

THE INTERNATIONAL JOURNAL OF HUMANITIES & SOCIAL STUDIES

Home Support Staff in Nigeria: Trends

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Abstract:

Home Support Staff (HSS) System exists in Nigeria and has gone through three major phases corresponding almost to the socio-political development of Nigeria, from the slavery system, to the Master-Apprenticeship system, and now the monetized system. These noticeable trends have, however, not been uniform in Nigeria. The introduction of Nigerian Labour Act in 1971 was expected to radically change the labour relationship between the employer and the employee. The Nigerian Labour Act does not appear to have made a significant impact, on the HSS System, except in the area of monetization of remuneration. Slavery has been abolished; the Master-Apprenticeship system, and the monetized systems of remuneration are now prevalent. The HSS system is associated with both benefits and challenges, for the employer, employee and society. Benefits include physical relief for the employer, exposure and personal development for the employee and hopefully improved standard of living for the society. Challenges include: loss of privacy for the employer; risk of neglect of formal education for the employee; and increased risks of organized crimes in the society. Full enforcement of the Nigerian Labour Act, especially the documentation of terms of employment, with clear job specifications, will reduce the challenges in the HSS system.

Keywords: Home support system, HSS, home support staff, home chores

2. Introduction

There are observable significant changes in the Labour Relationship, between the employer and the employee, from the pre-colonial, colonial to the post-colonial eras. The changes in Labour Laws do not appear to be effectively enforced in the private sector, particularly in the home support staff (HSS) system, despite the fact that HSS system is a major employer of labour in Nigeria.

This review examines changes in the home support staff (HSS) system, and associated labour relationships, during the pre-colonial, colonial and post-colonial eras, in Nigeria. Challenges in the HSS system are analysed and appropriate recommendations proffered, for the mutual benefits of the major stakeholders, notably the employer, home support staff, and society in the HSS system.

2. Pre-Colonial Era

2.1. General

During the Pre-Colonial era, the period before 1800 [3], the society was divided into two major socio-economic stereotypes: the 'Master' and the 'Slave'. Non-slaves who were not economically strong enough to play the role of 'Master' had to align with an acknowledged 'Master', to whom they paid royalties for protection. The HSS was characterized by acquired 'slaves' [1].

Monarchy was the dominant system of Government. Kingdoms and Palaces were in vogue [1]. HSS was meant for Kings, Queens, Princes and Princesses. Possession of HSS signified affluence. The king was powerful and believed to wield divine authority. Kings had the right to conscript slaves, at will. No one dared to complain: the voice of the King was the voice of God [2]. Children who were considered 'bad' were sold into slavery. These 'victims of circumstance' constituted the bulk of the Home Support (HS) staff. Slaves had neither Rights nor Privileges.

2.2. HSS in the Nigerian Regions

Nigeria as a political entity did not exist in the pre-colonial era. The geographical space was occupied by a plural society with various modes of governance. In the North, it was a monarchy, headed by the Sultan of Sokoto, and assisted by other subordinate monarchs [3].

In the West and Mid-West regions, the Obas held sway, assisted by subordinate dukes and high chiefs. In the East, which comprised the present South-East and South-South geo-political zones, there was a Republican mode of Governance: they neither had nor recognized monarchies, except in Calabar enclave. Calabar had the Obong of Calabar.

Generally, in the East, except Calabar, each family head represented his family in the community or village gathering. Operationally, the East was administered using the human resources of the age-grade system [3].

Generally, in the three major regions (North, West, Mid-West and East), of the Nigerian geographic space, polygamy and large-sized families, characterized the family system. The large family size enabled the families to be self-sufficient in labour requirements. The necessity for external HSS did not arise. Members of the family that were labelled as 'bad' were often sold into slavery, and these constituted the bulk of the HSS of the 'Masters' in the pre-colonial era. The 'good' members of the family remained in the service of the extended family system.

3. Colonial Era

The Colonial Era spans the period between 1884 and 1963. Regarding labour relationships within the HSS system, two distinct periods are observable: 'Early Colonial Era, 1884 – 1950' and 'Later Colonial Era, 1951 – 1963' [3].

3.1. Early Colonial Era

The pre-colonial HSS practices prevailed until the colonialists started exerting their authority by enacting laws that regulated Native Laws and Customs [4]. The colonialists viewed Native Laws and Customs to be in conflict with the doctrines of Christianity. The spread of Christianity was a major objective in the Agenda of Colonialism. However, Christianity and slave trade co-existed in the Early Colonial era. The colonialists depended on HSS system comprising slaves. The slaves served as drivers, cooks, gardeners, nannies and private security men, without commensurate remuneration for their services. The western-educated Africans copied the HSS practices of the colonialists.

3.2. Later Colonial Era

Impact of Christian evangelization generated conflicts with the slave trade between the Natives and the Colonialists. Simultaneously, the discovery of industrial machines, in Europe, had reduced the demand for slave-dependent manual operations. The Master-slave relationships changed to Master-Apprentice relationship. The 'Master-Apprentice' relationship was actually a 'Master-Servant' relationship.

In addition to the lack of or inadequate remuneration, of HSS, in the service of low income households, HSS were also exposed to the risks of poor nutrition, unsafe environment, physical abuse, neglect, and incomplete acquisition of skills of apprenticeship, if any. Consequently, HSS were often inadequately empowered for a socio-economically productive life [5].

Servants in the HSS system also acquired skills from their Masters through apprenticeship. Skills included: trading; blacksmithing and other professions for males. For females, such apprenticeships were often for the purposes of grooming them for marriage. It also had the potential to expose vulnerable females to prostitution. Older Commercial Sex-workers, in the service of colonialists, recruited young female HSS, whom they used as sexual bates [6].

Later years of colonialism were also characterized by rising economic instability and household insecurity. Emancipation of slaves and reduction in the demand for slaves in Europe were associated with the rising economic instability, globally. The Rural-Urban Drift of Natives, in search of white-collar jobs, contributed significantly to household insecurity. Urbanization exposed Nigerians to Monetary economy and monetized services for HSS system. Households of low wealth index (a household's cumulative living standard measured by ownership of selected assets, including: televisions and bicycles; materials used for housing construction; and types of water access and sanitation facilities [7].) were unable to acquire HSS and depended on the generosity of neighbours and extended family members for HSS.

This period equally witnessed a clash of cultures between the Colonialists and Nigerians. Native Laws and Customs were subjected to 'Three Tests' for them to become Customary Laws. The tests were as follows:

- They must not be repugnant to Natural Justice, Equity and good conscience;
- They must not be incompatible with existing Legislation or any law, for the time being, in force;
- They must not be contrary to public policy [4].

The subjection of the Nigerian Native Laws and Customs to the 'Three Tests' promoted Individualism and opposed Communalism. Communalism formed the bed-rock of non-monetary HSS system.

4. Post-Colonial Era

Although Nigeria attained Independence in 1960, she became a Republic only in 1963. For the purposes of this review, the Post-Colonial Era is divided into 'Early Years of Independence' (1963 – 1970) and 'Late Independence' (1971 till date).

4.1. Early Years of Independence

The early period of the post-colonial era was characterized by the following:

- Concentration of development in the colonial administrative centres, leading to the continuous Rural-Urban drift /migration.
- Desire and Demand for western education, gender equality, monogamy, small family sizes, and the emergence of working mothers and career women.
- Ill-preparedness of the political elites for political leadership roles.
- Negotiable monetized HSS system with the HSS exercising some bargaining power.

4.2. Late Independence

This is the Era of the Labour Act enacted in 1971, now called Cap. L1, Laws of the Federation of Nigeria, 2004. This era witnessed important developments in the HSS system due to remarkable changes in: Social Classification; Sources of HSS; Mode of remuneration and Security of Services of the HSS.

4.2.1. Social Classification

The social classification in this era is made up of three groups. They are the extremely rich, the middle class and the low-income groups. The extremely rich are highly mobile, by occupation, and consequently highly dependent on HSS. The middle class comprises the professionals, career executives and successful business entrepreneurs. They also require the back-up support of the HSS system to enable the fulfilment of their career objectives. The low-income group cannot afford to hire HSS, rather, they constitute the major providers of Home Support Services to both the extremely rich and the middle class.

4.2.2. Sources of HSS

- Agencies (Registered or un-registered);
- Extended family system;
- Neighbourhood;
- Community;
- Indigent students, in tertiary institutions;
- Part-time workers who though are not full-time employees, provide scheduled services including: housekeeping, gardening, laundry, shopping, water supply, usually on Cash-and-Carry basis.

4.2.3. Modes of Remuneration

Some modes of remuneration, such as Monetization, Education and Apprenticeship are as provided for in the Statutes, while others are non-Statutory.

- Monetization: Section 1 of the Labour Act, Cap L1 Laws of the Federation of Nigeria, 2004, abolished remuneration of an employee in any other manner apart from legal tender (physical cash)
- Apprenticeship: Section 49 of the Labour Act.
- Education: Section 1 of the Child's Rights Act, Cap C50 Laws of the Federation of Nigeria, 2004, states that in every action concerning a child, whether undertaken by an individual, public or private body, institutions or service, court of law, administrative or legislative authority, the best interest of the child shall be the primary consideration.
- Non statutory mode of remuneration: gifts and fulfilment of agreements.

4.2.4. Security of Services in the HSS system

The overall performance of the HSS in the satisfaction of the needs of the employer and the duration of stay together constitute the 'Security of Services of the HSS. Compliance with the terms of employment by the stakeholders is determined by the following:

- Fulfilment of the perceived Needs of the employer;
- Skills, Efficiency and effectiveness of the employee;
- Attitude and character of the employee;
- Willingness of the employee to stay.
- Short and/or unpredictable duration of stay is the bane of HSS system; for example, a family with four children experienced 26 HSS within a period of 12 years!

5. Benefits of HSS System

5.1. Employer

The most important benefit of HSS is physical relief from repetitive and potentially exhausting home chores. Relief from home chores enables the employer to focus on career pursuits, as well as create time for desired recreation and deserved rest. HSS can contribute to sanitary environment, efficient and effective food policy in households, even in the absence of parents or heads of households. HSS are major care providers for children, the elderly, the physically challenged and the sick [8, 9, 10].

5.2. HSS and Their Family

The HSS system provides opportunities for exposure to quality life; income generation; opportunities for capacity building on life skills, formal education and acquisition of economically productive skills; improved access to health care and perhaps, progressive socio-economic networking between family of HSS and employer.

5.3. Community and Society

The HSS system is a major employer of labour, and consequently reduces dependency, risks of destitution and crime. It contributes to higher standard of living, through income generation. It has the potential to contribute meaningfully to Gross Domestic Product (GDP) of the Country.

6. Challenges of HSS System

6.1. Employer and Household

- There is loss of privacy as a result of regular and sometimes continuous presence of HSS in the household. As co-occupants of the household, HSS become familiar with the valuables and their storage systems. Those with high propensity for theft can have a field day resulting in added cost of replacement of missing goods [10].
- When the reward of HSS services is monetized, payments can constitute significant out-of-pocket expenses. If externally-sourced apprenticeship scheme or formal education of the HSS is the agreement, cost implications could also be a real economic burden.
- Children can be physically and/or socially abused or misused by HSS, to commit acts of immorality /crime, both within and outside the household.
- Communicable diseases can be transmitted to children and members of household, with the attendant costs of morbidity and mortality.
- Lack or inadequate skills for home support services, notably child nutrition, education, development and home management has the potential to impact negatively on the survival, healthy growth of the child, environmental sanitation and food safety in the home.
- Presence of HSS in the household, can interfere and even disrupt marital bliss as a result of the character and sometimes, actual sexually seductive activities by the HSS [11, 12].
- Withdrawal of services by HSS is often unplanned and denies the employer opportunity for uninterrupted Home Support services. The duration of committed service is characteristically short, and the reasons for withdrawal frequently frivolous. However, employers could also have cause to terminate the services of HSS, for reason or no reason at all, because a willing employee cannot be imposed on an unwilling employer.
- Majority of HSS are total strangers to the employer, and do not have a stake in either the survival or success of the employer or the household. Thus HSS constitutes potential security risks and exposure to criminals. These realities demand the consistent alertness and deliberate attention of the employer to the security of the household, at all times [9, 11].

6.2. HSS and Family

- Unplanned recall of HSS can interrupt apprenticeship benefits and completion of formal education as well as structured preparation for productive life [13, 14, 15].
- Risks of misuse and abuse of HSS, by the employer, abound including: physical punishments, torture and possible exposure to prostitution [16, 17, 18, 19, 20].
- Remuneration is often inappropriate for the services rendered, because HSS system is highly unregulated [21, 22, 23].
- The scope and variety of services provided by HSS is limitless. Some services expose HSS to the risks of diseases and Injuries. Inherent lack or inadequate skills are additional factors that increase such occupational risks [25].
- HSS are often denied fundamental human rights to privacy, association, religion, movement, and dignity of the human person [13, 18, 25].
- Abuse of privileges extended to HSS, by the employer, leads to mistrust and insecurity of employment. HSS can take advantage of visitors and contacts of the employer for sexual fulfilment, especially when the HSS lacks opportunity for alternative leisure and pleasure.

6.3. Community and Society

- Organized crime is one of the challenges in the society especially as some HSS are total strangers to the employer and do not believe that they have a stake in the welfare and wellbeing of the employer and his household. This is most apparent today in this era of hostage taking and armed robbery.
- Manipulation of employer's household by Agents of HSS and others: This occurs often where HSS and agents have had a bonding prior to the employment relationship with the employer. There are also known cases of HSS family and acquaintances often interfering in the running of the employer's household. This often breeds rancour and acrimony between the employer and the HSS agent; and is capable of causing communal friction especially where the HSS and the employer are of different tribes.
- Risks of unplanned Prostitution by the HSS can occur where the Agent has had a stint in prostitution and sometimes may be an old "retired" sex worker. Most often the affected HSS is afraid to tell her family or a responsible member of the society. HSS can also be introduced into prostitution where there is job insecurity especially in the face of poverty, hunger and starvation. Gone are the days when criminological theorists held that prostitution was a victimless crime and therefore should not be criminalised. Today, with the prevalence of HIV/AIDS and other sexually transmitted diseases, prostitution can no longer be said to be a victimless offence.

Prostitution is associated with potential morbidity and mortality consequences with the attendant socio-economic burden on the society [12].

- Job Insecurity: This is prevalent in the private sector, particularly in the HSS system, where the employer can hire and fire whenever the employment relationship with the HSS is strained. This results in high rate of unemployment, which is a burden on the society, vicious circles of poverty and organized crime. Job insecurity promotes lack of commitment of the employee.
- Non-implementation of Employment Laws: This is a major societal challenge. The Labour Act 2007 has made lofty provisions for the mutual benefit of the employer and the employee. There is no law that excludes the enforcement of the Labour Act in the private sector, which is the major employer of labour and the “driver” of the economy. As stated earlier, the HSS system is capable of contributing meaningfully to the Gross Domestic Product (GDP) of Nigeria but non enforcement of relevant laws is a major obstacle to a higher GDP and increasing the impact of the private sector in the development of the society [26].

7. Recommendations

- Pre-employment screening and appropriate documentation of the health profile, identity and social-networking of the HSS.
- Personal interaction of the employer with the family and roots of the HSS.
- Deliberate and planned effort to educate, socialize, and emancipate the HSS towards an economic productive life.
- Implementation of Employment Laws in the HSS System, irrespective of oral terms of agreement.
- Oral employment contracts must be explicitly communicated and written contracts endorsed by employer, HSS and notable witness preferably before resumption of duty by HSS. It should be noted that the Labour Act has made provision that terms of contract of employment must be in writing within 3 months of commencement of employment. However, the enforcement of Labour Laws has not been achieved in Nigeria.

8. Conclusion

During the pre-colonial era, the HSS System operated within the context of a slave-master relationship. The early colonial era was similar to the pre-colonial era. The abolition of slave trade emancipated the slaves and granted access to human rights and privileges during the late colonial era. With access to human rights and privileges, the mode of remuneration became monetized. Post-colonial era saw the emergence of regulated contractual relationship in the HSS System through Nigerian Legislation. The HSS System has benefits and challenges. These benefits and challenges affect the employer, employee, and the society. The inherent right of the employer in the HSS System to hire and fire is the major bane of the underutilization of this system for economic growth and development in Nigeria. Additionally, non-implementation of labour laws in the country is equally a setback in this sector of the socio-economic life of Nigeria and Nigerians. It is our conviction that if the recommendations are implemented, the HSS System is capable of positively contributing significantly to the social and economic development of Nigeria.

9. References

- i. Rodney, W. (1972). *How Europe Underdeveloped Africa*. London: Bogle-L'Ouverture Publications.
- ii. Oluyede, P.A.O. (1992). *Constitutional Law in Nigeria*. Ibadan: Evans Bros Ltd.
- iii. Mai - Lafia, M.D. (N.D.). Nigerian Government and Politics. Jos: University of Jos. Available at www.nou.edu.ng/.../ Accessed on 17 July 2012.
- iv. Park, A.E.W. (1968). *The Sources of Nigerian Law*. London: Sweet & Maxwell.
- v. Omokhodion, J.O. (2009). 'Linking the Dominance of House Girls in Nigerian Households to the Girl-Child Socialization Pattern in Nigeria' *Current Research Journal of the Social Sciences*, Vol.1, No.2, p.2.
- vi. Ekpe-Otu, U.U. (2009). *Getting Them Young: Child Labour in Ikot Ekpenne from a Historical Perspective*. Available at www.codesria.org/IMG/pdf/Chapter_3/ Accessed on 3 July 2012.
- vii. Pirani E. (2014) *Wealth Index*. In: Michalos A.C. (eds) *Encyclopedia of Quality of Life and Well-Being Research*. Springer, Dordrecht
- viii. Domestic Service: Its advantages and drawbacks as a wage-earning occupation. (1917). *Monthly review of the U.S. Bureau of labor Statistics*,4(3), 352-358. Retrieved March 7, 2020, from www.jstor.org/stable/41823318.
- ix. McKie, N. (2013) 'Benefits of Being a Domestic Staff Employer.' *Nanny Agency Housekeeper in London - Perfect Household Staff*. Retrieved from www.perfecthouseholdstaff.co.uk/blog/general-blogs/benefits-of-being-a-domestic-staff-employer. Accessed 03/07/2020.
- x. Maid Brigade Services (2017). 'Domestic Staff: The Advantages and Disadvantages of having them.' *The Maid Brigade Services*, retrieved from www.maidbrigade.services/domestic-staff/the-advantages-and-disadvantages-of-having-a-domestic-staff/. Accessed 03/07/2020.
- xi. Constable, N. (1997), Sexuality and Discipline among Filipina Domestic Workers in Hong Kong. *American Ethnologist*, 24: 539-558. doi:10.1525/ae.1997.24.3.539.
- xii. Parpart, J.& Stichter, S. (2016). *Women, Employment and the Family in the International Division of Labour*. International Political Economy Series, UK: Palgrave Macmillan. Available at <https://books.google.com.ng/books?id=4-W-DAAAQBAJ>.
- xiii. Laura, A.,& Lindsay, T. C. (2013). *Domestic Work Policy Brief no. 6: 'Meeting the needs of my family too': Maternity protection and work-family measures for domestic workers*. International Labour Office.

- xiv. White, J. and Beswick, J. (2003): Working long hours (Sheffield, Health and Safety Laboratory).
- xv. Rani, E. & Saluja, R. (2017). A Study on Domestic Help Workers and Factors Affecting Realisation of their Rights in the State of Punjab. *Journal of General Management Research*, Vol. 4, Issue 2, July 2017, pp. 16–26.
- xvi. HSE (1996). *Violence at work: A guide for employers*. Health and Safety Executive. Available at <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=3&ved=2ahUKEwin1cqg-YfoAhWjuXEKHSqIBR8QFjACegQIARAB&url=https%3A%2F%2Fwww.hse.gov.uk%2Fpubns%2Findg69.pdf&usq=AOvVaw1pgyHWXWRn8zFi4xJrFXbH>
- xvii. Kristi L. G. (2002) 'Just Like One of the Family': Domestic Violence Paradigms and Combating On-The-Job Violence Against Household Workers in the United States, 9 *MICH. J. GENDER & L.* 131. Available at: <https://repository.law.umich.edu/mjgl/vol9/iss1/3>.
- xviii. UN Human Rights Committee's report: 'Domestic Workers' Rights in the United State'
- xix. Hidden in the Home: Abuse of Domestic Workers with Special Visas in the United States, *Human Rights Watch Report*, June 2001, Vol. 13, No. 2.
- xx. Segrave K. (1994). *The sexual harassment of women in the workplace, 1600 to 1993*, McFarland & Company Incorporated Pub. ISBN 9780786400072. Available at: <https://books.google.com.ng/books?id=t6tAAAAAMAAJ>.
- xxi. Travis W. (2012). *Without Labor Protections, Domestic Workers Earn Low Wages and Receive No Benefits*. ThinkProgress. Retrieved from <https://web.archive.org/web/20131004221523/http://thinkprogress.org/economy/2012/11/27/1242011/domestic-workers-low-wages/>. Accessed 06/03/2020.
- xxii. Martin, O. (2011). *Domestic Work Policy Brief no. 1: Remuneration in domestic work*. International Labour Office.
- xxiii. Shierholz, H. (2013). 'Low Wages and Scant Benefits Leave Many In-Home Workers Unable to Make Ends Meet.' *Economic Policy Institute*, Retrieved from www.epi.org/publication/in-home-workers/. Accessed 03/07/2020.
- xxiv. Montgomery County Council, Working Conditions of Domestic Workers in Montgomery County, Maryland, May 2006. (this is talking about the low income of the workers being less than minimum wage)
- xxv. 'Millions of Domestic Workers Worldwide Lack Social Protection, Says New UN Report | UN News.' *United Nations*, United Nations, retrieved from news.un.org/en/story/2013/01/429542-millions-domestic-workers-worldwide-lack-social-protection-says-new-un-report. Accessed 03/07/2020.
- xxvi. International Labour Office (2013). *Domestic Workers across the World Global and Regional Statistics and the Extent of Legal Protection. ILO Publications*.