector, two national surveys, one conducted in 2011 in Sweden (UFB) and one in Spain (NIS) in 2008, can shed some light on this<sup>9</sup>. The Spanish data was collected just before the crisis; also the occupational codes did not distinguish between private and public care/domestic work so they probably overestimate the numbers who were able to find jobs in other sectors. Based on findings that looked at those whose first job was in the care/domestic sector, the data showed that a high proportion of those who began working in the sector were still working there at the time of the survey: 46% in Spain and 48% in Sweden (many more in Spain were unemployed at the time of the survey).

Figure 11: Education and Occupational outcomes of Migrant care/domestic workers (first job in sector at arrival versus current job).\*



Source: Spanish (CIS) and Swedish UFB national surveys.  
 \*Data was obtained from Fahlén and Sanchez

It is noteworthy that even those with high education tended to remain in the care/domestic sector. Only 13% in Spain of those with tertiary education found jobs in clerical and

<sup>9</sup> These findings were generously provided by researcher Susanne Fahlén, in another collaborative project in which we are involved: Do Welfare Regimes Matter. Care and Migration in two Institutional Contexts, funded by the Riksbankens Jubileumsfond.

professional work. In Sweden, among those who had a tertiary education, 47% whose first job was in care/domestic had found clerical/professional work. However these were most likely to have attained their highest degree in Sweden. The data in the two surveys suggest that the difference between Spain and Sweden in this regard is due to fact that the migrants in Sweden were able to attain more skills and education. This reflects the free education and study grants available, and thus constitutes an example of how institutional contexts do matter for the capabilities of migrant workers.

Our qualitative data also suggests that the migrant domestic/care workers in Sweden in their perceptions of possibilities for alternative futures have greater capabilities, expressed in their plans and strategies for the future.

“For 8 hours, I make 600 [kronor]. In a month, 3000 [kronor]. Approximately. As a babysitter. As an extra income, I manage, otherwise I live from the student grants.”

*Thai domestic worker, Stockholm*

“I want to be more fluent in Swedish and study to be a nurse here in Sweden. [...]

There is work here and I can educate myself here, so I think I will stay here”. *Polish domestic worker, Stockholm*

“I don’t know what to choose between studies and work. If I will be offered employment, and it will be something certain, a stable employment, with a contract, I don’t think I would go on for so long with my studies. If I won’t be able to find a job, than I will continue with my studies... economics or management, something like that.[...] I wish to buy my own house in Romania. To save money here and buy a small house in my home country.” *Romanian domestic worker, Stockholm*

In Spain, contrastingly, higher studies are comparably expensive. Few of the respondents in Spain perceive possibilities for leaving the sector or making plans for the future to study and upgrade their skills. Their main concern is finding enough work in the sector to get by and fulfil their obligations to send remittances. Many who came to Spain during the economic boom years have had their plans stymied with the economic crisis. Their accounts reflect their lack of options for the future.

“I always wanted to become a nurse but my parents couldn’t pay for my studies and they forced me to become a seamstress [she describes the exploitative conditions in a Romanian textile factory that made her emigrate to Spain]. It ruined my life, I don’t know what to do now. I make 35 Euro per week [...] I cannot save anything.”

*Romanian domestic worker, Barcelona*

“I want to improve my situation but I don’t know how. I cannot study, I always have to work. I have thought about looking for a job in a supermarket or something like that, but for that you need professional training, and experience too. I used to consider becoming a taxi driver, I have had a driver’s license for 20 years and I like driving. But the problem is that after passing the text for taxi drivers, which I did and was approved, you have to take classes at a driving school and you have to pay for that, so I left it.” *Moroccan domestic worker, Barcelona*

“The future looks so bad, I cannot live from what I make now and I look for more hours, I can just hope that I’ll find some. I want to combine the hours I have with a job in the afternoon but that is another problem, the schedules have to match for me to be able to accept more hours. My plans are to study to become a hairdresser or informatics if I’ll have the money or find a free course. [...] Money is a problem, the courses are expensive, the basic hairdresser’s course costs 150 Euros and it is very basic”. *Bolivian domestic worker in Barcelona*

These examples above reflect a general pattern throughout the interviews; that migrant domestic workers in Sweden to a larger extent tend to be “on their way” to other sectors, most importantly using the access to higher studies (which are free of charge and with the right to a student grant and a complementary student loan to cover living costs) as a means to gain greater social mobility. However, regardless of how advantageous the Swedish institutional context is for social mobility, the opportunities for making use of it are limited by the conditions under which most migrant care/domestic workers work. Mastering the Swedish language is often a precondition for the ability to study, leave the sector or even for mobility within the sector outside ones’ co-ethnic network. Long work hours, including several unpaid

hours spent on commuting, leaves little time for taking Swedish classes<sup>10</sup> for those who cannot work less and rely on support from a partner. In addition, the job in itself offers little opportunity to practice the language, as clients are rarely at home while their house is being cleaned.

#### ***4.3.1. Effects of the crisis on migrants in Spain***

When considering differences in capabilities between migrant care/domestic workers in Spain and Sweden, one cannot ignore the deeper impact of the global financial crisis in Spain that has affected the markets for private care/domestic services and the migrants who are dependent upon jobs in the sector. The crisis has led to a worsening in conditions in the care/domestic sector, particularly for migrants, further weakening their capabilities for making any claims to improve their situation or leave the sector.

“It is difficult to find any job at all. I really notice the crisis here in Spain, nobody has any money. If they used to ask you to come and clean twice a week, now they say “you only need to come one day”. Also people with higher incomes notice that things are worse. They save wherever they can, either they clean the house themselves or they save all the dirt for when I go there.” *Dominican domestic worker in Barcelona*

”Why should I ask for more when I know they wouldn’t give it to me? You can ask for 700 or 800 [euro per month] and they would say ’no thank you very much, you can come back another day...” *Bolivian live-in worker in Madrid*

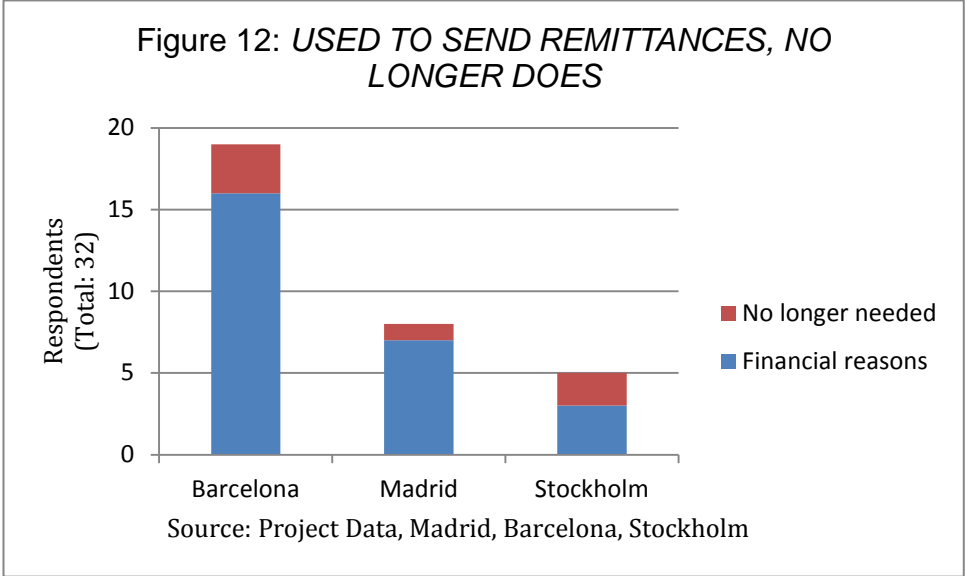
“They insult me, despise me. They say things... it did not use to happen, but now with the crisis they complain a lot and think that they pay too much. They threaten me that they will find someone to do the same job for half the pay. What can I do, I cry... I cannot answer, of course. If I would lose this job it would be very hard for me to find another one.” *Ukrainian domestic worker in Barcelona*

In Spain, demand for domestic services has been decreasing, unemployment among workers increases, and the priorities of organizations representing domestic workers has shifted from

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<sup>10</sup> Studying Swedish at Swedish for Immigrants (SFI) does not entitle to student grants or loans. It is however free of charge ([www.csn.se](http://www.csn.se)).

claims-making for rights to a focus on job search (Hellgren 2015). Unemployment in Spain is high across sectors, at present reaching 23,8 % for the whole population, and 36,5 % among immigrants (ine.es, June 2015). The lack of jobs is most striking in the sectors that attracted migrant labour during the years of growth. Spanish authorities describe the situation for many unemployed migrants as desperate (Bosch, Rendón, Rodríguez, Martí, interviews 2014).



The typical female migrant who works in the private care/domestic services sector in Spain migrated alone for economic motives, and the need for remittances is often the primary reason for migration. Currently, the effects of the financial crisis, leading to significantly lowered earnings among large numbers of migrant domestic workers, partly undermine the purpose of their migration projects. In our study we find that though a vast majority used to send monthly remittances to their families in origin, much fewer are able to send remittances at present as they are worse off economically than they used to be (see Figure 12 above). Consequences are transnational: insufficient earnings in the country of immigration makes it difficult to pay for school fees, medicines and other necessities in the country of origin. This creates a pressure on the individual migrant, who often feels that she cannot return “with her hands empty”, but also has to confront the fact that her sacrifice (not having seen her children grow up, for instance) is useless as she has not been able to save any money.

“With this crisis everything looks terrible. We don’t know what will happen, nobody can make any plans right now. My mistake was not saving anything, but we were many siblings and I had a child, I couldn’t. But I don’t think about going back now

[...] If I go back to my country, I have nothing, no house nor anything.” *Ecuadorian (unemployed) domestic worker in Barcelona*

“In Bolivia, you make too little money even if you have a university degree, only to eat, you have to leave to give a better life to the family who stays. If my son can study with the money I send my sacrifice will have been worth something. When I made 700 Euro [per month] I used to send about 300, but now I cannot send anything.” *Bolivian (unemployed) domestic worker in Barcelona*

## **5. Concluding remarks**

Migrants in the care/domestic sector are a diverse group. They have different life situations, reasons for migrating and expectations from family in their country of origin for remittances; they may be exclusively dependent on their own earnings for subsistence or have support from partners and other networks. Many of them move from countries in the Global South and Eastern Europe because of lack of job opportunities, insufficient incomes, and remittances being the only viable option to improve the family’s life conditions; some are refugees. Under these circumstances, “wellbeing” may come to be interpreted in terms of basic survival; making ends meet, having a job, a bed and enough food to eat, being able to send money back home to pay for healthcare, houses and schooling for children left in origin. Individual wellbeing in terms of life quality becomes a luxury for these female migrants, and is procrastinated, left for an uncertain future. The focus on getting by day by day turns into a state of prolonged temporariness; several of our respondents define their life situation as “on stand-by”. This perception is however, as we have seen above, far more common in Spain than in Sweden, where the institutional context offers more possibilities to improve their life situation. What migrant care/domestic workers in Sweden and Spain do have in common is that they work in a sector that is characterized by precarious employment; low wages, insecure work and exploitation.

### **5.1. A summary of our cases: differences and similarities**

Comparing our two cases with different institutional contexts along the dimensions in the triad of regimes, welfare/care, migration and employment regimes, we would have expected greater differences. Given that firms are the main employer in Sweden and households in



Spain, we imagined that these differences should have a greater effect on conditions of work in the sector. Migrant care/domestic workers in both Spain and Sweden, nevertheless, had weak capabilities to make claims against the poor quality of jobs and exploitative conditions in the sector, including underpayment, underemployment and borderless work.

From the perspective of capabilities, having a formal work contract should have a strong impact on individual wellbeing and the scope of alternatives. Beginning with the assumption in the literature on migration and care/domestic work that formalizing the employment contract will result in better working conditions in the sector, our results suggest that this is not always the case. In Sweden, firms now dominate the sector with the passage of the tax subsidy (RUT), for which the main purpose was to formalize the sector. Yet the practices show that a formal contract in the official register does not always translate into formal work for the migrant. Smaller firms who are most common in the sector are difficult to regulate. Even within the same firm, we found cases in which migrants were working both formally and informally. Still most Swedes prefer to hire formal domestic/care workers and most likely the informality in the sector is more common in Spain (Fahlén et al forthcoming). Having a formal contract, and even working in a reputable firm, did however not ensure a living wage, decent working conditions or overcome the precariousness that is pervasive in the sector.

In Spain, with the household as the employer, the enforcement of the recent legislation to formalize the sector faces resistance. It has not transformed the persistent informality in the sector. A new rule offering the possibility to grant residence permits to undocumented workers who denounce their employer for hiring illegally –which leads to a considerable fine—have made many clients reluctant to take this risk (Hermana Encarna, interview 2013). However, the legal action would be cutting off the hand of the one who feeds you—that is, the migrant worker would lose her job, a precious commodity in times of high unemployment. Moreover, a formal contract in Spain, where the employee and not the employer is responsible for social costs, can depress even further the low wages in the sector. This is the situation for the vast majority who work less than 60 hours a month for the same employer (over 80 % of the Spanish households who hire a care/domestic worker do so for 10 hours per week or less (INE 2012)). Under-reporting is a strategy for employers with full time help to avoid paying social costs. Since migrants are dependent on having a contract to maintain their regular status, the families who hire them are in a stronger position to dictate conditions.

Our model based on theoretical assumptions in capabilities (Sen 1992) places institutional factors at its core. However, when considering migrants working in the sector, individual factors often played an overriding role for their wellbeing and scope of alternatives: whether one had a partner made the difference for migrants to be able to live on their incomes in Sweden, where welfare state institutions are supposed to weaken the effect of individual resources. From our respondents we learned that ethnic stereotypes had an influence on types of jobs available to them and their employability, though in Spain employer preferences were more transparent and overtly discriminatory. With the financial crisis and high unemployment, there are indications that more Spanish women may be returning to the sector, which would result in fewer jobs for migrants (Hellgren 2015).

Human capital (education), a resource that is expected to enhance capabilities in advanced capitalist societies, had almost no effect on being able to leave the sector in Spain, and in Sweden, only for migrants who had upgraded their education in Swedish institutions. Here institutional differences were salient when considering costs and benefits for higher education.

Some of the within country differences we found reflected differences in the institutional contexts; migrant status was the most significant. Undocumented migrants have weaker capabilities than those with residence permits in both countries since they risk being able to remain in the country. In Spain, differences in legal statuses can affect bargaining position of migrants in wages and working conditions, but do not have the strong impact on the capabilities and wellbeing of migrants that they do in Sweden. In Sweden, the undocumented non EU migrants work in an underground economy and have the worst conditions. The sanctions against irregular migrants in Sweden can be understood in terms of the interlocking of the migration and welfare regimes; welfare states with generous universal benefits have strict governance over who has the right to enter a country and under what conditions (e.g. Faist 1995).

Other explanations to the precariousness in the sector can be found in market related factors. One of the two major companies offering domestic services in Sweden views the problem of low wages in terms of clients not being willing to pay higher costs, which they claim would allow for higher salaries (Engström, interview 2014). However it is important to keep in mind that these companies keep a large share of the profits beyond the subsidy for the social costs.

The prices clients pay for private care/domestic services are significantly higher in Sweden than in Spain, but workers do not earn much more money. Moreover, in both societies the clients' demand is not for full time services and often is for occasional hours. This stands in the way of the formation of a stable, full-time employment with decent salaries in the sector in both Sweden and Spain (Hellgren 2015, Hobson et al 2015).

A crucial difference between the two countries can be seen in the deep impact of the global financial crisis on the Spanish economy. Its effects on capabilities of migrants working in Spain are revealed in their own accounts of vulnerability and anguish. At the institutional level, immigration policies in Spain increasingly focus on encouraging voluntary return, as “there is no need for further immigration but we cannot oblige people to leave” (Bosch, interview 2014). Authorities have created programs to assist this process, but return is not an option for many migrant workers despite the hardship they encounter in Spain as few have much to return to. An official at the Barcelona municipal immigration office maintains: “no matter how bad things are here, things are often even worse in their country of origin”, and that immigrants, “just as many others”, at present are focused on surviving day by day (Rodríguez, interview 2014).

## **5.2. Policy implications**

Private markets for care/domestic work are becoming more salient for resolving the care deficit in families where women's labour force is important for the family economy and for the sustainability of welfare states. These markets are also responding to the time deficit placed on dual earner families in order to manage work/life balance in our era of increasing work demands. The expansion in private markets for care/domestic services in Sweden represents a challenge to the universalistic framework in policies, as well as the egalitarian ideology and solidarity in the Nordic model, in that tax subsidies for these services represent a redistribution of resources upward to households with more resources (Fahlén et al. forthcoming). Public services are still fairly extensive in Nordic countries, particularly for childcare, but the prognosis for the public sector meeting all care needs for the elderly suggests that these markets may not be complementary services (Björnberg 2011).

Private markets have offered a solution for traditional male breadwinner societies, such as Austria and Germany, but with social costs, producing a greater polarization between good

and bad jobs (Shire 2015). In many countries without public care or payments for outsourced care for the elderly, for instance Spain, the private market cannot begin to fill the care gap. The costs for these services are beyond the means of most families. Hence the burden is placed on the family, mainly women, who have to leave employment to care for elderly parents. The expansion in private markets has opened up a widening gap in capabilities between those who can afford to buy services and those who cannot; and those who perform services, largely migrants, have the weakest capabilities.

Can we imagine policies that would lead to decent working conditions in the sector? Our study raises doubts about whether the sector can be regulated (and whether regulation per se implies decent working conditions). Migrant care workers are viewed as the archetype of the precariat (Hobson and Bede 2015). The ILO has formulated a specific directive in which migrant care/domestic workers are targeted as a special group of vulnerable workers because they are employed in households rather than workplaces, and often isolated (ILO 2013). Creating good jobs that include employment benefits and better wages and conditions would involve raising government subsidies or higher costs for households.<sup>11</sup> For many countries in Europe the former is not feasible and the latter would undercut the affordability for middle class families. Even where the sector is highly subsidized, in which firms are the employers and many of the workers are under collective agreements, which is the case in Sweden, regulations on working conditions are difficult to enforce. Sometimes the plight of migrant domestic workers has been exposed in the media or through NGOs and other stakeholders, but little is done in practice. In both countries, migrants in the sector lack a voice in unions or the political arena (Hellgren 2015).

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<sup>11</sup> Data from our recent buyers' survey show that most Swedish families would not use these services if the RUT was not an option. The unions have echoed this (Hellgren 2015)

## 6. References

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## **6.2. Stakeholder interviews**

### **6.2.1. Spain**

Bosch, Xavier, Head of immigration secretariat, Generalitat de Catalonia, March 2014

García, Magda, Investigator at the immigration secretariat, Generalitat de Catalonia, March 2014

Hermana Encarna, nun in Barcelona and responsible for a centre that helps families looking for a domestic worker and unemployed domestic workers establish contacts, June 2013.

Martí, Mamen, head of the NGO for domestic workers Latinas sin Fronteras, October 2013.

Moreno, Pedro, head of the Job search agency/NGO for domestic workers Anem Per Feina, Barcelona, October 2013.

Pulido, Guadalupe, head of the Anti-discrimination office in Barcelona, October 2014.

Recio Ortega, Mireia, administrative at the Spanish employers' association Foment de Treball Nacional, e-mail interview September 2014.

Rendón, Gloria, Head of SAIER, Barcelona city office for immigrant assistance, February 2014

Rodríguez, Lola, Head of 3 units at Barcelona's Immigration Department (municipal level), March 2014.

Saliba, Ghassan, immigration secretary at CCOO (Comisiones obreras), March 2013.

Serra, Marc, responsible of reception of/service to newly arrived immigrants in the district Sarrià-Gràcia-St Gervasi, Barcelona, March 2014.

### **6.2.2. Sweden**

Engström, Fia, Superior at Hemfrid, one of the 2 main Swedish domestic services firms, October 2014 and e-mail interview in May 2015.

Hart Carpenter, Birgitta, head of the integration unit at Stockholms landsting (the county), September 2014.

Huldt, Johan, specialist on the domestic sector at the Swedish employer's association, Almega, September 2014.

Ingesson, Thord, migration expert at the trade union LO, 2014

Johansson, Lars-Sture, ombudsman at the Swedish trade union Kommunal, June 2014.

Khan, Zakia, representative of InterFem, a Swedish organization representing immigrant women in professional life, March 2014.

Mijatovic, Milinko, head of SIOS, the Swedish cooperation group for ethnic associations, September 2014.

Pettersson, Annelie, representative of the Swedish trade union Fastighetsanställdas förbund, affiliating cleaners in Sweden, March 2014.

Sandberg, Bengt, Head of the Union centre for undocumented migrants in Stockholm, March 2014.

## 7. Appendixes

### 7.1. Appendix 1: Figures

Figure 7.1.1: The evolution of care and cleaning jobs and international migration in Spain (%), source: LFS and Municipal register,, provided by Maria Sánchez-Domínguez

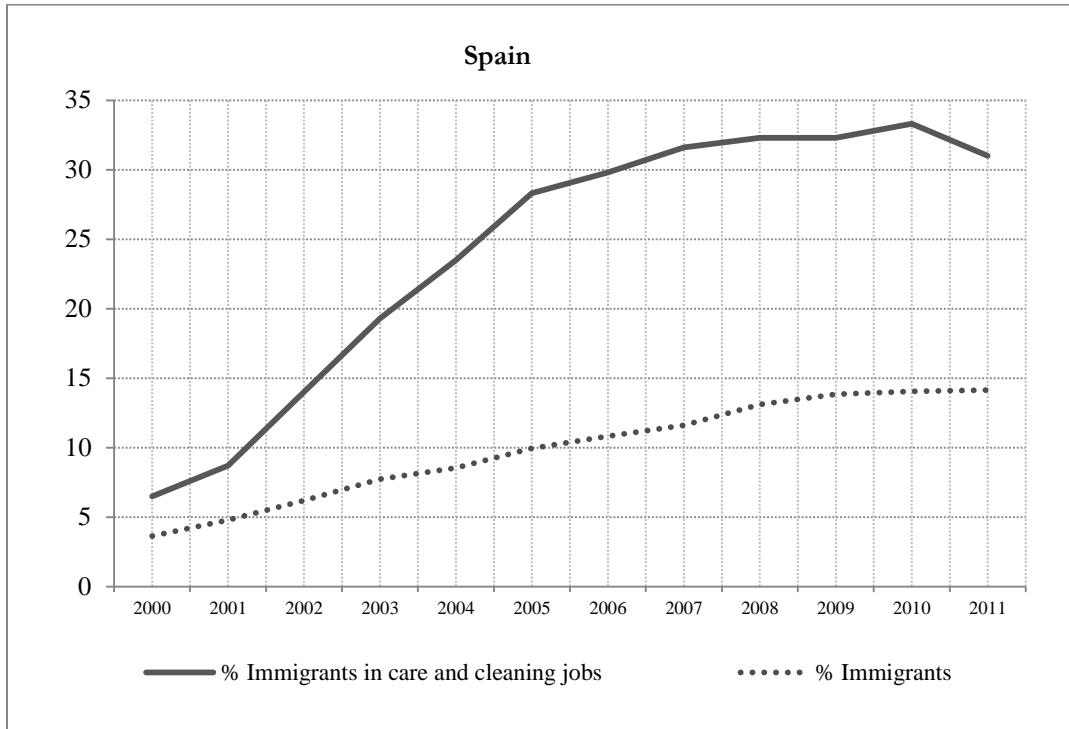


Figure 7.1.2: The evolution of care and cleaning jobs and international migration in Sweden (%), source: SCB, provided by Susanne Fahlén

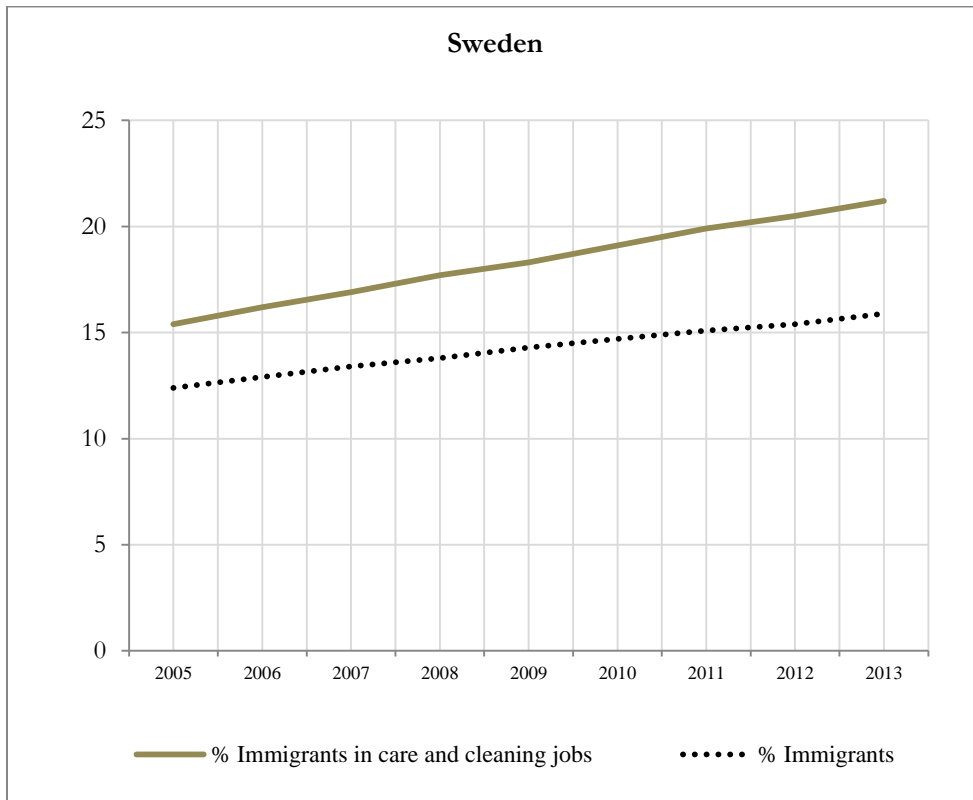


Figure 7.1.3: Proportion of native born and immigrants in the sector in Sweden, source: SCB Occupation register, provided by Susanne Fahlén

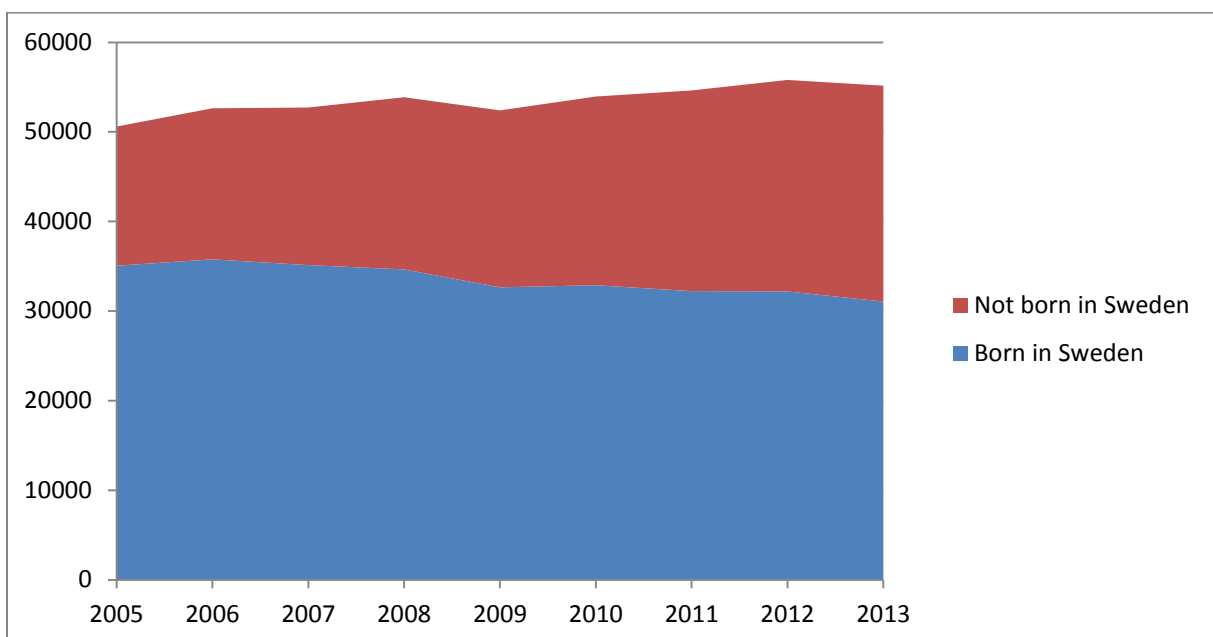
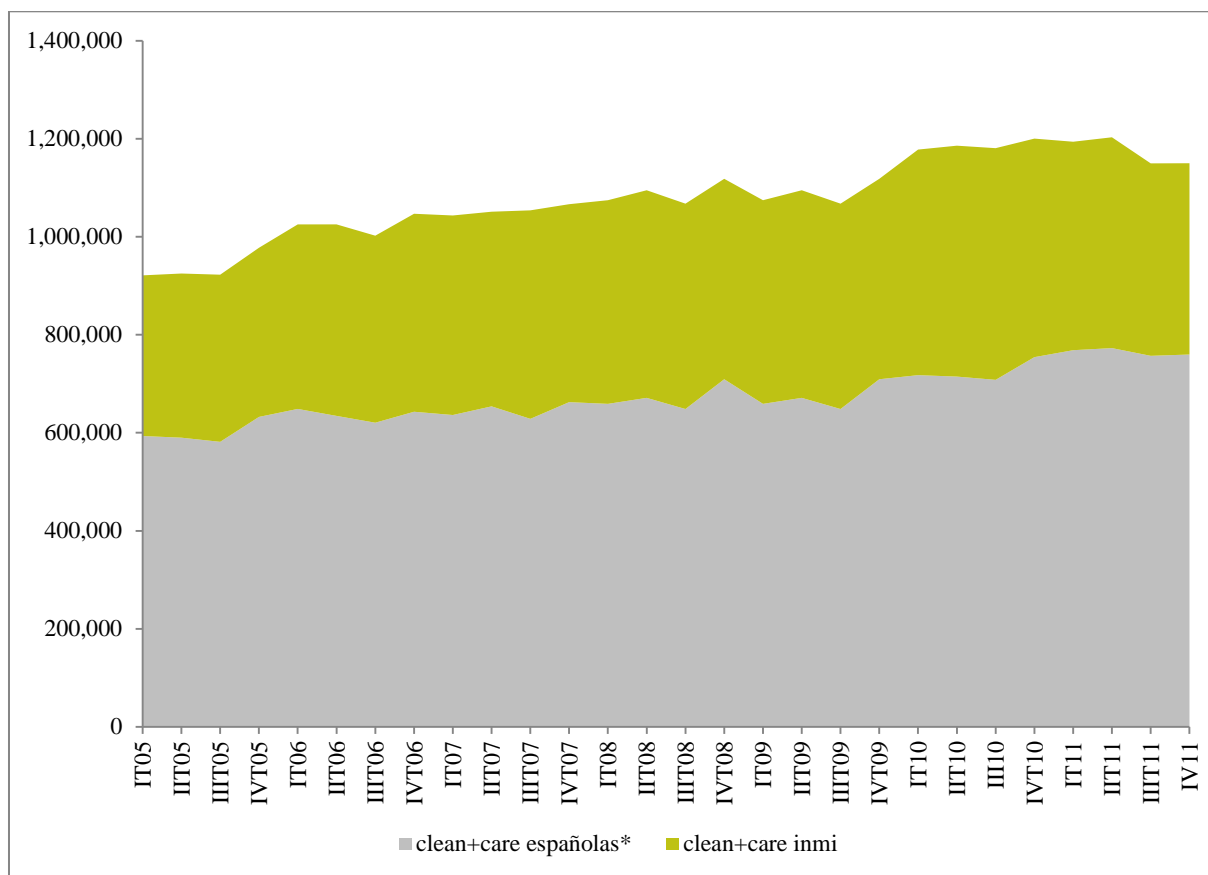


Figure 7.1.4: Proportion of nationals and immigrants in the sector in Spain, 2005-2011, source: LFS survey, provided by Maria Sánchez Domínguez.



Note: \* Spanish (clean+care españolas) includes women with dual nationality (Spanish and other). Clean+care inmi means foreign women in care and clean jobs

## 7.2. Appendix 2: Regime tables

### 7.3.1 Care Regimes

Childcare <sup>12</sup>	Sweden	Spain
Publically subsidized/financed daycare /pre-school (age 1-6)	Universal right from age one. Enrolment rate: 84%. Income adjusted fee with a maximum rate.	Limited access age 1-3. Universal right from age 3. Enrolment rate before age 3: total 48%, 31,6% in public pre-schools. From age 3: total 95,2%, 68% in public pre-schools. In public institutions, cost approx. 250-300 Euro/month up to age 3 then tuition free.
Financial aid for child care	Universal payment of min. 1050 SEK/month per child until the age of 16. Sum/child increases per additional child.	Subsidy of 100 Euro/month for working mothers with children under age three.
Publically subsidized/financed open after-school centres (age 6-9)	Universal right. Enrolment rate: 83%. Fees vary across municipalities; usually an income adjusted maximum rate is applied.	
Publically subsidized/financed open after-school centres (age 10-13)	Universal right. Enrolment rate: 21%. Tuition free.	
Elderly Care <sup>13</sup>		
Public provision of nursery homes for elderly/dependant with 24-hour assistance	Universal needs-tested right. Usage rate: 5% among age 65+. Means-tested fee, maximum rate applied.	Limited access. Usage rate: 3,3% among elderly. About 1000 Euro/month in a public home (regional variations are large).
Publically subsidized/financed home based domestic/care services	Universal needs-tested right. Domestic and care services. Usage rate: 12% among age 65+. Means-tested fee.	Regional variations, needs-tested. Domestic services. <sup>14</sup>
Financial aid for care of elderly/dependent in the home	Variation across municipalities, some offer grants for kin caregivers.	Subsidies for families providing care. <sup>15</sup>
Public provision of daycare centres for elderly/dependent	Needs-tested provision. Cost varies across municipalities.	Regional variation. Approx. min. cost 600 Euro/month.

<sup>12</sup> Sweden: <http://www.skolverket.se/skolformer>; <http://www.skolverket.se/statistik-och-utvardering>; [http://www.riksdagen.se/sv/Dokument-Lagar/Lagar/Svenskforfattningssamling/Skollag-2010800\\_sfs-2010-800/?bet=2010:800#K8](http://www.riksdagen.se/sv/Dokument-Lagar/Lagar/Svenskforfattningssamling/Skollag-2010800_sfs-2010-800/?bet=2010:800#K8)

Spain: [http://www.educacio.novaciutadania.bcn.cat/es/-qu%20C3%A9-dice-la-ley\\_-1026](http://www.educacio.novaciutadania.bcn.cat/es/-qu%20C3%A9-dice-la-ley_-1026)

<sup>13</sup> Sweden: Socialstyrelsen.se; Official Statistics of Sweden. "Elderly and persons with impairments - management form, 2014 Some municipal services according to the Social Services Act", available at <http://www.socialstyrelsen.se/Lists/Artikelkatalog/Attachments/19759/2015-3-8.pdf>

Information about day centers and financial aid for care of elderly/dependent in the home can be found on the websites of different municipalities, Stockholm: <http://www.stockholm.se/-/Jamfor/?enhetsstyp=9029317a2bb34fbbba9eafdf94f6fe9&slumpfro=1572969905>;

<http://www.stockholm.se/FamiljOmsorg/funktionsnedsattning/Boende-och-stod-i-hemmet/Hemtjanst-och-hemvardsbidrag/>  
Spain: <https://envejecimientoenred.wordpress.com/2013/05/16/una-de-cada-cinco-plazas-en-residencias-de-mayores-esta-vacante/>; [http://revista.consumer.es/web/es/20090401/actualidad/tema\\_de\\_portada](http://revista.consumer.es/web/es/20090401/actualidad/tema_de_portada);

<sup>14</sup> The usage rate for domestic/private care services is not given for age in the large report on users performed by Statistics Spain, just for the Spanish population in total: 14,4% of Spanish households use domestic services (in 2009; no later report available), 80% of these use someone for 10 hours per week or less. 10% of these buy care services for elderly or adult dependants, and 6,6% for children (vast majority only buy cleaning and housekeeping services, as in Sweden). 3,8 % of domestic workers sleep in the household where they work, that is, are live-ins. There is no information on how many elderly buy cleaning services but, thus, less than 10% of service in the sector are care services for elderly (INE report 03/2012: *Hogares y servicio dom3stico*, downloaded from [ine.es](http://ine.es))

<sup>15</sup> The Dependency law has apparently not worked well in practice. The subsidies were insufficient and hard to actually get due to bureaucratic obstacles. Currently, the future of the subsidy is uncertain and under debate because of the crisis (Hellgren 2015).

<b>Migration regime</b>	<b>Sweden</b>	<b>Spain</b>
Rules for non-EU labour immigration	Legal labour immigration is admitted upon request from employers, who issue a confirmation of a job contract after approval from unions that salaries and conditions match Swedish collective agreement levels (Pettersson, interview 2014).	Legal labour immigration is admitted according to annual quotas per sector, determined after negotiations between employer, union and governmental actors. Currently there is virtually no legal labour immigration admitted to Spain (Bosch, interview 2014).
Refugees (quotas/asylum)	81 180 applicants in 2014, 77% approved (with different protection levels) (Eurostat 2015)	5 615 applicants in 2014, 44% approved (with different protection levels) (Eurostat 2015)
Amnesties (mass regularizations) for undocumented migrants	Not applied as policy measure (one exception being the extraordinary refugee amnesty granted in 2006 after massive grassroots mobilizations).	Mass regularizations, which sometimes have been referred to as amnesties, have been carried through six times between 1986 and 2005. No new ones programmed.
Regularization of undocumented migrants	Not possible to regularize the migrant status after having entered illegally or staid without valid documentation.	Temporary residence/work permit granted after 3 years irregular stay (confirmed through registration in municipal register, <i>padrón municipal</i> ) and a valid job contract of at least 6 months.
Temporary/permanent residence/work permit renovations	24 months permit, renewable for 5 years. After 7 years, permanent residence permit may be granted (migrationsverket.se)	1 year permit granted renewable for 2 years, and then another 2-year permit. After 5 years, permanent residence permit may be granted. Different rules however apply for some Latin American citizens with easier access to Spanish nationality.