CASE STUDIES IN WOMEN'S EMPOWERMENT

A Story from the European Union

Filipina migrant domestic workers fighting for their rights in the Netherlands

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Fe's story

I was always in the mountains,' explains Fe Jusay, co-founder and programmme director of the Amsterdam-based Commission for Filipino Migrant Workers (CFMW). The 58-year-old is referring to her 13-year career as a rural elementary school teacher in her home province of Lanao del Norte in Mindanao. From the moment she received her Bachelor of Science in elementary education, Fe went to work, believing that vocational diligence would be a way out of the poverty she and her family had long lived with. But the 28-kilometre commute to work on foot proved unprofitable, especially after Fe married and her daughter was born. By then, the weekly roundtrip had become daily, since Fe needed to breastfeed her child, whom she had left in her mother's care. When, after a year of marriage, her husband, a soldier, was killed by the military, and the sexual harassment she experienced at the school worsened since she was now a widow, Fe decided it was time she descended the mountain.

Her next job as an internal revenue agent was no better. In the office setting, Fe found herself the victim of more sexual harassment, an attempted rape, and the realization that 'even if you are professional you still become poor'. Meanwhile, Fe's political activism was taking root. She joined a church human rights group, attended seminars, participated in demonstrations, and started to ask: 'What is really happening in the Philippines?' 'Why can't they implement what they promise?' Before long Fe knew she had to leave—not just home, but her home country. It was the height of Philippine militarization, and she had been accused of being a communist, taken to a camp for five hours of interrogation, released and later, after spending two months in Manila, told by her sisters, 'You'd better not come back because they found subversive documents in your office.'

By November 1984, Fe had reached the ultimate in lowlands, arriving in the Netherlands on a tourist visa. Five months later, her 10-year-old daughter was escorted to the Netherlands by a Dutch couple. Although it was never part of the plan, mother and child remained in the country as asylum seekers. While her daughter attended school, Fe did volunteer work and earned nine guilders (4 Euros)per hour in a five-hour-a-week cleaning job at a bank in Utrecht. She did this work for five years, as she awaited the result of her asylum application.

Fe's involvement with Philippine solidarity groups in the Netherlands centred on CFMW. When she came to the Netherlands, CFMW's other European offices had asked her to start up an Amsterdam chapter. She admits that at the time, in 1985, she had no idea of what 'migration' really meant, but along with fellow founder

and asylum seeker Nonoi Hacbang, she came to envisage CFMW's task: 'to assist the community in setting up their own self-organization'. In 1990, after two rejections, Fe's asylum was granted, and from 1993 until 2000 she worked for the Utrecht-based Foundation Against Trafficking in Women.

At the turn of the millennium, Fe returned fulltime to CFMW as programme director, with a contract and a government-fixed social worker's salary. But for Fe, CFMW is not just a job—it's her life. The training and capacity-building sessions, forum theatre workshops and performances, Dutch lessons, counselling drop-ins, and community gatherings that she orchestrates usually happen after hours, when the domestic workers who are the majority of CFMW members get off work. Fe has also been known to spend 'business hours' with them, working alongside them from house to house as they vacuum, iron and wash. She may also be found writing up a report for the Violence Against Women UN Rapporteur, attending a European Women's Lobby in Prague, or talking to a journalist or a researcher.

Besides working concretely to combat what Filipino domestic workers in Hong Kong described to her as the '3 Ds' of their work—'difficult, demeaning and dangerous'—Fe sees CFMW as a forum for—and a form of—self-development and empowerment. She hopes that 'the undocumented will be regularized in their status, and there will be new, young, energetic and committed migrants who want to work with CFMW, along with an unconditional commitment to work with migrants of all nationalities, to avoid this situation of dependency and vulnerability to abuse'.

This case study outlines the struggle for rights of one of the largest flows of contemporary female migration in the world, the Filipino Migrant Domestic Worker (MDW) community. Driven to leave their country by poverty, unemployment and unstable political conditions, and also as a result of the aggressive labour-export policy of the Philippine government, two-thirds of Filipina migrant women have integrated into the receiving countries' economies as domestic workers. Although their labour is a key motor of many European economies, most MDWs do not have valid work or residence permits, and face exploitative working conditions. In response, many Filipino domestic workers have organised to fight for their rights. The Commission for Filipino Migrant Workers (CFMW) is one of the platforms they use in their struggle. This case study shows the different levels of empowerment achieved by members of CFMW, from increasing their self-esteem to advocating for their rights at the national government level and at the United Nations.

The Philippines, an economy based on the export of labour

With 7.3 million Filipinos – 8 per cent of the country's population – living abroad, the Philippine economy has become heavily dependent on labour migration. From 1990 to 2001, official recorded remittances

¹ We refer to domestic workers as employees paid by individuals or families to provide elderly care, childcare, and/or housecleaning in private homes (Salazar, 2001).

alone averaged 20.3 per cent of the country's export earnings and 5.2 per cent of GNP. This has been the result of a clear government policy in response to the high unemployment rate linked to the failure of the government's development model. The government has developed a sophisticated policy regime to promote and regulate labour migration. Migrants, and migration, are valued: each year, the president celebrates Migrant Workers Day by awarding the 'Baygong Bayani' (modern-day hero) award to 20 outstanding migrant workers who have demonstrated moral fortitude, hard work, and a good track record of sending money home.

The government started to promote labour migration from the Philippines actively in the mid-1970s, when rising oil prices caused a boom in contract migrant labour in the Middle East. The Marcos government (1965–1986) saw an opportunity to export young men left unemployed by the stagnant economy, and established a system to regulate and encourage labour outflows.

This system, which continues today, had both a private and public component. On the private side, licenses were issued to Philippines-based agencies to recruit labour for employers in Saudi Arabia, Kuwait, and other destinations. On the public side, the government established an agency that would later become the Philippines Overseas Employment Administration (POEA), to provide contract labour directly to foreign employers, maritime agencies, and governments. Changes in the system have brought the work of Filipinos abroad under the authority of the Philippine government. Whether recruited privately or by the government agency, workers and recruiters enter into a contract enforceable under Philippine law.

The establishment of democracy in 1986 did not change public policy, despite increasing criticism from civil society and the Roman Catholic Church. In 1987, the government directed the POEA to be more active in the protection of migrant workers' rights and welfare.

In 1995, the trial and execution of Filipina migrant worker Flor Contemplacion in Singapore turned the protection of migrants' rights into a burning political issue. The incident prompted the government to withdraw its ambassador to Singapore temporarily, to hasten the ratification of the UN Convention on the rights of migrant workers, and to reiterate the POEA's mandate to focus on migrant welfare and rights – measures that failed to satisfy many of the government's critics in civil society. The changes enacted in 1995 also expanded the POEA's mission to include promoting the return and reintegration of migrants. However, this emphasis on return never dismantled the overall strategy of facilitating labour migration. In 2001 the national Economic Development Plan stated that overseas employment is a

'legitimate option for the country's work-force' and outlined a four-point strategy for promoting the employment of Filipinos abroad.

The Philippine government's goals have been remarkably clear and consistent: migration should be promoted, but only for temporary work via regulated channels. The results have been mixed. The Philippines supplies an enormous amount of labour through regulated channels: in 2000, 2.9 million 'Overseas Foreign Workers' were abroad under official arrangements. However, these official, temporary flows coexist with other types of migration; the government estimated that another 1.8 million Filipinos were abroad without regulation in 2000, and that 2.5 million of its citizens had left for permanent residency elsewhere.

CFMW, based on data from community sources, host governments and Philippine embassies, estimates that Filipinos in Europe currently number 500,000, of whom 80 per cent are women. During the 1960s migration was primarily directed to the Netherlands, Austria and Germany, and in the 1970s and 1980s to Britain, Italy and Spain and other European countries.

The growing demand for migrant domestic workers in Europe and the Netherlands

The demand for domestic workers is not a new phenomenon in Europe. As pointed out by Geneviève Fraisse, 'generations of domestic servants have been sacrificed to enable women, generations of women to develop themselves'. The feminist movement of the 1960s and 1970s has not led to the end of this working class or fundamentally challenged the existing gender-based division of productive and reproductive labour, as many European women entering the workforce have transferred their socially reproductive tasks to other women. This transfer has enabled many European women to work in the 'productive' economy and be recognised for their work by society, and has given them access to more leisure time.

Apart from the feminisation of the labour force, other factors have contributed to this increasing demand:

Retrenchment of the welfare state: Many European governments have provided inadequately for
the care of pre-school children, and where care is available it remains very expensive. There have
also been cutbacks in care facilities for the elderly. The welfare state is transferring more and more
its care responsibilities to expensive private nursing homes or the home (which we call the
'privatisation' of these services).

 An ageing population: When ageing parents need care that has been privatised by the state, women are faced with the choice of 'buying in' care or giving up work to take up this responsibility themselves, which in turn will devalue their position in the labour market (CFMW, 2005).

The failure of development policies such as structural adjustment, which have merely impoverished the countries of the South further, also explains why domestic workers are increasingly migrant workers. Encouraged sometimes by their own governments to leave for work abroad, as in the case of the Philippines, migrants become integrated in the economy of the receiving country according to the needs of the labour market, which is often gender-segregated. The only opportunity open to most migrant women is therefore domestic work, even though this often means deskilling and occupational downward mobility. Many Filipinas are professionally trained as nurses or have college degrees in journalism, business administration or education. Like other qualified migrants, they would prefer working in the professions they have trained for, but have no choice. In the Netherlands, the lack of recognition of degrees obtained in the Philippines, as well as the migrant women's lack of knowledge of the Dutch language, are additional obstacles.

All these factors have led Rhacel Salazar Parreñas (2001) to refer to migrant Filipina domestic workers as 'the servants of globalization' who may 'perceive themselves as part of a global community of workers dislocated into low-wage labour by the economic turmoil caused by the global restructuring of the Philippines ... By resulting in a heightened demand for low-wage service labor in global cities, where there is a concentration of highly specialized professionals (for instance, accountants and business consultants), global restructuring engenders multiple migration flows of female workers entering domestic work and consequently results in the globalization of this occupation'.

Migrant domestic workers' working and living conditions

Most migrants performing domestic and care work do not have valid work and/or residence permits, even in those countries – such as Spain, Italy and the UK – which have regulations allowing foreign women to work legally in these sectors. In Italy, for example, approximately 65,000 documented Filipinos worked in the country in 2000, compared to about 100,000–150,000 undocumented Filipinos (Lindio-McGovern, 2003, quoted in Schwenken, 2005). In the Netherlands the fact that the category of documented migrants does not exist leaves the MDWs no other choice but to become undocumented when their original visas expire (CFMW, 2005).

CFMW research findings reveal that MDWs' working and living conditions are 'completely vulnerable and open to violations of their rights'.

Working conditions:

- No written contracts exist between family employers and the worker.
- MDWs work without social benefits, access to health care and education.
- Their position is insecure options for terminating employment are frequently unilateral on the side of the employer.
- Many have multiple part-time jobs when 'live-out', including work at weekends.
- MDWs are expected to be always available when 'live-in' they can be called on to work at any time
 and frequently the agreed 'day off' is cancelled or changed by the employer.
- When the employer is on holiday, or the worker is ill, a practice of 'no work, no pay' applies.
- MDWs are expected to be 'always on the job' they are reprimanded or threatened even when they
 have legitimate reasons for absence, such as illness or personal/family emergency.
- Most find it difficult to negotiate even a small change in their working conditions, and feel that they
 are 'totally dependent on the good will of the employer'.

Living conditions:

- MDWs who live in constantly have to negotiate a dividing line between being a 'worker' and being 'a
 part of the family'.
- Their accommodation is often in cramped conditions.
- MDWs who live out are faced with frequent subletting, high rents and unscrupulous landlords.
- Many of the MDWs interviewed do not have access to health care and are therefore not able to benefit from preventive health care services; a few choose to pay private health insurance.
- Fatigue and stress are common health complaints among MDWs.

CFMW, migrant domestic workers' rights and empowerment

Undocumented migrant women face various barriers to organising as a group. Their lack of legal status often makes them hesitant to speak up publicly or demonstrate, for fear of deportation. The private households in which the women work are scattered throughout cities, and most domestic workers have long working hours, more than one job, or are live-in, which makes it difficult for them to meet or engage in joint social and political activities. Nonetheless, MDWs, and in particular the Filipino community, have managed to organise in various European countries.

Filipino MDWs have used CFMW as a platform for representing their rights. It began its work in 1979 with programmes in two cities, Rome and London. At that time, CFMW focused its efforts on the fight against the threat of deportation and the 'compulsory remittances' demanded by President Marcos' Executive Order 508. In the early 1980s, CFMW began to link up with Filipino migrant organisations in other European countries – Kampi in Rome, Kapiling in London, PSAP (Philippines Seamans Assistance Program) in Rotterdam, Tuluyan in Madrid, Alab in the Netherlands, Ugnayan in Stockholm. In 1985 the international office of CFMW was established in Amsterdam (see Hoegsholm, 2007: 117).

From the very beginning, CFMW aimed to develop an empowered migrant community where Filipinos and Filipinas feel confident about representing their realities and struggles, are able to rally the organised strength of their community, and capable of harnessing support from the international community. According to Schwenken (2005), CFMW has a clear working-class ideology and a clear analysis of domestic work as 'real work'. Establishing this concept was considered more important than struggling towards the unrealistic goal of overseas professional employment for MDWs. These two goals – international acknowledgement of professional training and educational degrees, as well as domestic work perceived as 'real work' – are, however, the demands of the RESPECT network (see Box 1), of which CFMW is a member.

CFMW's aims on empowerment are all connected:

- Inner power: Development of self-confidence, and a positive change in personal development.
- Power to: Development of technical and practical abilities (e.g. languages), critical knowledge (ability to express an opinion and act on it), and the ability to change relationships (gender relations, with neighbours, family, etc.)
- Power with: Collective awareness raising (e.g. of MDWs' rights), the ability to influence as a group
 the policies that have an impact on migrants.

Inner power

Individual empowerment is seen by CFMW and the other members of the RESPECT network as the basic requirement for further political and social engagement:

'It's no use in a way to change laws ... when you have basically women who don't make use of it, when the self esteem is completely down.' (Interview with RESPECT/SOLIDAR, 28.11.2000, in Schwenken, 2005)

The fact that remittances have become a concern for decision-makers and international institutions has helped to value the contribution that migrant workers make in the economies of their countries of origin: Filipino migrants in Europe are fully aware of this:

'As of now, I'm happy because whenever I send money back, my grandchildren are proud that they can go to school ... our work as MDWs is crucial to the development of our families and children and our remittances contribute so much to the Philippine economy.' (CFMW, 2005)

Moreover, migrant workers' self-organisation appears to be crucial to reducing migrants' dependence on charity organisations and building a foundation for the further involvement of women. CFMW emphasises that MDWs should be seen as actors developing innovative personal, social and political strategies. Belonging to an organisation can increase migrants' self-confidence and have an impact on their personal development as they allocate some time to activities other than work:

'This is very important to me ... so now my work, which used to occupy all my life is more balanced with our many activities. My life is really changing ...I feel I belong to a network which supports me in my work as well as in my daily life ... belonging to an organisation is a big help – you feel supported and you feel that you can respond to your situation.' (CFMW, 2005)

Power to

MDWs see the Dutch language classes CFMW offers them as a big step towards integration into Dutch society:

'I soon found out that CFMW encourages and facilitates to take initiative about our lives and our status. We have learned about inburgering (integration) and have also been able to participate in Dutch language classes which are arranged at times suitable to our MDW schedule ... I feel now that I have a place in the Dutch society'.

The forum theatre seems also to have been a key component in the development of the inner power necessary to use the 'power to'.² All members of the RESPECT network currently make use of the forum theatres. CFMW uses them as consultation tools in the design of its research. The theatres have proven to be very empowering for MDWs as they allow them to articulate their aspirations, strategies for empowerment and demands for change as workers and as migrants and as women, to the Dutch

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² For a definition of forum theatre, see http://portal.surrey.ac.uk/portal/page?_pageid=712,1017066&_dad=portal&_schema=PORTAL

society and policy makers. But forum theatres have also been used to show MDWs working conditions to trade unionists, policy makers and parliamentarians.

Jennifer's story

'I can't have big responsibilities because I'm busy with work and my kids,' says Jennifer when asked if CFMW has assigned any duties to her as a member since June 2002. The work she refers to is weekly domestic work, for which she gets paid €10 an hour. The kids are her own four-year old and one-year-old, both born in Amsterdam and being raised together with her Filipino husband. While fellow CFMW members would probably agree that 29-year-old Jennifer has her hands full, many would argue just as quickly that her responsibility in the organisation is in fact very big, for Jennifer plays the leading role of Maria in CFMW's forum theatre. Maria, like Jennifer, is a soft-spoken undocumented domestic worker who comes to the Netherlands in order to earn a better living for her family. The forum theatre depicts Maria's struggles with an abusive employer; illness; no health insurance; housing without a contract, mailing address or washing machine; and the underlying stress of homesickness. Yet by the performance's tragic end—when Maria, stunned, receives news of her son's death—it is apparent that she has already found CFMW, a group of fellow migrant workers who will be there to support her as she thaws from shock.

Jennifer herself, after first arriving in the Netherlands from the Philippines, worked as an au pair, receiving 750 guilders per month for 12 hours of work/day. When asked for initial impressions about her new country of residence, she recalls: 'I was amazed by the cleanliness, beautiful buildings.' But beyond the national façade, her work was harder and longer than anticipated. Moreover, she was confronted with a 'language deficiency' which, as she puts it, prevented her from being able 'to understand anything and [understand] about my long hours of work.' During her year as an au pair, her employers paid for three months of Dutch courses, which left her just able to 'understand and talk a little bit.'

When asked how her life had changed since joining CFMW, Jennifer replies: 'I'm able to know my rights as a worker, I'm more confident now and I was able to demand good payment from my employers.' Forum theatre, specifically, has provided the opportunity to act and dance, both enjoyable ways for Jennifer to express herself, and at the same time 'show the real life of the domestic workers'. Reflecting on how forum theatre may have changed the vision of her work, Jennifer says: 'Now I'm very vocal about my rights, I can say "No" to employers who demand more, because before I just [would] say "Yes" to everything, even though it's hard.'

When not working to support her family in Amsterdam—as well as her relatives in the Philippines, to whom she sends €150–200 each month—Jennifer is very active in her church, Like many other CFMW members. While her husband and her children have Dutch residency permits, Jennifer does not. She hopes to obtain hers next year. This hope is crucial to her greater vision for the future: 'I just want my papers to be finished and have my staying permit, and that will enable me to work—for my kids to have a better life here.'

Power with

In a 2000 report CFMW named ambitious criteria for empowering migrant workers: 'They are able to develop and determine the strategies that will change and transform their living and working conditions ... They are organised as a sector. They know their rights and are able to campaign for them. They are able to link their own agenda to the realities of other migrants ... They have developed the skills to document their own situation.' All these criteria are part of the 'power with' level, showing the importance that CFMW places on MDWs' development of the ability to influence as a group the policies that affect them. Accordingly, CFMW has developed strategies for making alliances with other migrant organisations and also with trade unions and human rights organisations, so as to have an impact at different levels.

At the national level

Trade unions in particular are regarded as crucial partners because they have in the past ignored the situation of undocumented workers in private households. Female and reproductive labour have never been prioritised by unions and in some countries their rank and file are extremely hostile towards irregular migrants. Being recognised as workers by trade unions is therefore crucial for advocating for migrants' rights as workers: 'The trade union can be crucial in ensuring, firstly, that migrants know their rights, secondly in supporting migrants when those rights are abused and thirdly, in campaigning for those rights not yet given: for domestic work in the private household to be categorised as "proper" work' (Pearce, 2000 in Schwenken, 2005).

In the Netherlands, CFMW has managed to link with ABVAKABO FNV, the Netherlands' largest public-sector trade union. The first meeting between trade union officials and MDWs was organized on 26 June 2006 to discuss MDWs' membership in the union. The significance of the occasion for MDWs was emphasised at the meeting by Nonoi Hacbang of CFMW:

'Five years ago when we started the campaign for the rights of MDWs in the Netherlands, this moment was unimaginable. Today we are making history as a result of the persistence of the MDWs and the response of ABVAKABO FNV who have taken the significant step to recognise MDWs as workers and to welcome them whether documented and undocumented as members of the trade union.'

A member of MDW present at the meeting declared, after filling in her trade union membership form: 'Although this is just the beginning, we are now recognised by the trade union and we now feel we are part of the Dutch society' (CFMW press release, 27 June 2005).

• At the European level:

CFMW is a member of the Europe-wide RESPECT network (see box 1 below), which campaigns for the rights of MDWs and has developed a Charter of Rights of Migrant Domestic Workers through consultations with MDWs, au pairs and advocacy groups in six European countries. The aim was to incorporate the experiences of concerned migrants into the foundation of the network and its political activities.

'In one of our seminars, it was the example of Gandhi, which is: "What you do for us without us, is against us." And I like it, it's completely empowerment. I mean, let them speak, first ask what they want.' (Interview with RESPECT/SOLIDAR, 28.11.2000, in Schwenken, 2005)

The existence of this network and the Charter have changed the perspective of many MDWs:

'It was so exciting to discover that MDWs in other countries in Europe had developed their Charter – we became convinced that the work we do as MDWs is important here in Europe ... and we were actively involved in gathering more than a thousand signatures in support of the Charter which was submitted to the UN Rapporteur for Migrant Rights.' (CFMW, 2005)

Box 1: The RESPECT network

RESPECT stands for 'Rights, Equality, Solidarity, Power, Europe, Co-operation, Today'. The network comprises self-organised migrant domestic workers' organisations, support organisations, trade unionists and academics from ten European countries: Belgium, Italy, Spain, the Netherlands, Germany, Denmark, France, Greece, Ireland and the United Kingdom. Among the members are the Filipino organisation KASAPI from Greece, the Dominican women's organisation VOMADE from Spain, the Philippine women's network BABAYLAN, DONNE NEL MONDO from Italy, the Italian trade union FILCAMS-CGIL, the German RESPECT network with several attached organisations, and others.

The network campaigns for the rights of migrant women – and some men – working in private households in EU countries. The Europe-wide RESPECT network was founded in 1998 by the Filipino–British NGO Kalayaan together with SOLIDAR, a Brussels-based NGO with close links with European Union trade unions. As a European network, the organisations reacted to the need and the opportunity to raise the issue of the exploitation and legal status of migrant domestic workers at the EU level. The member organisations had been active in their local and national contexts long before the network's foundation.

The network addresses the different problems faced by domestic workers, such as exploitation, isolation and sexual harassment. The political approach is to combine individual and collective empowerment with policy

interventions at different political levels. The overall aim can be reached due to the unique structure of the

network, in which migrant domestic workers collaborate with NGOs and researchers, and the reflection of racial

and class hierarchies within the network.

Most of the network's Europe-wide activities were until recently financed by project funds for combating violence

against women provided by the European Commission. In 2002 the funding was terminated and most of the

network's Europe-level activities such as conferences, theatre workshops and campaigns could not be continued.

Despite this development, the members continue to work locally and nationally and to conceive of themselves as

part of a Europe-wide network.

Source: Schwenken, 2005.

At the international level

CFMW has been following the UN High level Dialogue on Migration and Development and lobbies,

together with other migrant organisations, for the recognition of migrants as transnational social

actors at the centre of both migration and development. Marginalised by the dialogue, migrant

organisations held Migrant Community Dialogue and a rally parallel to the event. They also laid the

ground for a global MDW network.

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