

This research was conducted by the UN Women Regional Office for Asia and the Pacific in collaboration with Value for Women and supported by the International Development Research Centre (IDRC) and the Open Society Foundations Soros Economic Development Fund global research programme ‘Transforming the Care Economy through Impact Investing’.

ACKNOWLEDGEMENTS

This research was enabled by collaboration with four digitally enabled care enterprises in Indonesia, Malaysia, Singapore and Thailand. Thank you to the Chief Executive Officers and Founders of **LOVECARE**, **KIDDOCARE**, **ASEANA** and **KIIDU** for making this research possible, sharing their experiences, and their openness and trust to discuss the challenges and opportunities raised by this report. The authors would also like to extend their gratitude to all participants of the Asia-Pacific Care Economy Forum, hosted in Malaysia in June 2023, for their input and comments, and to ILO colleagues who shared resources and insights.

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FOREWORD

PATHWAYS TOWARDS DECENT WORK IN THE DIGITALLY ENABLED CARE ECONOMY IN SOUTHEAST ASIA

Regardless of gender, age or ethnicity, all human beings share a common trait: the need for care that spans their entire life. From being nourished in early life to requiring assistance with self-care due to disability or depending on support in old age, people rely on others for their development and survival. Because there is always a minimum level of care all individuals require, and with the emerging demographic shifts in Asia and the Pacific, including a steadily rising population of older people, the demand for care will escalate. The pressing question is how to meet this demand, which calls for transformational change like never before.

Evidence gathered by UN Women during the coronavirus disease (COVID-19) pandemic revealed that many people remain very far from realizing the human right to affordable, quality care. The longstanding lack of public investment in care systems compounded by lockdown regulations had devastating consequences for women. Women played essential roles as front-line workers in responding to the care crises, taking on the majority of unpaid care work at home and facing challenging conditions in a predominantly female health-care sector. Paid and unpaid care work exacted a toll on women in terms of increased mental distress and unemployment.

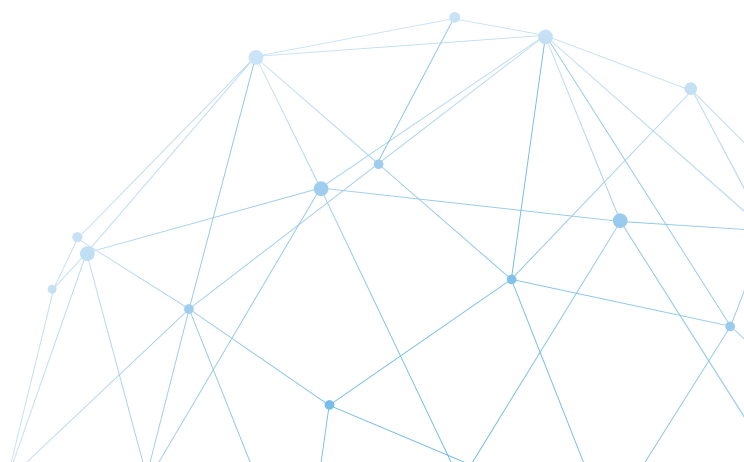
In South-East Asia, this situation exacerbated existing gender gaps in female labour force participation and the unequal division of caregiving responsibilities within households. Nevertheless, this subregion also offers important examples of innovation in the care sector, and these examples have not been fully explored until now. The rapid pace of digitalization is reshaping economies and societies in South-East Asia, and this deserves attention.

To ensure that care systems are comprehensive of the role that innovative care enterprises can play in delivering high-quality, affordable and accessible care, as well as contributing to the economic empowerment of women through job opportunities and the alleviation of time constraints, it is crucial to recognize the importance of realizing the human right to care.

This report sets the stage for a wider discussion on the potential of digitalization and innovation in the care sector, and it aims to show how the demand for care can be met through a more equitable redistribution between the State, the household and the market. Like any transformative change, it will be challenging but worth initiating to bridge the existing gap between care supply and demand. This gap disproportionately affects millions of women and hinders their equal participation in the economy, thereby jeopardizing commitments to achieve gender equality, develop more inclusive and resilient economies and achieve the Sustainable Development Goals.

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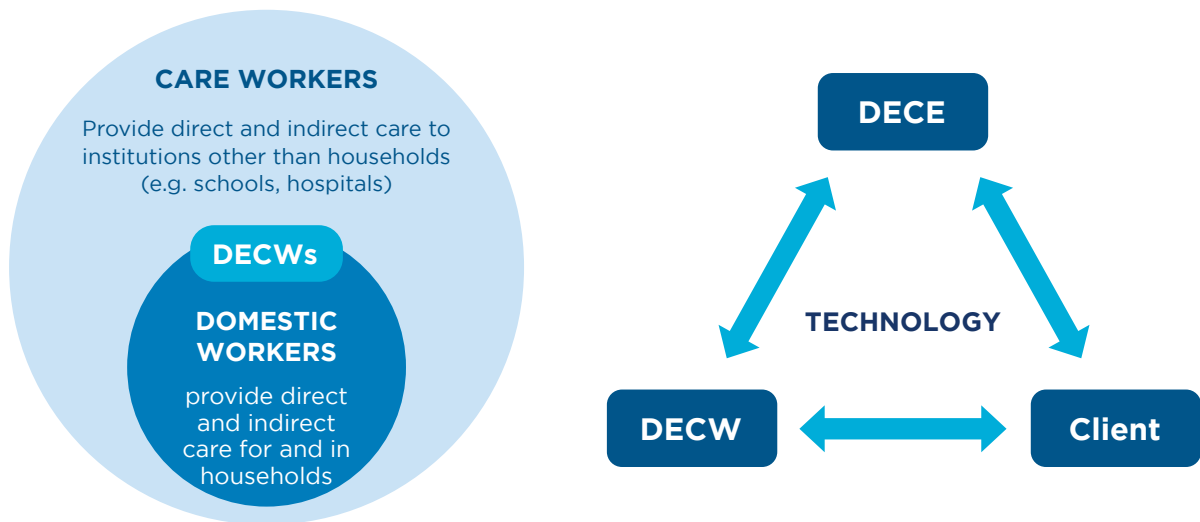
This publication examines emerging good practices of market-based models in the digitally enabled care economy in Southeast Asia and identifies pathways towards decent work for the predominantly female workforce.

The care economy entails the production and consumption of goods and services necessary for the physical, social, mental and emotional well-being of care-dependent groups. These include not only children, the elderly, the ill and people with disabilities, but also healthy, prime working-age adults. Caregiving services, both direct and indirect, can be provided for pay or without pay for the final use of family and household members.

Information and communication technology (ICT) has been used to transform all areas of

people’s lives, including the delivery of care services. Increasingly, a variety of business models leveraging digitalization, such as online platforms and applications (apps), facilitate the matching of demand and supply in the care economy. This report defines this as the “**digitally enabled care economy**”, which refers to workers and enterprises who are in a work relationship with clients procuring services. Two elements characterize this work relationship: technology and the tripartite nature of the relationship between the enterprise, worker and client. The report refers to the organizations that work within the economy as “digitally enabled care enterprises” (DECEs) and the people who are providing the care services as “digitally enabled care workers” (DECWs).

The digitally enabled care economy and the tripartite relationship



In order to explore the opportunities and challenges emerging in the digitally enabled care economy, this report conducted a literature review, a policy landscape analysis of relevant international labour conventions and national legislation in select countries—Indonesia, Malaysia, Singapore and Thailand— and gathered new evidence through primary quantitative and

qualitative data collection with the involvement of four DECEs in Indonesia (**LOVECARE**), Malaysia (**KIDDOCARE**), Singapore (**ASEANA**) and Thailand (**KIIDU**). The selected DECEs vary in levels of technological development, from the least digital with recruitment services with embedded digital elements to the most digital with fully designed online labour platforms.

THE PARTICIPATING DIGITALLY ENABLED CARE ENTERPRISES

ASEANA

ASEANA is a nursing care agency in Singapore which recruits migrant, live-in DECWs, mostly from the Philippines.

KIIDU

KIIDU is an on-demand and long-term placement agency in Thailand which places live-in and live-out workers and engages both Thai nationals and migrant workers, who are predominantly from Myanmar.

LOVECARE

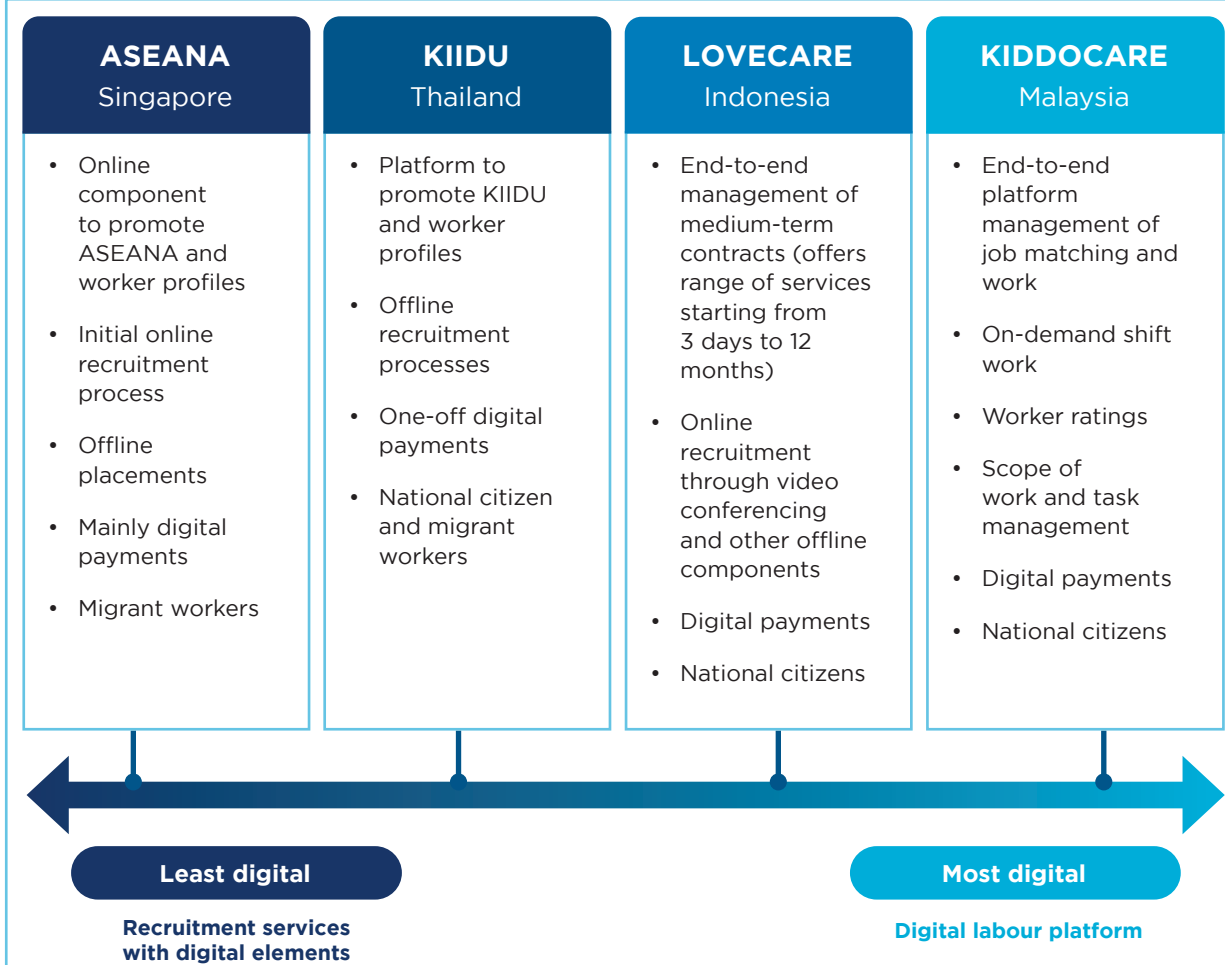
LOVECARE is a home care marketplace app that provides short, medium, and long-term caregiving services that is significantly digitalized. Only Indonesian citizens can use the platform and they provide live-in services.

KIDDOCARE

KIDDOCARE is an on-demand platform in Malaysia with an offline component for communicating with workers and clients. Only Malaysian permanent residents can use this platform to find clients. DECWs provide live-out services as they are only hired on a shift-by-shift basis.

The DECWs surveyed tend to be female, young, highly educated and live-out from their employer's home.

Continuum of technology development in DECEs



The digitally enabled care economy lacks gender data. To respond to these gaps, surveys were rolled out through the DECEs and information gathered from 595 DECWs in 4 countries and 120 customers in 2 countries. Qualitative methods were also used and involved 11 key informant interviews with the CEOs of the DECEs and key stakeholders and focus group discussions held in 3 countries with DECWs and customers.

While the composition of digitally enabled care work in this research is predominantly skewed towards the provision of direct care with 46 per cent of DECWs in childcare, 26 per cent in elderly

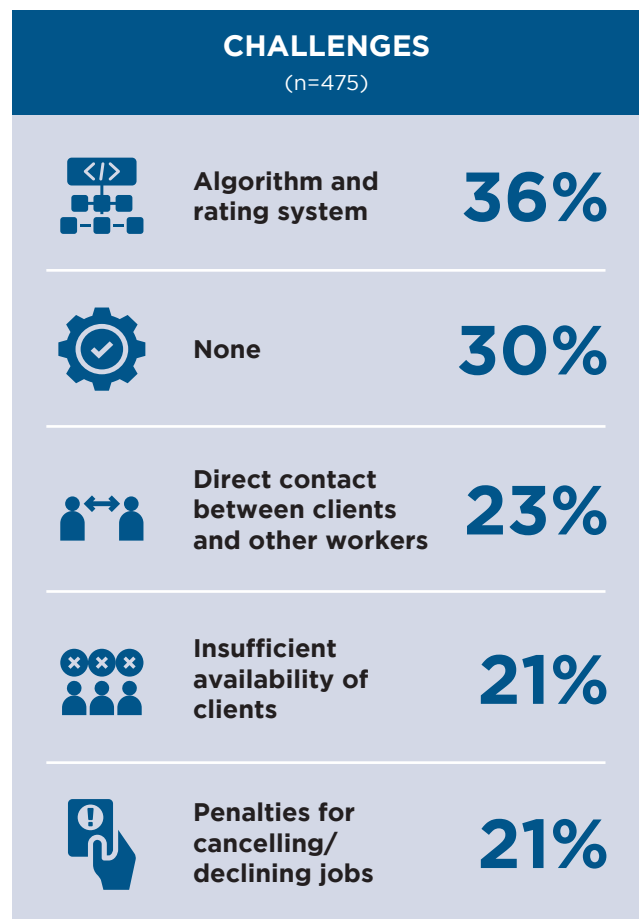
care, and 4 per cent in medical care, the sample allowed the creation of an overall **profile of care workers** operating in the digitally enabled care economy in Southeast Asia. It also informed an analysis of whether digitally enabled care work can facilitate pathways towards decent work in four domains: **i) flexibility and autonomy, ii) entitlements and protection, iii) income and iv) representation**. These domains were previously identified by UN Women as critical for assessing the benefits and challenges for women working in the platform economy, and are used as the **analytical framework** in this publication.

KEY FINDINGS

There are significant gaps in policy and legislation which prevent the systemic realization of decent work opportunities for care workers, including domestic workers, in the digitally enabled care economy in the select countries. Nevertheless, the

DECEs in this research demonstrated that they have the potential to facilitate pathways towards decent work for care workers, including domestic workers.

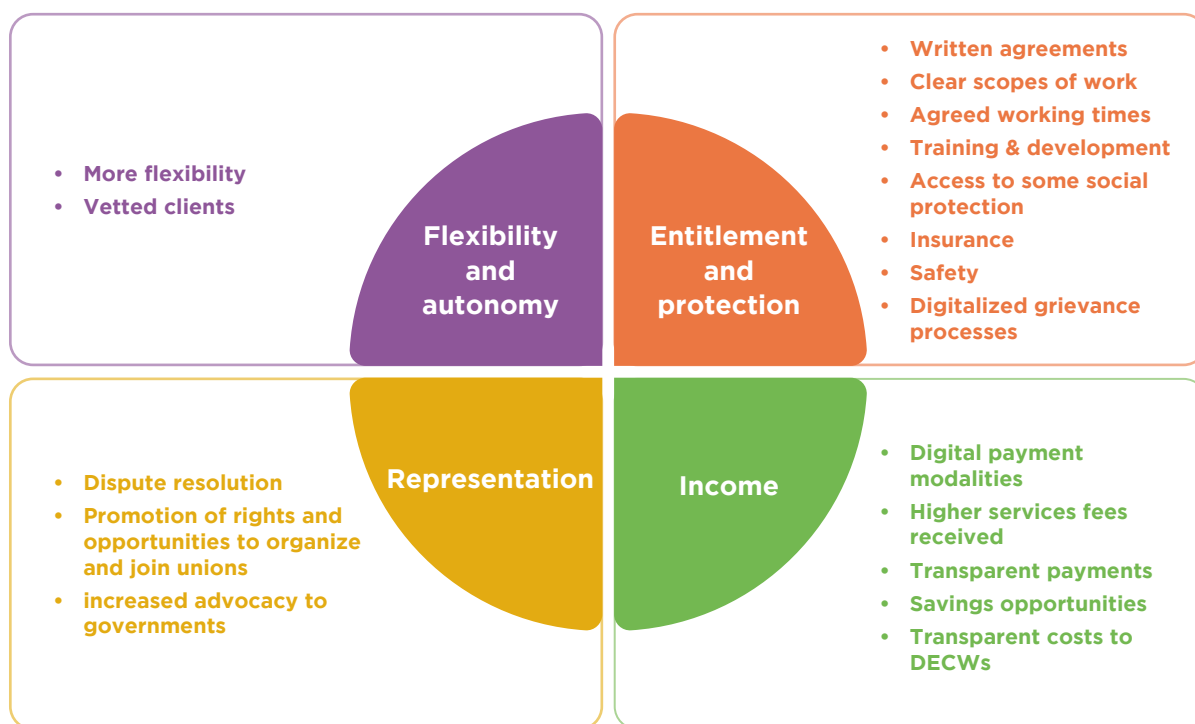
Top 5 perceived advantages and challenges identified by DECWs in working with DECEs



Pathways towards decent work emerged across the four domains. The type of work opportunities enabled by DECEs are characterized by **flexibility and autonomy** for a young and highly educated workforce while also enhancing safety through vetting of clients. The selected DECEs support DECWs' **entitlements and protection** through written agreements that set a clear scope of work alongside agreed working hours and introduce grievance processes in the form of online complaint mechanisms. All of these factors are particularly important in the context of care work, which is characterized by decent work deficits, including in the non-digitized labour market in which domestic workers often operate. In addition, DECWs value the opportunities for training and skills development

offered by the DECEs; particular training and skills are often an entry requirement. Access by DECWs to social protection and health insurance is a sign of progress in some cases, but coverage is still limited due to the absence of legal frameworks on decent work for care workers, including domestic workers, in select countries. In the area of **income**, most DECWs received digital payments, which can improve their financial autonomy, and thus strengthen women's economic empowerment through increased transparency around fees and payment rules and increasing their options for savings. Finally, DECEs can support DECWs' representation by helping resolve disputes and facilitate increased advocacy to governments.

DECEs' contribution to facilitating decent work for DECWs



The following key findings emphasize timely opportunities for policy reforms to establish a rights-based framework for care workers, including domestic workers, and help identify targeted actions for stakeholders in the care

ecosystem to accelerate progress towards the realization of decent work and women's economic empowerment. It also encourages DECEs and DECWs to be engaged in this process.

FINDING 1

A conceptual framework, definitions and classifications for the digitally enabled care economy are lacking, leading to gender data gaps in official statistics. There are also significant knowledge gaps in research, which hamper understanding of working conditions in the digitally enabled care economy.



Currently, there is a lack of an internationally agreed and comprehensive framework on the care economy and its constituent elements, including the digitally enabled care economy and its actors. This void translates into measurement and analytical challenges, including knowledge gaps in research and the lack of availability of official statistics. The lack of gender data on a highly feminized sector, such as the care economy, limits evidence-informed decision making. Innovative thinking is needed to overcome definitional constraints

and knowledge gaps on the digitally enabled care economy. This research employed the newly coined terminology “digitally enabled care workers” (DECWs) and “digitally enabled care enterprises” (DECEs) to refer to workers and enterprises who are in a work relationship with clients of care services, enabled through digital means. This definition has been found to be important in filling definitional gaps in a multifaceted and rapidly evolving care economy.

FINDING 2

The care economy is growing, with a variety of business models operating in Southeast Asia that leverage digitalization for matching care demand and supply. These models attract young, educated, skilled women with previous work experience in the care sector.



With a growing demand for care services, new care delivery models that leverage digitalization are emerging in Southeast Asia and globally. These include childcare, elderly care and care for people with disability, and include female entrepreneurs who are establishing DECEs, providing marketplaces and recruitment services for care workers, including domestic workers. DECE business models offer different services, and are not uniform. They range from recruitment agencies complementing offline work with online components to digital labour platforms offering on-demand caregiving services. In some cases, DECEs engage live-in migrant care workers; in others, they target only permanent residents in their country of operation. DECEs are rapidly adapting to a higher demand for services as shown in their business growth in

the last three years. DECEs are also widening their portfolio with business-to-business (B2B) solutions, such as employer-supported care, which is an important area for future research.

The profile of DECWs derived from research challenges the notion that workers in the care economy are low skilled and low value. In this study, DECWs are relatively young, and mostly highly educated women. They are experienced, having previously worked in the care sector. This suggests they may have switched from the non-digital to the digitally enabled care sector. A few DECWs in this study saw their digitally enabled work as temporary but most see it as an opportunity for skills development and a future career path.

FINDING 3

In a highly informal care economy, digitally enabled care enterprises can take steps to accelerate progress for digitally enabled care workers towards decent work and women's economic empowerment. DECEs have established pathways to decent work that are particularly important in contexts where care workers, including domestic workers, have historically suffered from workplace vulnerabilities and severe decent work deficits.



Regulations for the digitally enabled care economy can help accelerate actions to fill care delivery gaps in Southeast Asia, while also enhancing transparency in the care economy, which is highly informal. However, in Southeast Asia, there is a lack of legal protection for care workers, including domestic workers. In the absence of regulations, DECEs are playing a role in moving DECWs closer to decent work.

More specifically, DECEs provide work opportunities to employees and independent workers, with flexible working arrangements that are highly valued by the DECWs themselves. The tripartite and digitally enabled relationship also increases the degree of safety at work, as perceived by both workers and clients. For this, DECEs' added value lies in vetting clients and workers, setting high entry requirements, introducing opportunities for skills development, and grievance mechanisms, including maintaining an offline component for direct communication. More importantly, DECEs use written or oral agreements that clarify the scope of work, working hours, duration of services, payment modalities and rules of engagement. While DECEs' delivery of digital payments increases transparency and offers DECWs an option for savings, they also have positive spillover effects on women's economic empowerment

by increasing women's agency and control over assets. Together, these findings indicate that select DECEs are facilitating pathways towards decent work¹ that are particularly important in contexts where care workers, including domestic workers, have historically had a severe deficit of decent work opportunities.

While DECEs can be a useful model and contribute towards a more resilient care economy, there are limitations to the degree to which DECEs can accelerate progress towards decent work and more specifically, towards full social protection coverage for DECWs. While this report describes attempts at advocating for and extending social protection to digitally enabled care workers, within the context in which most DECEs operate where regulations are severely lacking, the full protection and realization of workers' rights is not ensured. Regulations that apply to DECEs, recognizing their specific characteristics and different business models, are lacking. The rapid pace of market development must be matched by an equally responsive regulatory environment that can strengthen decent work outcomes for DECWs, especially in the area of social protection. Practical mechanisms to enforce these regulations and hold actors accountable are also essential to ensure the steady transition of DECWs into decent work.

¹ This was observed from the DECEs analysed, yet research with a broader range of firms is needed to ascertain if this is because of a sample bias (e.g. being Women's Empowerment Principles signatories, having a female founder).

FINDING 4

The lack of ratification of International Labour Standards limits the extent of protection of domestic workers, including DECWs, by national labour laws. They are often excluded from social protection policies regardless of whether they contribute to the digitally enabled or non-digital care economy. There are specific challenges for workers operating at the intersection of the care economy and the digital economy but DECWs are not yet recognized as a distinct legal category in the countries analysed.



Legislation that applies to DECEs and DECWs is not fit for purpose. The emergence of DECEs has outpaced the development of adequate regulatory and legal frameworks for ensuring decent work for DECWs. No current international convention or national law fully captures the regulatory needs of digitally enabled care workers. DECWs are subject to laws on both domestic work and digital platform work, yet they fall through the cracks of both international labour standards and national policies, because regulators often treat domestic workers and platform workers separately and as mutually exclusive cohorts of workers. The implication for DECWs is that they can be protected by one regulatory development and excluded from another.

Moreover, when legislation is amended or drafted to adapt to the growth in digital platforms, it tends to be designed around male-dominated sectors, such as driving and delivery services, and does not always account

for the needs of other sectors such as care. In the countries considered for this report, there is no evidence of national legislation that addresses the intersection of the care economy and the digital economy. Ratification of international conventions is lagging. DECWs do not yet have a distinct legal classification that can facilitate their proper regulation, while DECEs' business registrations in ICT are exempt from regulations pertaining to care centres. This is systemic across countries and is a broader challenge across sectors in the digital economy. There remain opportunities to improve laws and policies across all four pillars as per ILO language of decent work. At the same time, the research found that enterprises operating at the intersection of the care economy and the digital economy are calling for regulation to ensure the quality, affordability and accessibility of care. Thus, DECEs can play an important role in advocating and highlighting the crucial issues at this intersection.

KEY RECOMMENDATIONS

Based on these key findings, the following 12 recommendations are proposed as ways forward for enabling the realization of decent work and

women's economic empowerment in the digitally enabled care economy embracing a multi-stakeholder approach.

FOR GOVERNMENTS AND POLICYMAKERS

1. Ratify relevant international labour standards—especially Domestic Workers Convention, 2011 (No. 189), extend coverage provided by existing national policies and regulations to include domestic workers, and introduce gender-responsive policymaking.
2. Improve government policies and practices for migrant workers in the digitally enabled care economy, for example, by removing exclusionary clauses from existing industrial relations legislation, including migrant DECWs in the policymaking process and improving their digital literacy.
3. Incentivize DECEs to improve conditions for DECWs as well as to encourage businesses to provide employer-supported care, with DECEs as an important delivery mechanism.
4. Formalize skill standards and recognition and develop skills training in collaboration with DECEs to professionalize the sector.
5. Strengthen DECEs' advocacy efforts by facilitating partnerships and collaboration across sectors.

FOR ENTERPRISES

6. Digitize business processes while maintaining an offline connection to workers to ensure in-person communication with workers and clients when needed.
7. Establish more transparent business processes for DECWs.
8. Engage with government agencies to support the delivery of policies, programmes and initiatives that improve decent work for women in the digitally enabled care economy.

FOR OTHER ECOSYSTEM ACTORS

9. Strengthen decent work in the digitally enabled care economy by collaborating with diverse ecosystem players and subject matter experts.
10. Promote investment in women-owned and/or women-benefiting digitally enabled care enterprises to create decent jobs, especially for women workers.
11. Set up systems that ensure that customers meet requirements for the provision of decent work.

FOR INTERNATIONAL AND NATIONAL STATISTICAL SYSTEMS

12. Develop and adopt internationally agreed statistical standards on the care economy and its constituent parts, including the digitally enabled care economy.
13. Invest in the production of sex-disaggregated care data and research to make women's work in the digital care economy visible.

SECTION

1

DIGITALLY ENABLED CARE WORK AND GENDER EQUALITY: BACKGROUND AND RATIONALE AND LITERATURE REVIEW

1.1 BACKGROUND AND RATIONALE

In 2021, the International Development Research Centre (IDRC), in partnership with the Soros Economic Development Fund at the Open Society Foundations, launched the “Transforming the Care Economy through Impact Investing initiative”. Aiming to drive investment into social and for-profit enterprises that have the potential to transform the care economy, the initiative has engaged a broad range of partners to advance research; incubation, acceleration and investment; and outreach and engagement, across Latin America, Asia and Africa.

Over the course of 2022-23, UN Women, in partnership with Value for Women, undertook research with care entrepreneurship ecosystem players (including investors, accelerators, enterprises, caregivers and customers) in South and Southeast Asia. This research sought to advance an understanding of what is needed and provide actionable recommendations to:

- Spur investor interest in and capital allocation to gender-responsive or transformative care enterprises, with a particular focus on child and eldercare.
- Support care enterprises, particularly those leveraging digital platforms, to grow and thrive as sustainable and gender-inclusive businesses (presented in this paper).

Women play a key role in meeting care demands both as unpaid and paid workers. Women in Asia and the Pacific spend the most time providing unpaid care and domestic services to family and household

members compared to any other region.¹ This unequal share of care responsibility accelerated during the COVID-19 pandemic, when 30 per cent of women the Association of Southeast Asian Nations (ASEAN) countries reported an increase in the intensity of unpaid domestic work compared to 16 per cent of men.²

Women also constitute the great bulk of care workers, including domestic workers, and these are mostly in the informal economy. Globally, there are fewer women than men in informal employment, and women in the informal economy are more often found in the most vulnerable situations, for instance as domestic workers, home-based workers or contributing family workers, than their male counterparts.³ At the regional level, the Asia and Pacific region is the world’s largest employer of domestic workers, and 61.5 per cent are operating in the informal economy, most of whom are women.⁴ This also include migrant workers: in 2020, 83 million people in Asia and the Pacific lived outside their country of birth and 44 per cent of these were in the domestic and care sector.⁵

Evidence collected during the COVID-19 pandemic highlighted that it was mostly women who were at the forefront of responses, with detrimental effects on their employment and working conditions.⁶ As public services collapsed, COVID-19 underlined the overall fragility of the care economy (Box 1) and the enormous deficits in public investments. The costs fell on those who needed care and the default care providers, who were predominantly women from migrant and low-income groups.⁷

1 United Nations. 2020. [The World’s Women 2020: Trends and Statistics](#).

2 UN Women. 2021. [ASEAN Gender Outlook](#).

3 International Labour Organization (ILO). 2018. [Women and Men in the Informal Economy: A Statistical Picture](#), Third Edition, p. 21.

4 ILO. 2021. [Making decent work a reality for domestic workers: Progress and prospects ten years after the adoption of the Domestic Workers Convention, 2011 \(No. 189\)](#), Executive summary.

5 International Organization for Migration (IOM). 2020. [Asia-Pacific Migration Data Report 2020](#).

6 UN Women and the Asian Development Bank (ADB). 2022. [Two years on: The lingering gendered consequences of COVID-19 in Asia and the Pacific](#); UN Women. 2020. [Unlocking the lockdown: The gendered effects of COVID-19 on achieving the SDGs in Asia and the Pacific](#).

7 UN Women. 2021. [Beyond COVID-19: A feminist plan for sustainability and social justice](#); UN Women. 2021. [Women and Girls Left Behind: Glaring gaps in pandemic responses](#).

Care needs are growing due to demographic changes, new models of co-residence and the increased frequency of disasters, health crises and other hazards.⁸ In Southeast Asia, society is rapidly aging with the proportion of people aged 60 years and over having increased from 9.8 per cent in 2017 to 20.3 per cent by 2050.⁹ Today, the largest shortage of formal care workers globally is in the Asia and Pacific region.¹⁰ This requires new models

to systemically close the gap between supply and demand for care for the elderly, children and people with disabilities.¹¹ However, investments in accessible, quality and affordable care services lag behind the need for them. Closing the global care gap would require an annual investment of US\$5.4 trillion (equivalent to 4.2 per cent of the total annual GDP) by 2035.¹²

BOX 1:**What is the digitally enabled care economy?**

While there is no internationally agreed definition of the care economy, UN Women has a working definition, which this report uses.¹³ Accordingly, the **care economy** entails the production and consumption of goods and services necessary for the physical, social, mental and emotional well-being of care-dependent groups, such as children, the elderly, the ill and people with disabilities, as well as healthy, prime working-age adults.

The care economy includes both direct and indirect care. **Direct care** provisioning entails one-to-one relational tasks between the caregiver and the care receiver, such as breastfeeding a baby, helping a child with homework, tending to a bed-bound elderly person, and giving emotional support to someone diagnosed with a terminal illness. **Indirect care** does not entail person-to-person engagement but involves indispensable

components of care provisioning. These include common domestic tasks, for example, cooking, cleaning, washing, shopping and household repairs and maintenance.

Caregiving services, both direct and indirect, can be provided for pay/profit or for the final use of family and household members without pay. This report focuses on the former.

Digitalization and innovation have led to new ways of connecting workers in the care economy. Increasingly, the care economy is facilitated by online platforms which enable the matching of care demand and provision. This report focuses on the digitally enabled care economy. This terminology reflects the multitude of business models emerging at the intersection of the care and digital economy.¹⁴

Expanding childcare infrastructure across the Asia Pacific region will add 182 million jobs by 2030, with many of these likely to be taken up by women.¹⁵ Increasing the supply of market-based care solutions in the care economy also has the

potential to create economic opportunities for women through entrepreneurship,¹⁶ facilitate entry into the labour market for care workers, enhance children's access to quality care,¹⁷ and increase women's labour force participation in other sectors

8 As noted in United Nations Department of Economic and Social Affairs (UNDESA). 2023. [World Social Report 2023: Leaving No One Behind In An Ageing World](#), p. 7: "traditionally, co-habiting family members, usually unpaid women and girls, met the care needs of older persons. Intergenerational co-residence is declining in both developed and developing countries, however. Care models that rely exclusively or primarily on families are increasingly inadequate".

9 World Health Organization (WHO) South-East Asia. ["Ageing and Health"](#).

10 UNDESA. 2023. [World Social Report 2023: Leaving No One Behind In An Ageing World](#).

11 M. Kajimura. 2020. [Changes in the Demographic Structure and Economic Growth in East and Southeast Asia](#). Economics Working Paper. ISEAS - Yusof Ishak Institute.

12 L. Addati., U. Cattaneo and E. Pozzan. 2022. [Care at work: Investing in care leave and services for a more gender equal world of work](#). Geneva: International Labour Office.

13 UN Women. 2018. [Promoting Women's Economic Empowerment: Recognizing and Investing in the Care Economy](#). Issue Paper.

14 S.B. Barnes and D. Ramanarayanan. 2022. [The Global Care Economy](#). Global Health & Gender Policy Brief. No. 1. April. Washington DC: Wilson Center.

15 ILO. 2018. [Care Work and Care Jobs: For the Future of Decent Work](#).

16 UN Women. 2022. [Innovations in Childcare to Advance Women's Economic Empowerment](#). Think Piece.

17 A.E. Devercelli and F. Beaton-Day. 2020. [Better Jobs and Brighter Futures: Investing in Childcare to Build Human Capital](#). World Bank Group.

by alleviating their time constraints caused by unpaid care work.^{18,19} The investment case is clear and universal: globally, women's time spent on unpaid care work represents about 12.5 billion hours per day, corresponding to a contribution to the global economy of around US\$10.8 trillion dollars a year, three times more than the global tech industry.²⁰ For further research and analysis of the barriers and opportunities for investing in the care economy in South and Southeast Asia, and for an actionable framework to spur investment into the space, see 'The Case for Care: Catalysing investments into the care economy in South and Southeast Asia (publication forthcoming).'²¹

A recognized, valued and resilient care economy must also ensure that such opportunities translate into decent work through increased protection, expanded labour rights for care workers and gender-transformative policies.²² Several multi-stakeholder dialogues have called for actions to transform care. The Generation Equality Forum's initiative for an Action Coalition on Economic Justice and Rights produced a blueprint on how to increase women's economic empowerment by transforming the care economy with four recommendations centred on: (i) care economy transformation; (ii) expanding decent work; (iii) access to productive resources; and (iv) promoting gender-transformative economies.²³

This has sparked a larger conversation in Asia and the Pacific, including at the Bali Care Economy Dialogue. The White Paper drafted in its proceedings highlighted that achieving decent work for care workers, including migrants and domestic workers, must reverse current trends by providing labour protection, promoting professionalization, workers' representation and avoiding wage depression and deskilling. It also identified the lack of official

statistics on decent work in the care economy for the Asia and the Pacific, including its digital component, as a key gap that prevents gender data from informing decision making.²⁴

The evidence generated during COVID-19 and the regional multi-stakeholder dialogues on the care economy have built momentum to explore innovative solutions, such as market-based care service provision, including through digitally enabled solutions. Regional trends show that ASEAN and the rest of Asia and the Pacific are at the forefront of global e-commerce. Digital transformation—and its impacts on labour markets may improve an economy's ability for scale and innovation²⁵

Different types of digitally enabled care solutions include online reservation systems for care workers, home-based care service provision, care certification models and cooperative models, as described in a recent UN Women Think Piece.²⁶ However, among market-based models for care provision, digitally enabled solutions are understudied. Still, they are increasing in number. It is estimated that globally the number of digital labour platforms in the sector has risen eightfold, from 28 platforms in 2010 to 224 platforms in 2020.²⁷ In ASEAN, many workers use online digital platforms, including in services, adding up to 63 million people doing online freelancing activities and some 40 million doing on-demand digital activities.²⁸ It is unclear, however, the exact prevalence of care workers, including domestic workers, in the digital economy and whether digitally enabled solutions in the care economy can contribute to decent work opportunities for care workers, including domestic workers, a group that has historically faced severe decent work deficits.^{29,30}

18 G. Azcona, A. Bhatt, W. Cole, R. Gammarano and S. Kapsos. 2020. [Spotlight on Goal 8: The Impact of Marriage and Children on Labour Market Participation](#), UN Women and ILO.

19 UN Women. 2015. [Gender equality, Gender equality, child development and job creation: how to reap the 'triple dividend' from early childhood education and care services](#). Policy Brief, No. 2.

20 Oxfam. 2020. [Time to Care: Unpaid and underpaid care work and the global inequality crisis](#).

21 Value for Women. 2023. [The Case for Care: Catalysing investments into the care economy in South and Southeast Asia](#). (publication forthcoming)

22 ILO. 2018. [Care Work and Care Jobs: For the Future of Decent Work](#).

23 Generation Equality Forum. 2021. [Economic Justice and Rights Action Coalition](#).

24 The Asia Foundation. 2022. [Toward a resilient care ecosystem in Asia and the Pacific: promising practices, lessons learned, and pathways for action on decent care work](#).

25 ASEAN. 2023. [ASEAN Employment Outlook – The Quest for Decent Work in Platform Economy: Issues, Opportunities and Ways Forward](#).

26 UN Women. 2022. [Innovations in Childcare to Advance Women's Economic Empowerment](#), Think Piece.

27 ILO. 2021. [Making decent work a reality for domestic workers. Progress and prospects ten years after the adoption of the Domestic Workers Convention, 2011 \(No. 189\)](#), Executive Summary.

28 ASEAN. 2023. [ASEAN Employment Outlook – The Quest for Decent Work in Platform Economy: Issues, Opportunities and Ways Forward](#).

29 As highlighted in ILO. 2017. [Formalizing domestic work](#). Domestic Work Policy Brief 10: "Recommendation 204 calls on Member States to pay special attention to domestic workers, as one group that is especially vulnerable to the most serious decent work deficits in the informal economy (para 7i)."

1.2 LITERATURE REVIEW

There is an abundance of evidence on the conditions of women operating in the care economy, identifying the common vulnerability, lack of safety and informality of these essential workers.³¹ Only recently has research emerged, opening discussion on key opportunities and challenges coming out of the digitally enabled care economy. Historically, most research and data on digital labour platforms (Annex 1: Glossary and terminology) have focused primarily on male-dominated sectors, such as ride-hailing or

food delivery services. In low-income countries, only around 2 in 10 people on digital platforms are women, and globally make up about 4 in 10 workers on these platforms.³² When focusing on digital labour platforms for taxi and delivery services only, less than 10 per cent of workers are women.³³ Recent literature is emerging on highly feminized sectors, such as care work including domestic workers, which leverage digitalization. It presents a complex and multifaceted picture with contrasting findings and perspectives.

BOX 2:

Opportunities and challenges for women workers in the digitally enabled care economy: a snapshot of the literature

1. The care economy is highly feminized with women constituting almost the entirety of the workforce. Despite being the backbone of society and economy, care workers, including domestic workers, are exposed to high levels of informality and vulnerability and are very often excluded from labour and social protection laws.
2. Digitally enabled care work creates income-generating opportunities for women workers, including increased flexibility, timely payment, better remuneration, increased safety, and training and education in care work. This can contribute positively to women's economic empowerment in Southeast Asia.
3. Challenges associated with digitally enabled care work include an absence of formal employment arrangements, including written contracts; pressure to comply with employer's demands to be able to maintain high ratings; lack of regular working hours; decreased employment security; and high costs for registrations and accessing training. This can negatively impact the opportunity to realize decent work for women workers.
4. Women migrant workers face additional challenges when engaging in digitally enabled care work as they often have fewer rights and greater restrictions associated with their working permits and travel documentation status.
5. Both enterprises operating in the digitally enabled care economy and governments have a role to play in creating an enabling environment that realizes these opportunities while managing challenges to enable investment in the digitally enabled care economy. This will overwhelmingly benefit women, given the relatively high numbers of women entrepreneurs and women workers in this sector compared to men.³⁴

30 As stated in ASEAN. 2023. [ASEAN Employment Outlook – The Quest for Decent Work in Platform Economy: Issues, Opportunities and Ways Forward](#): “The legislative attention is skewed towards platforms for ride-hailing and courier services. This situation is possibly due to the ride-hailing and courier services’ contribution to the country’s income and employment. Nevertheless, other on-demand work like childcare, massage, cleaning, and maintenance are also gaining traction on platforms. This on-demand work has different issues and challenges requiring different policies and initiatives. For example, while sexual harassment is an issue for workers in ride-hailing or courier services, it can be more challenging for those in care and personal services, where work is done in confined environments, and clients can have substantial control”.

31 As stated in ILO. 2018. [Care Work and Care Jobs: For the Future of Decent Work](#), for instance, “domestic workers experience some of the worst working conditions across the care workforce and are particularly vulnerable to exploitation. Jobs in this sector are notoriously unpredictable and casual in nature and are adversely affected by low labour and social protection coverage. Moreover, violence at work is ubiquitous in the domestic work sector”. Also see: ILO. 2018. [Women and Men in the Informal Economy: A Statistical Picture](#). Third Edition, p. 21.

32 ILO. 2021. [World Employment and Social Outlook 2021. The role of digital labour platforms in transforming the world of work](#).

33 Ibid.

34 ILO. “[Who are domestic workers?](#)”; UN Women. 2022. [Innovations in Childcare to Advance Women’s Economic Empowerment](#). Think Piece.

1.2.1 Opportunities emerging in the digitally enabled care economy

Digital technologies provide new opportunities for women to engage in paid work and enhance their financial inclusion, which in turn may lead to other benefits, including better access to education, healthcare and social services.³⁵ As a segment of the care economy is increasingly digitized, this offers a variety of opportunities to women for work.

Location-based digital platforms are enabling the growth of the digitally enabled care economy.³⁶ These platforms contribute to increased labour force participation and productivity, and stimulate consumption.³⁷ Research suggests that digitalization of the care economy can also provide

benefits such as flexible working time and better remuneration than for domestic workers operating outside the digitally enabled care economy.³⁸ A major incentive for using digital platforms over traditional forms of employment may lie in the potential for faster payment times than waiting for a monthly wage, and therefore less financial burden.³⁹ Evidence has also emerged on women working via digital platforms being more assertive in their agency to improve their working conditions; these women can build strong and positive relationships with 'good' customers and seek work through the platform, social media and offline methods.⁴⁰

1.2.2 Challenges emerging in the digitally enabled care economy

While there are some signals of emerging opportunities for women in the digital economy, earlier research has argued that digital platforms threaten decent work outcomes for workers operating in this space⁴¹ and that care workers, including domestic workers (see definitions in Annex 1) face challenges when engaging with digital platforms to access work.⁴² The challenges of work in the digital economy may be the same as for those in the non-digital labour market, including low pay, instability and lack of social protection.⁴³ Care workers, including domestic workers, using digital platforms often lack workplace protection and work in conditions of informal employment with limited access to collective agreements or established unions.⁴⁴ Many have never signed a contract. Moreover, platforms frequently charge service fees without notice.⁴⁵ For many women, on-demand work is a survival strategy that provides few opportunities for protection and safety.⁴⁶

The digitally enabled care economy can also be characterized by low and insecure income, discrimination, power imbalances and weak labour and social protection.⁴⁷ In Thailand, women domestic workers reported being the primary income earners for their families with 40 per cent living with family members with an irregular income. In India, the higher remuneration provided by digital platforms and marketplaces were offset by high commission fees.⁴⁸ Despite evidence suggesting quick payments of income were positive, research found that waiting over a week for payments to be released led workers to register across multiple platforms.⁴⁹ The high financial barriers to register for digital care platforms, as well as the responsibility for equipment expenses, compounds this issue.⁵⁰

Existing literature noted that care workers, including domestic workers, felt pressured to comply with clients' demands, even if it outside

35 Hunter, S., Webb, A., Watson-Lynn, E. 2022. [Policy Guidebook: Harnessing Digital Technology for Financial Inclusion in Asia and the Pacific](#). UN ESCAP.

36 Caribou Digital and Mastercard Foundation. 2022. [Women in the platform economy: Women's experiences of platform livelihoods in Ghana, Kenya, and Nigeria](#).

37 A. Hunt and F. Machingura. 2016. [A Good Gig? The Rise of on-Demand Domestic Work](#). Working Paper 07. December. Overseas Development Institute.

38 Ibid.

39 Just Economy and Labor Institute. 2022. [Centering the Agency of Women in Thailand's Platform-Based Care Economy](#). June.

40 Ibid.

41 A. Hunt and F. Machingura. 2016. [A Good Gig? The Rise of on-Demand Domestic Work](#). Working Paper 07. December. Overseas Development Institute.

42 A. Hunt and E. Samman. 2016. [Women's economic empowerment: navigating enablers and constraints](#). Overseas Development Institute.

43 Commission on the Status of Women. 2023. [Innovation and technological change, and education in the digital age for achieving gender equality and the empowerment of all women and girls](#); S. Dewan. 2022. [Women, work and digital platforms: Enabling better outcomes for women in the digital age](#). UN Women Expert Group Meeting. Expert Paper. JustJobs Network.

44 ILO. 2022. [Securing decent work for nursing personnel and domestic workers, key actors in the care economy](#).

45 Just Economy and Labor Institute. 2022. [Centering the Agency of Women in Thailand's Platform-Based Care Economy](#). June.

46 A. Hunt et al. 2019. [Women in the gig economy: Paid work, care and flexibility in Kenya and South Africa](#). November. Overseas Development Institute.

47 A. Hunt and F. Machingura. 2016. [A Good Gig? The Rise of on-Demand Domestic Work](#). Working Paper 07. December. Overseas Development Institute.

48 A. Rathi and A. Tandon. 2021. [Platforms, Power, & Politics: Perspectives from Domestic & Care Work in India](#). The Centre for Internet and Society India and the Domestic Workers Rights Union.

49 Just Economy and Labor Institute. 2022. [Centering the Agency of Women in Thailand's Platform-Based Care Economy](#). June.

50 S. Orleans Reed. 2017. [Informal Workers in Bangkok, Thailand: Scan of Four Occupational Sectors](#). WIEGO and HomeNet Thailand

their scope of work, to maintain good platform ratings.⁵¹ Other workers struggled to effectively communicate grievances due to a lack of education beyond primary levels, and some platforms only offer limited mechanisms for complaints.⁵² When raised, complaints were often not resolved effectively due to the lack of grievance policies and the prioritization of customer reviews. In some instances, women who developed their own networks with other platform workers shared experiences and blacklisted problematic clients and built personal relationships with good customers to bypass the platform. Platforms are protective of their reputation and sometimes only display one-sided, positive reviews and hide negative complaints.⁵³ Moreover, there are challenges specific to migrant workers. Migrant workers looking for income-generating opportunities often turn to care work and have fewer rights and greater restrictions around entitlements due to their legal status and restricted access to decent work.⁵⁴

Digital labour platforms play a role in reinforcing challenges, but conversely can mitigate and manage risk for workers. Platforms are motivated to increase operational efficiency so can help workers get work. However, where there is a lack of resources or policies to protect workers and manage unsafe situations, workers can be negatively impacted.⁵⁵ In the United States, innovative worker-centred platforms have improved the well-being of domestic care workers through compliance with labour standards and partnerships with government and community organizations.⁵⁶ However, literature on the concerns about some digital care platforms highlight how some digital intermediaries are a part of large multinational companies who can cross-subsidize operations and do not necessarily prioritize the working conditions of workers and the safety of care recipients.⁵⁷ Finding the right mix of private and public financial support in the care economy can reduce the risk of imbalanced investment, shielding workers and the beneficiaries of care from adverse outcomes.⁵⁸

1.3 STRUCTURE OF THE REPORT

Despite emerging evidence, it is underexplored whether the digitalization of the care economy can play a role in enabling a pathway towards decent work for digitally enabled care workers in Southeast Asia. To contribute towards better understanding this issue:

SECTION 2

describes the research design of this paper, including concepts, definitions, methods and limitations.

SECTION 3

profiles the workers operating in the digitally enabled care economy.

SECTION 4

examines the policy landscape to assess whether such workers are covered by formal arrangements within legal frameworks.

SECTION 5

analyses the work of digitally enabled care workers and assesses whether there are open routes to foster progress towards decent work.

SECTION 6

provides policy recommendations as ways forward for enabling the realization of decent work and women's economic empowerment in the digitally enabled care economy through a multi-stakeholder approach.

51 J. Ticona, A. Mateescu and A. Rosenblat. 2018. [Beyond Disruption: How Tech Shapes Labor Across Domestic Work & Ridehailing](#). Data & Society.

52 Just Economy and Labor Institute. 2022. [Centering the Agency of Women in Thailand's Platform-Based Care Economy](#).

53 Ibid

54 F. Caro Sachetti, M. Thomas, A. Chakraborty, A. Nur Alami and S. Iyer. 2022. [Migrant Care and Domestic Workers During the Pandemic and Beyond: The G20's Role in Tackling Inequalities and Guaranteeing Rights](#). Policy Brief. T20 Indonesia 2022. Think.

55 J. Ticona, A. Mateescu and A. Rosenblat. 2018. [Beyond Disruption: How Tech Shapes Labor Across Domestic Work & Ridehailing](#). Data & Society.

56 E. Zundl and Y. van der Meulen Rodgers. 2021. [The Future of Work for Domestic Workers in the United States- Innovations in Technology, Organizing, and Laws](#). January. Working Paper #2021-3. The Center for Women and Work.

57 F. Flanagan. 2019. ["Theorising the gig economy and home-based service work"](#). Journal of Industrial Relations. Vol. 61, No. 1.

58 Gender Smart. 2022. [Towards An Investable Care Economy](#). Working Group Insight Series. Number 1. May.

SECTION

2

RESEARCH OBJECTIVE, METHODOLOGY AND LIMITATIONS

2.1 RESEARCH OBJECTIVE

This research builds on the UN Women Think Piece ‘Innovations in Childcare to advance Women’s Economic Empowerment’, which argues that entrepreneurship is one pathway to fill an important gap in the supply of childcare. It also highlights its importance.⁵⁹

The main research objective of this report is to identify and describe potentially good practices of market-based models in the digitally enabled care economy and to assess the potential role of these models in generating work opportunities that facilitate the access of care workers, including domestic workers, to decent work.

2.2 DEFINITIONS

Current classifications and definitions do not adequately describe the actors, work arrangements and intermediaries in the digitally enabled care economy. Therefore, this research employs the newly coined terminology “digitally enabled care workers (DECW)” and “digitally enabled care enterprises” (DECEs) to refer to workers and enterprises, respectively.

also be providing caregiving services through Business-to-Business (B2B) solutions, but this research focuses mostly on workers who provide services for and in households and by partnering with DECEs (Figure 1). While B2B solutions are out of the scope of this research, given their rapid growth in Asia and the Pacific, they should be the subject of future research.

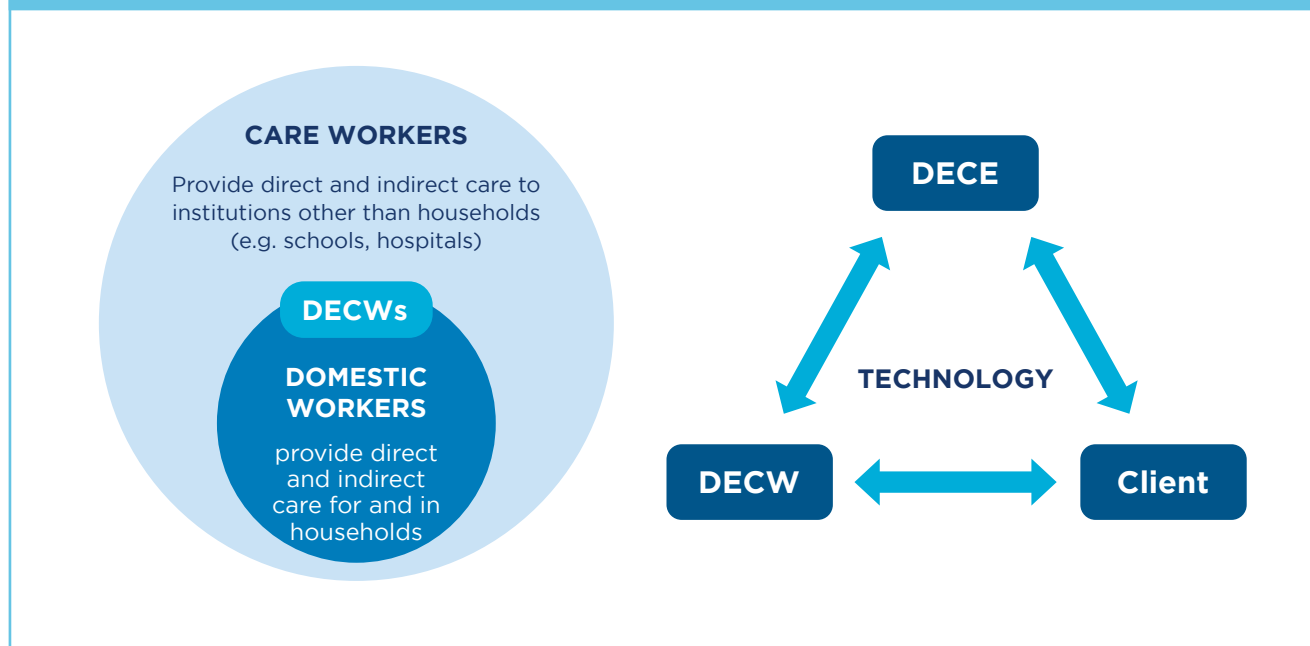
DECWs are a cohort of workers that are fast emerging in the care economy. They are people of working age who provide caregiving services, including indirect care, for and in households and have found their clients or a job through a DECE. This cohort of workers falls under the internationally agreed statistical definition of domestic workers (see Annex 1: Glossary and terminology).⁶⁰ Similarly, DECWs are classified in international law and most national laws as domestic workers. Conceptually, DECWs may

DECEs enable the matching of care needs and demands through technology, and as such are mostly registered as ICT companies and not necessarily as care providers. DECEs include, however, a variety of business models, including digital labour platforms and recruitment agencies with an online component. While DECEs are wide-ranging in their level of digitalization, they all share a tripartite and digitally enabled relationship between the enterprise, the worker and the client (Figure 1).

59 UN Women. (2022). [Think Piece: Innovations in Childcare to Advance Women’s Economic Empowerment](#).

60 ILO. 2018. [Resolution concerning statistics on work relationships](#). ICLS/20/2018/Resolution I.

FIGURE 1: Scoping digitally enabled care workers and digitally enabled care enterprises



2.3 SELECTION OF DIGITALLY ENABLED CARE ENTERPRISES AND SAMPLE LIMITATIONS

Four DECEs in four different countries participated in this study. As such, the findings are not meant to be representative of the behaviour of all DECEs but are illustrative. Prior to selecting the target DECEs for this analysis, semi-structured interviews were conducted with the Chief Executive Officers (CEOs) of DECEs who participated in the UN Women Care Accelerator Programme.⁶¹ All selected DECEs are also signatories to the Women’s Empowerment Principles (WEPs), which offer guidance to businesses on how to promote gender equality and women’s empowerment in the workplace, marketplace and community.⁶² As a result, all DECEs are sensitive to women’s needs to varying degrees and are thus not necessarily representative of the average DECE in the target countries. This is an important limitation of this analysis. However, the findings are still useful to

ascertain the possible role that DECEs can play in promoting women’s economic opportunities and enabling progress towards decent work.

Four enterprises were selected: **LOVECARE** in Indonesia, **KIDDOCARE** in Malaysia, **ASEANA** in Singapore, and **KIIDU** in Thailand. This selection was informed by the variability of technological development (e.g. apps, websites) and algorithm management (e.g. matching of demand and supply, digital payments), types of caregiving services provided (e.g. childcare, elderly care), and workers (e.g. migrants, non-migrants). While these selected DECEs operate at the intersection of the care and digital economy, none is fully digitized and all maintain an offline communication component.

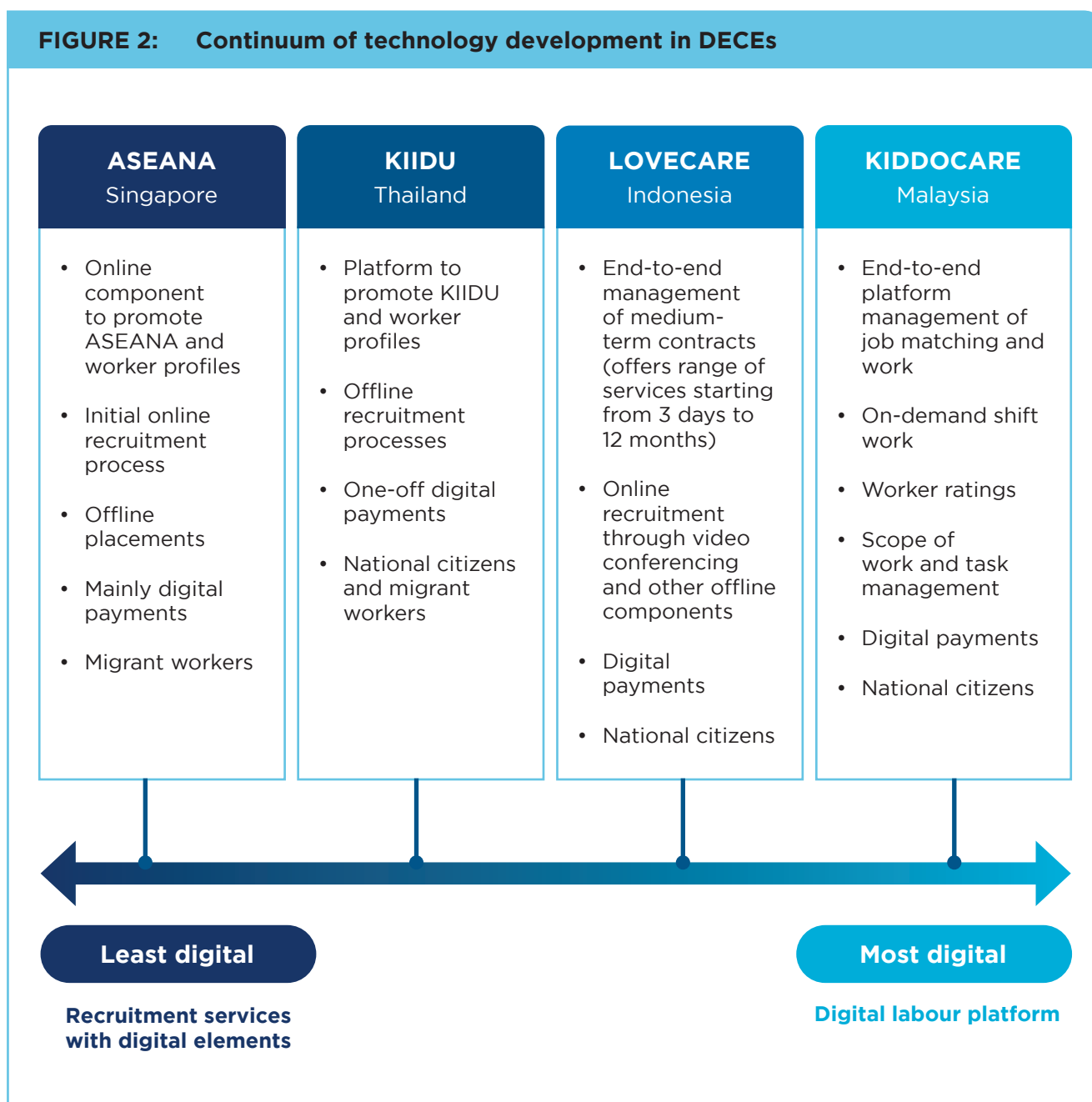
⁶¹ To participate in the UN Women Care Accelerator Programme, care solutions must contribute to making care services more accessible and affordable and/or improve the quality of care.

⁶² Established by the UN Global Compact and UN Women, the WEPs are informed by international labour and human rights standards and grounded in the recognition that businesses have a stake in, and a responsibility for, gender equality and women’s empowerment.

Along the continuum of technological development, **KIIDU** in Thailand and **ASEANA** in Singapore least rely on digitization (Figure 2). These are recruitment agencies with an online component for outreach and matching of clients with workers, including migrant workers. In the case of **ASEANA**, the online component consists of a website with a roster of workers accessible upon registration. At **KIIDU**, the enterprise has a digital application (app) but relies on social media groups and sales and recruitment agents to market opportunities to DECWs.

In contrast, **KIDDOCARE** can be classified as an on-demand digital labour platform enabling work opportunities only to permanent residents in urban areas in Malaysia. In Indonesia, **LOVECARE** relies on an app for the matching of workers with clients, but also provides long-term care services by placing live-in DECWs (Box 3). DECEs selected in this research share some common features, such as female ownership, a relatively small size (less than 20 employees) and being a young business (recently registered).

FIGURE 2: Continuum of technology development in DECEs



BOX 3: A brief description of the business models of DECEs selected in this study**ASEANA, Singapore**

ASEANA is a nursing care agency with digital and non-digital components. The digital component is predominantly for search and outreach to potential customers and DECWs. The DECE recruits migrant, live-in DECWs, mostly from the Philippines. This DECE enables the provision of elderly and medical care through the placement of nursing aides or live-in long-term caregivers. In this context, specific social protection provisions are provided by the Ministry of Manpower.

KIIDU, Thailand

KIIDU is both an on-demand and long-term placement agency with digital and non-digital components. The digital components largely provide outreach, while contract management, recruitment and placements take place through social media groups and offline/online components. The DECE places both live-in and live-out workers and engages both Thai national and migrant workers who are predominantly from Myanmar. However, on-demand placements are only available for Thai nationals as per country regulations. **KIIDU** offers a variety of caregiving services, from child care to driving services for households.

LOVECARE, Indonesia

LOVECARE is a home care marketplace app to provide short, medium, and long-term caregiving services. **LOVECARE** serves clients residing in Indonesia and provides live-in services. Some aspects of recruitment take place on video conferencing software. **LOVECARE** provides elderly and medical care, as well as childcare especially for dependants with medical needs. DECWs are not expected to provide services such as cooking or cleaning.

KIDDOCARE, Malaysia

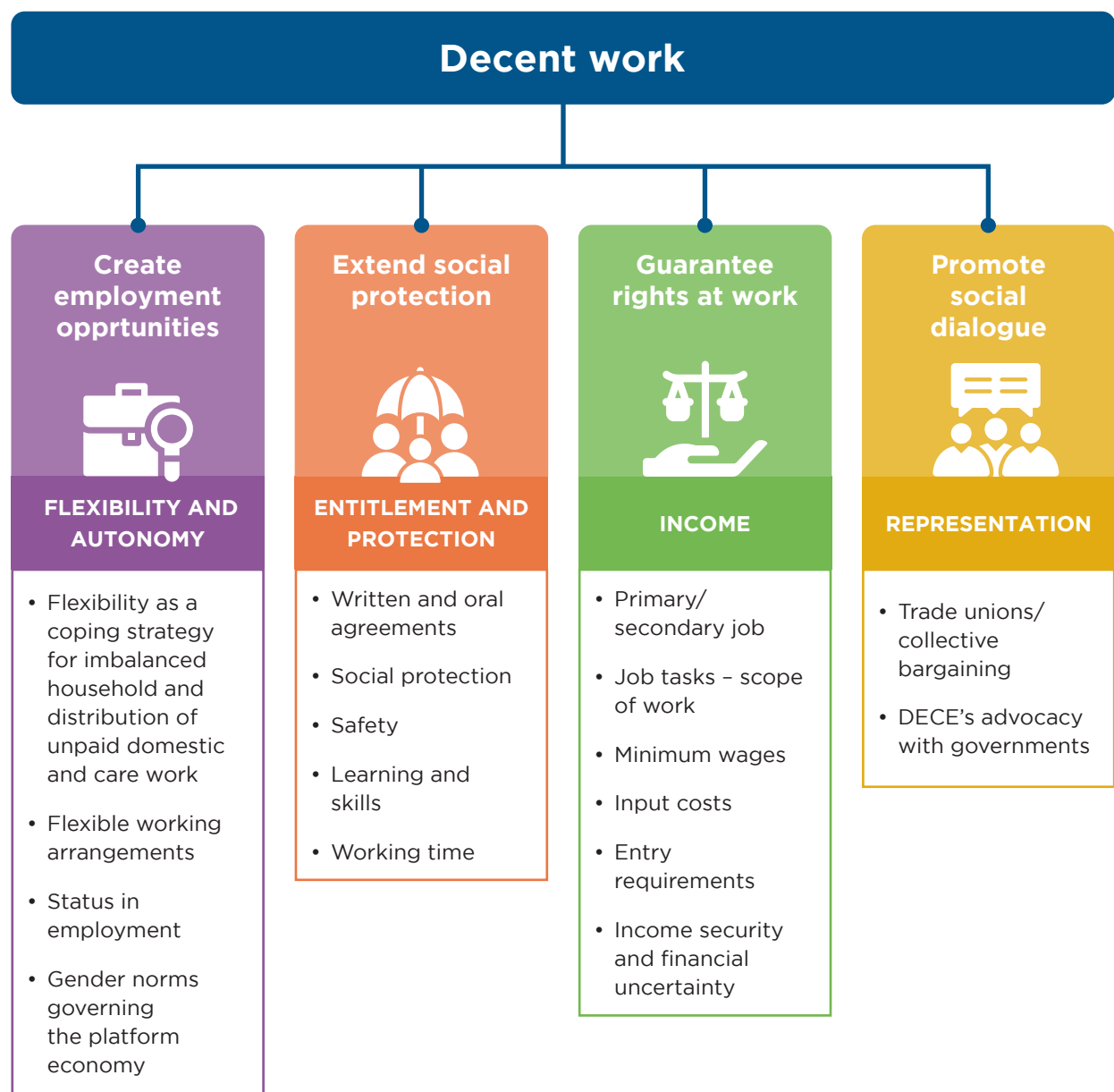
KIDDOCARE is an on-demand platform with its end-to-end operations digitized. These digital components include recruitment and matching, scope of work and task management, grievance processes and payments. The platform is, however, not fully digitized and maintains an offline component for communicating with workers and clients. Only Malaysian permanent residents can use this platform to find clients and the DECWs provide live-out services as they are only hired on a shift-by-shift basis. The DECE strictly provides childcare services only.

2.4 PATHWAYS TOWARDS DECENT WORK IN THE DIGITALLY ENABLED CARE ECONOMY

In preparation for the 67th Commission of the Status of Women (CSW67), an expert paper identified critical dimensions to assess the benefits and challenges for women in the platform economy: **(i) flexibility and autonomy, (ii) entitlement and**

protection, (iii) income, and (iv) representation.⁶³ Within each of these domains, the research explored multiple relevant subdomains in-depth to identify potential pathways to decent work (Figure 3).

FIGURE 3: Pathways towards decent work in the digitally enabled care economy



Source: Adapted from Dewan, 2022.

63 Dewan, S. 2022. [Women, work, and digital platforms: Enabling better outcomes for women in the digital age](#). UN Women. Expert Paper EGM/STI/EP.5.

2.5 METHODOLOGY

This research uses case study methodology.⁶⁴ For each country case study, a mixed-method approach was employed. Two surveys to digitally enabled care workers and clients were administered through the DECEs and complemented with focus group discussions and key informant interviews (KIIs). A policy landscape analysis of national laws and ratification of international labour conventions was also conducted. Analysis of the case studies was conducted for each country, as well as an overall analysis, which enabled both aggregated results across contexts and individualized results based on national circumstances.⁶⁵

595 workers surveyed in 4 countries



120 clients surveyed in 2 countries

40 Focus groups with workers and clients in 3 countries

11 key informant interviews in 4 countries

2.5.1 Data collection from workers and clients

Data collection from workers began simultaneously for all four selected DECEs on 21 November 2022 and the surveys lasted for six weeks. Using Computer Assisted Web Interviewing (CAWI), the completion of each questionnaire took some 20 minutes. Respondents were first asked to self-report the benefits and challenges associated with their service provision and the overall experience of providing services through the DECE. Afterwards, the respondent was asked about working conditions and arrangements pertaining to their latest caregiving service found through the DECE.⁶⁶ Translation and back-translation of the questionnaires were conducted in six languages—English, Burmese, Bahasa Indonesia, Tagalog, Thai and Malay—all of which were made available to respondents. Overall, the workers' survey collected information on 595 DECWs.

Data collection from clients relied on the same methodology, but was only collected from customers in Malaysia and Indonesia due to resource constraints. The client survey was rolled out on 10 April 2023 for two weeks and was administered to registered clients through the DECE. Overall, the client survey collected information from 120 users.

Following the surveys, qualitative data was collected from DECWs and DECE customers in Indonesia, Malaysia and Thailand between 6 and 11 March 2023. Due to resource constraints, qualitative field work did not include Singapore. In Indonesia, focus group discussions were conducted with 10 DECWs and 10 customers, while in Malaysia qualitative interviews were conducted with five DECWs and two clients. In Thailand, focus group discussions were conducted with nine DECWs who were Thai nationals and with four Burmese migrant workers. All focus groups were conducted in local languages, including Bahasa Indonesia, Malay, Thai and Burmese. In addition, key informant interviews were conducted with the CEOs of all four DECEs, and seven ecosystem stakeholders, including policy experts and industry group representatives. Reports from the focus group discussions and key informant interviews were digitally recorded and translated.

64 P. Baxter and S. Jack. 2015. [Qualitative Case Study Methodology: Study Design and Implementation for Novice Researchers](#). The Qualitative Report, 13(4): 544–559.

65 J. Gerring. 2007. [Case study research: Principles and Practices](#). Cambridge University Press.

66 This recent work experience took place in the week when the survey was rolled out for 27 per cent of respondents, in the previous week for 12 per cent and less than a month prior to the survey for 22 per cent.

2.5.2 Limitations

This research shares limitations with similar studies which generated evidence on the working conditions of workers operating in the digital economy in the absence of official statistics on the subject. First, the selected enterprises do not represent the entire ecosystem and all models of digital care platforms or DECEs in Southeast Asia, and their more gender-sensitive business models as WEP signatories may have introduced a positive bias at the selection stage. An important caveat also lies in the multitude of different business models employed in the research, with enterprises ranging from digital labour models to more traditional recruitment agencies with an online component. This range is not expected to be exhaustive and additional business models should be subject to future research.

Different samples were used for the qualitative and quantitative parts of this mixed-methods research. Thus, the participants who contributed to the survey differ to those who participated in the focus groups. Selection of participants for focus groups was limited to those who were available and not working at the time of the interview, rather than drawn directly from survey responses.

The survey collected information on 595 DECWs aged 18 and older who were uniquely registered in one of the selected DECEs.⁶⁷ Among these workers, 76 per cent of respondents provided household services to clients and enterprises found online, whereas 24 per cent were more likely to use offline components such as a DECE agents and email correspondence. Response

rates from DECWs for an individual DECE were highest in Singapore (39 per cent of registered service providers) followed by Indonesia (24%), Malaysia (8%) and Thailand (7%). It is worth noting, however, that the bulk of responses were from care workers in Thailand (43%), followed by Malaysia (24%), Singapore (18%) and Indonesia (14%). This is because the DECE in Thailand had the biggest volume of registered workers. Overall, the sample covers different country contexts and business models and when possible, the report highlighted differences in the results.

While surveying workers about the world of care work obtained through digitally enabled enterprises, the resulting statistics are not representative of the entire population nor of the workforce of the DECEs, due to the response rate and self-selection bias, as more active and engaged workers are more likely to participate in this type of data collection.⁶⁸ In this research, many more newly registered workers participated in the survey: 73 per cent of respondents registered on the platforms in 2021 and 2022 vs 24 per cent registered between 2010 and 2020. Finally, it is important to note that, in the absence of a comprehensive sampling frame, this report presents unweighted descriptive analysis of the survey data, and thus findings should be interpreted with caution. In other words, this study reports results only at the descriptive level for the sample without attempting to generalize them. All of these limitations also apply to the results from the client survey, which gathered information from 80 clients in Malaysia and 40 clients in Indonesia.

67 The analysis ruled out 21 observations that could not be classified as care workers as the survey participant did not provide domestic or caregiving services nor used the DECE either through online or offline components.

68 ILO. 2018. [Digital labour platforms and the future of work: Towards decent work in the online world](#). Geneva: ILO. As noted (p. 29), workers self-selected to participate in the surveys, and it is likely that those who participated were more inclined and motivated than others by the desire to voice their opinion on the subject.

SECTION

3

PROFILE OF DIGITALLY ENABLED CARE WORKERS

3.1 SOCIODEMOGRAPHIC CHARACTERISTICS

Reflecting pre-existing gender biases in the labour market, digitally enabled care work in this research is highly feminized with respondents being predominantly women (497 compared to 70 men). A small number of men mostly provided driving services to households in Thailand and to a lesser extent, elderly care services in Indonesia and Singapore.^{70, 71, 72} Only one DECW indicated they were intersex, and four preferred not to disclose their sex.

Aligning with the sociodemographic profile of workers in other sectors in the digital economy, DECWs were relatively young.⁷³ About 66 per cent of DECWs were under 39 years old, and women DECWs were overall younger than men (Figure 4). The distribution of DECWs varied across business models, with the youngest DECWs (18 to 28 years

old) concentrated in on-demand caregiving services in Malaysia and the oldest (40 to 50 years old) in Thailand and Singapore. This may be explained by sex and age-related requirements for migration as care workers, including domestic workers.⁷⁴

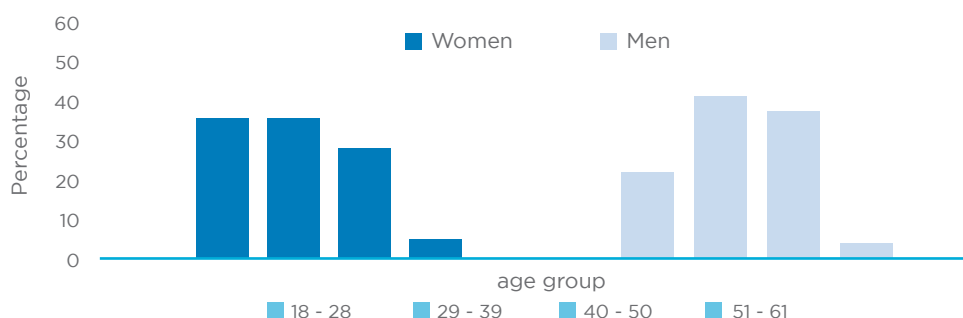
INFOGRAPHIC 1:
Sex distribution of DECWs in the survey⁶⁹


87%
of DECWs are women



12%
are men

FIGURE 4: Proportion of DECWs, by sex and age groups
(n=567, percentage of respondents)



Note: The sample size for women is 497 and the sample size for men is 70. Findings should be interpreted with caution due to the unbalanced and unweighted samples.

69 As ILO. 2021. [Making decent work a reality for domestic workers: Progress and prospects ten years after the adoption of the Domestic Workers Convention, 2011 \(No. 189\)](#), Executive summary, p. 7, highlights: "In most countries [in South-Eastern Asia and the Pacific] where data were available, there is a relatively clear segregation between men and women in the most typical occupations in domestic work. With few exceptions, women domestic workers work as domestic cleaners and helpers or as direct caregivers, with relatively few men holding either of these roles. By contrast, the occupations among men domestic workers are more diverse (drivers, cooks, gardeners, building maintenance and security guards), and in some cases, are more associated with odd jobs rather than well-defined occupations."

70 Ibid. "In Southeast Asia and the Pacific, 2.6 percent of domestic workers in total employment are women and 0.5 percent are men".

71 Due to the imbalanced and unweighted sample, the research results will be mostly illustrated without sex disaggregation.

72 It must be noted that one digitally enabled care enterprise in Malaysia restricts the pool of DECWs to female permanent residents only.

73 ILO. 2021. [World Employment and Social Outlook 2021. The role of digital labour platforms in transforming the world of work](#).

74 ILO and UN Women. 2017. [Protected or put in harm's way? Bans and restrictions on women's labour migration in ASEAN countries](#). Bangkok: ILO and UN Women.

BOX 4:

Gender norms governing the digitally enabled care economy

Focus group discussions with clients revealed a gender bias in perceptions of performance and preference of DECWs, particularly in elderly care. For example, two customers in Indonesia detailed negative experiences with female DECWs and described male DECWs as reliable, steadfast, calm and patient. A focus group discussion with customers revealed a preference for male DECWs, due to jealousy issues or the potential for sexual advances towards younger female DECWs. On the contrary, a gender bias towards women in childcare provision emerged.

DECE platforms have the potential to be a mechanism for reducing gender biases and violence and abuse towards DECWs. According to the ILO, “Violence and harassment against domestic workers is a systematic phenomenon that is deeply

embedded in the patterns of society and too often seen as ‘normal’, ‘part of our life’ or ‘part of our culture’.”⁷⁵ In 2017–18, the International Domestic Workers Federation conducted a survey among 13 domestic workers’ organizations in 12 Asian countries and found that all organizations had received complaints of violence and harassment from their members, thus highlighting the ubiquity of the phenomenon. According to the same survey, the perpetrators were domestic workers’ employers, other members of their employers’ households, employment intermediaries or members of their own families or households. DECEs play a role in managing grievance processes, educating clients in a broader cultural shift in attitudes towards DECWs, and mitigating risk through proper ID verification, interviews and onboarding of customers (see Section 5).

In the sample, 49 per cent of workers were single, 32 per cent married and 16 per cent either separated, divorced or widowed; shares that align with their relatively young ages overall.⁷⁶ For instance, among those declaring to be single (266 workers), 52 per cent were in the age group 18 to 28 and 31 per cent in the age group 29 to 39. In terms of living arrangements, 77 per cent were live-out domestic workers (52 per cent of DECWs live at home with their own family and 25 per cent live alone) and only 23 per cent lived with their

employer. Live-in care workers were most common in Singapore, although there was also demand for this service in Indonesia and Thailand. Live-in workers are particularly vulnerable to decent work deficits due to long working hours linked to living arrangements at their employer’s household. Live-in care workers, including domestic workers, also often receive lower wages as it is assumed that their daily living expenses are covered by the living arrangements. Overall, this can put these workers in an especially vulnerable position.⁷⁷

INFOGRAPHIC 2: Living arrangements of DECWs



75 ILO. 2021. [Making decent work a reality for domestic workers: Progress and prospects ten years after the adoption of the Domestic Workers Convention, 2011 \(No. 189\)](#). Executive summary.

76 Two per cent of respondents preferred not to declare their marital status.

77 ILO. [“Chapter 8: Minimum wages for domestic workers”](#).

INFOGRAPHIC 3: Socioeconomic characteristics of DECWs⁷⁸



EDUCATIONAL ATTAINMENTS

- 49%** of DECWs had completed a university degree⁷⁹
- 21%** had completed high school⁸⁰
- 12%** had completed vocational education
- 18%** had primary school or informal schooling



JOB-RELATED TRAINING

- 89%** of DECWs had completed job-related trainings⁸¹
- 21%** had completed training on more than three related topics, such as first aid, basic life support and caregiving

DECWs are highly educated and skilled. This goes against the general misperception that care workers, including domestic workers, are low-skilled.

The composition of digitally enabled care work in this research is predominantly skewed towards the provision of direct care with 46 per cent of DECWs in childcare, 26 per cent elderly care, and 4 per cent medical care services. A smaller group

of DECWs provided indirect care, such as cleaning and cooking (12%) and driving services (9%). Only 4 per cent of workers could not self-classify the services provided (Figure 5).

The sample shows that sex-segregation in care provision remains in place with most women providing direct care services (51 per cent of women provided childcare and 28 per cent elderly care), and 61 per cent of men (28 workers) providing driving services. While providers of elderly care are also predominantly women, 15 per cent of men (7 workers) provided elderly care, likely focusing on physically demanding activities, such as lifting clients (Figure 5).

⁷⁸ For skills profiles of care workers outside the digital economy in selected countries, please see ILO. 2023. [Skilled to care, forced to work? Recognizing the skills profiles of migrant domestic workers in ASEAN amid forced labour and exploitation](#). Bangkok, Thailand: International Labour Organization, Regional Office for Asia and the Pacific.

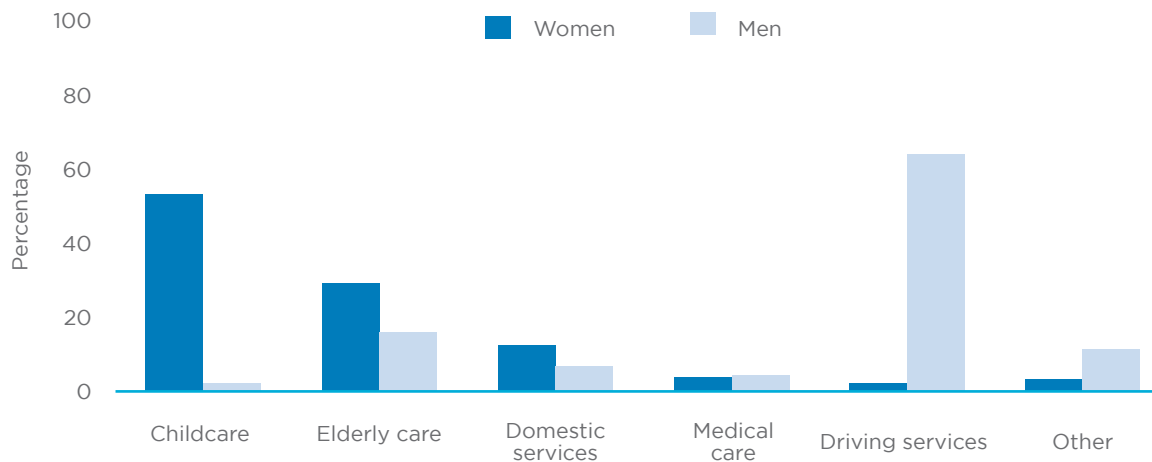
⁷⁹ Previous research on the digital economy highlighted that workers' educational achievements are usually higher in comparison to corresponding sectors outside the digital economy. ILO. 2021. [World Employment and Social Outlook 2021. The role of digital labour platforms in transforming the world of work](#). Please also see: J.V. Hall and A.B. Krueger. 2016. An Analysis of the Labor Market for Uber's Driver-Partners in the United States. NBER Working Paper No. 22843.

⁸⁰ Differences emerged between business models. Most DECWs engaged with KIDDOCARE in Malaysia and most migrant workers in Singapore were highly educated (79 per cent and 61 per cent of DECWs, respectively). In contrast, DECWs with no education or having completed primary or middle school were mostly found in Thailand (36%). DECWs having completed a university degree were also relatively common in Indonesia (46%), but the variability in education was slightly higher with 28 per cent of DECWs completing a high school degree and 17 per cent a certificate in vocational education.

⁸¹ For information on the Regional Model Competency Standards (RMCS) for domestic work, please see: ILO and UN Women. 2016. [Worker, helper, auntie, maid?: Working conditions and attitudes experienced by migrant domestic workers in Thailand and Malaysia](#).

Sex-segregation in care provision also remains in place in digitally enabled care work.

FIGURE 5: Proportion of DECWs, by main service
(n=404, percentage of respondents)



Note: The sample size for women is 497 and the sample size for men is 70. Findings should be interpreted with caution due to the unbalanced and unweighted samples.

DECEs who participated in this research did not tend to engage with entry-level workers. These DECEs instead attracted DECWs with previous work experience and who were already operating in the care market. More specifically, digitally enabled care work represented the first employment experience for 17 per cent of workers. Among those who had never worked for pay or profit before, many workers had their first work experience through the DECE in Malaysia (49%) followed by Singapore (26%), Thailand

(18%) and Indonesia (7%). In contrast, many DECWs had previous work experience in the care sector, with 64 per cent of respondents having worked as caregivers prior to registering with the DECE. Among them, 41 per cent had more than 5 years of experience, 27 per cent between 3 and 5 years, and 16 per cent between 1 and 2 years. Overall, 16 per cent had worked in the care sector for less than 1 year, and these were typically the youngest (between 18 and 28 years old).

DECEs create limited job opportunities for entry-level workers, with digitally enabled care work representing the first employment experience for only 17 per cent of DECWs. Most DECWs were already qualified with more than five years of previous work experience in the care sector.



There may be a shift of DECWs from non-digital to digitally enabled care work.

3.2 MIGRANT DIGITALLY ENABLED CARE WORKERS

Migration is a key feature of the care economy, and there is emerging research exploring the role that the private sector could play in promoting safe migration for care workers, including domestic workers.⁸² The participation of **ASEANA** in Singapore and **KIIDU** in Thailand allowed this research to collect information on 160 migrant DECWs (64 per cent from Singapore and 36 per cent from Thailand), who were identified as DECWs for whom the country of work and residence differed from the country of birth. Most migrant DECWs in Singapore were originally from the Philippines (85%), providing elderly and medical care services (94%). In Thailand, 76 per cent of migrant DECWs were from Myanmar, and mostly provided childcare and indirect care. In Singapore, most migrant DECWs lived at their employer's house (72%) as per immigration legislation and work permit regulations,⁸³ and 58 per cent of them had their visa tied to their employer. In Thailand, they mostly lived at their employer's house and their workers' permits were often not sponsored by the employer.

A key commonality emerged for migrant DECWs in both countries: digitally enabled care work was their primary job and main source of income. When compared to live-in national care workers, migrant DECWs were also slightly older in age, single and more likely to have used the DECE only once when the matching between the worker and client occurred. In addition, live-in migrant DECWs were more likely than national DECWs to value safety, learning and income as the main advantages of engaging with the DECE, and were less likely to cite associated challenges.

Most migrant DECWs were in possession of their travel documents (94%) and many DECWs could decide how to spend their time off (80%). This is likely a higher rate than those employed outside the digital space. Evidence gathered by the ILO and UN Women on migrant domestic workers in Thailand and Malaysia noted that most domestic workers surveyed were not able to leave the house without their employers' permission, even on their weekly rest day.⁸⁴



Digitally enabled care work has a migration component. Most DECWs live outside of their employers' homes, yet most migrant DECWs live with their employers and value safety, learning and income as the main advantages of engaging with DECEs

82 ILO. 2021. [Use of digital technology in the recruitment of migrant workers](#). Please also see: ILO. 2022. [How digital technology can protect migrant workers from forced labour and exploitation](#) and The Asia Foundation. 2022. [Toward a resilient care ecosystem in Asia and the Pacific: promising practices, lessons learned, and pathways for action on decent care work](#).

83 In addition, 32 per cent did not know how to answer the question and 10 per cent did not have their visa tied to their employer.

84 ILO and UN Women. 2016. [Worker, helper, auntie, maid?: Working conditions and attitudes experienced by migrant domestic workers in Thailand and Malaysia](#).

SECTION

4

THE POLICY LANDSCAPE: ARE DIGITALLY ENABLED CARE WORKERS PROTECTED BY LABOUR LAWS?

To shed light on the extent of the legal coverage of DECWs in labour laws in the selected countries, this section reviews relevant international labour conventions and national legislation in Indonesia, Malaysia, Singapore and Thailand. Drawing upon Dewan's framework for pathways for decent work (Section 2.4),⁸⁵ labour laws were mapped across four dimensions, focusing on how they contribute to DECWs' (i) flexibility and autonomy, (ii) entitlements and protection, (iii) income, and (iv) representation.

The section is divided in two parts. First, all existing international conventions relevant to the digitally enabled care economy are identified and listed. This initial mapping shows that at least 18 ILO labour standards, including fundamental, governance and technical conventions are relevant to decent work for DECWs (Table 1) but the ratification rate in the selected countries is low (Table 2). The second part maps out national legislation (Table 3 and Table 4) and identifies whether gaps exist that leave DECWs unprotected.

KEY TAKEAWAYS

1. The emergence of DECEs has outpaced the development of adequate regulatory and legal frameworks for ensuring decent work for DECWs.
2. No current international convention or national law fully captures the regulatory needs of digitally enabled care workers. DECWs are subject to laws on both domestic work and digital platform work, which tend to be approached by legal practitioners as mutually siloed areas. Instead, the regulation of digitally enabled care work lies at the intersection of a broader range of policy fields, namely, care policy, domestic work, digital platforms and industrial relations.
3. The digital dimension of direct care work creates grey zones where it is unclear and untested as to which laws apply to DECWs. While DECWs face challenges common to domestic workers, such as exclusion from general labour laws and social protection schemes, the digital nature of this work creates further ambiguities around the nature of the work relationship. Many of the DECWs are independent workers with limited benefits, entitlements and opportunities for representation and collective bargaining.

85 Dewan, S. 2022. [Women, work, and digital platforms: Enabling better outcomes for women in the digital age](#). UN Women. Expert Paper EGM/STI/EP.5.

4. Ratification of international conventions lags behind. All four countries can improve the pathways to decent work for DECWs by ratifying fundamental, governance and technical conventions. No country has ratified the Domestic Worker Convention C-189 which is a landmark convention relevant to decent work for DECWs. Other conventions that intersect with digitally enabled work that should be ratified are the Protection of Wages Convention, 1949 (No. 95), Private Employment Agencies Convention, 1997 (No. 181) and Employment Policy Convention, 1964 (No. 122). The ratification of these conventions will ultimately support women's economic empowerment in the digitally enabled care economy and can in turn, inform the development of national policies on domestic workers' rights.
5. The treatment of DECWs in national labour laws in the selected countries often falls under the classification of DECWs as domestic workers. Under this classification, national legislation often excludes DECWs from labour laws and DECWs are insufficiently protected by national laws across all four countries. Straightforward approaches that governments can take include removing exclusionary clauses in labour laws and formulating policies which incorporate perspectives from different and intersecting policy fields. There are some promising examples of progress in national legislation that are providing access to social protection and of regulatory developments that consider the nuances of both domestic work and digital platform work. More government policies and practices are needed, specifically for migrant workers in the digitally enabled care economy.
6. Policymakers have an opportunity to ensure decent work for independent workers, such as DECWs, by including them in schemes for social protection and related entitlements and benefits, providing at least minimum wage and creating policies that allow DECWs to self-organize and become members of and engage in different modes of collective bargaining.

4.1 INTERNATIONAL CONVENTIONS

International labour standards set out basic principles and rights at work. These instruments include 11 fundamental conventions and 4 governance conventions (Table 1).⁸⁶ Furthermore, there are 190 technical Conventions and five Protocols that constitute ILO labour standards.⁸⁷ Member states of the ILO are encouraged to realize fundamental conventions, regardless of whether conventions are ratified.⁸⁸

Many technical standards are relevant to the digitally enabled care economy, with the most

relevant being the Domestic Workers Convention 2011 (C189). C189 defines domestic work as work performed in or for a household and provides coverage and protection to domestic workers given the special conditions and nature of their work, which takes place in private homes. DECWs are classified as domestic workers in international law when the above conditions apply. However, there may be ambiguity over the extent that C189 could apply to DECWs, given the non-standard forms of employment.⁸⁹

86 For the purposes of this study, governance standard C129 Labour Inspection (Agriculture) is removed from the analysis as it specifically relates to the agricultural sector.

87 ILO. 2023. [Conventions and Recommendations](#).

88 ILO. 2023. [ILO Declarations](#).

89 ILO. 2023. [C189 – Domestic Workers Convention, 2011 \(No. 189\)](#).

Extract from Making decent work a reality for domestic workers. Progress and prospects ten years after the adoption of the Domestic Workers Convention, 2011 (No. 189): main elements of the definition on domestic workers.

In 2021, the ILO clarified that: “Unpacking some of the wording of this provision reveals the full breadth of the scope that was intended. First, it is noteworthy that ‘domestic work’ is not defined by the tasks performed. While domestic workers typically undertake cleaning, cooking and care of children and elderly or disabled people, as well as gardening, driving and guarding private households, the reality is that tasks vary across countries and over time. For instance, in some countries, private tutors and coaches fall under the definition of domestic work. Domestic workers also provide a range of indirect and direct care services in or for a private household ... Given this heterogeneity of tasks, the defining characteristic of domestic work was determined to be the workplace, that is, the household.

“A second nuance of the definition of domestic work in Convention No. 189 is that it can be performed either in a household or for a household. The chosen wording serves to broaden the scope of application in two ways: first, to ensure that those working off the premises, such as drivers, would remain covered; and second, to ensure coverage of those providing services to households by way of third parties. In the discussions preceding the adoption of this provision, it was noted that the Convention should apply to those directly employed by a household or employed by an agency ... This provision and the absence of a definition of an ‘employer’ leave open the possibility of including domestic workers who work through or for service providers, including digital platforms ...

“Despite the reference in Article 1(c) to exclude those who perform domestic work only occasionally or sporadically, its purpose was not to exclude domestic workers who work in casual work arrangements on an occupational basis. For this reason, reference is made to domestic work taking place within an employment relationship. Indeed, the reporter of the tripartite working group that was tasked with elaborating the definition stated: ‘It was not the intention of the proposed text ... to exclude day labourers, part-time workers or those who worked irregularly ... if those workers were performing domestic work as an occupation’ ... The Committee of Experts on the Application of Conventions and Recommendations (CEACR) has since made several direct requests to governments, confirming the need to include occasional workers when domestic work is performed on an occupational basis.

No country in the research has ratified C189, the technical standard most relevant to digitally enabled care work.

A recent ILO analysis identified seven technical standards deemed to be relevant to digitally enabled platform workers. Within these seven conventions, six principles that could be applied to DECWs are: (i) payment systems (Protection of Wages Convention, 1949 No. 95; Private Employment Agencies Convention, 1997 No. 181); (ii) fair termination (Termination of Employment

Convention, 1982 No. 158); (iii) access to privacy and data (Private Employment Agencies Convention, 1997 No. 181); (iv) clear terms of engagement (Domestic Workers Convention, 2011 (No. 189)); (v) job mobility (Employment Policy Convention, 1964 No. 122; Home Work Recommendation, 1996 No. 184); and (vi) grievance and dispute resolution (noting there is no convention, the ILO refers to the Examination of Grievances Recommendation, 1967 No. 130). For the purposes of this analysis, C184 is removed as DECWs in this study do not engage in working from their home, but in alternate care models this could be the case. Recommendation No. 130 is also removed as it is not a legally binding labour standard. Table 1 lists international labour standards included in this policy mapping.

TABLE 1: International conventions relevant to DECWs and included in this report

**ILO
FUNDAMENTAL
STANDARDS**

- Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
- Right to Organise and Collective Bargaining Convention, 1949 (No. 98)
- Forced Labour Convention, 1930 (No. 29) (and its Protocol of 2014 to the Forced Labour Convention, 1930)
- Abolition of Forced Labour Convention, 1957 (No. 105)
- Minimum Age Convention, 1973 (No. 138)
- Worst Forms of Child Labour Convention, 1999 (No. 182)
- Equal Remuneration Convention, 1951 (No. 100)
- Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
- Occupational Safety and Health Convention, 1981 (No. 155)
- Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)

**ILO GOVERNANCE
STANDARDS**

- Labour Inspection Convention, 1947 (No. 81)
- Employment Policy Convention, 1964 (No. 122)
- Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)

**ILO TECHNICAL
STANDARDS**

- C189 – Domestic Workers Convention, 2011 (No. 189)
 - Protection of Wages Convention, 1949 (No. 95)
 - Private Employment Agencies Convention, 1997 (No. 181)
 - Employment Policy Convention, 1964 (No. 122)
-

4.1.1 Mapping international conventions

None of the selected countries has ratified the full body of international labour standards relevant to digitally enabled care work (Table 2). Rather, countries in this research have ratified some, leaving gaps in the pathways for decent work for women in the digitally enabled care economy.

No country in the research has ratified the full body of international labour standards relevant to digitally enabled care work.

TABLE 2: Ratification of international conventions, by country

DOMAINS	INTERNATIONAL LABOUR STANDARDS	Indonesia	Malaysia	Singapore	Thailand
Flexibility and autonomy	C029 Forced Labour Convention, 1930 (No. 29) and its Protocol of 2014 to the Forced Labour Convention, 1930) (P29)				
	C105 Abolition of Forced Labour Convention, 1957 (No. 105)				
	C138 Minimum Age Convention, 1973 (No. 138)				
	C122 Employment Policy Convention, 1964 (No. 122)				
Entitlements and protection	C182 Worst Forms of Child Labour Convention, 1999 (No. 182)				
	C187 Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)				
	C155 Occupational Safety and Health Convention, 1981 (No. 155)				
	C111 Discrimination (Employment and Occupation) Convention, 1958 (No. 111)				
	C189 Domestic Workers Convention, 2011 (No. 189)				
	C190 Violence and Harassment Convention, 2019 (No. 190)				
	C097 Migration for Employment Convention (Revised), 1949 (No. 97) (excludes Annexes I – III)				
Income	C100 Equal Remuneration Convention, 1951 (No. 100)				
	C095 Protection of Wages Convention, 1949 (No. 95)				
	Private Employment Agencies Convention, 1997 (No. 181)				
Representation	C087 Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 870)				
	C098 Right to Organise and Collective Bargaining Convention, 1949 (No. 98)				
	C081 Labour Inspection Convention, 1947 (No. 81)				

To better identify these legal gaps, the ratification of international conventions is mapped against the four dimensions that are deemed relevant to

assess the benefits and challenges of how women engage with digital platforms.

FLEXIBILITY AND AUTONOMY

In the domain of flexibility and autonomy, there are positive signs for laws supporting DECWs, with most countries having ratified the applicable international conventions. More specifically, all selected countries have ratified the Conventions on Forced Labour (C029) and Minimum Wage (C138), with Malaysia and Thailand being the two countries in the sample that have also ratified the Protocol of 2014 to the Forced Labour Convention, 1930 (P29). However, important gaps remain in Malaysia and Singapore as they have not ratified the Convention on the Abolition of Forced Labour (C105).

Greater opportunities are in place for countries to ratify the employment policy convention (C122), which promotes job mobility and free choice of employment. This technical standard could apply to digital platform workers, where Article 1 of the Convention refers to “freely chosen employment”. In the sample, Thailand is the only country that has ratified C122.

ENTITLEMENTS AND PROTECTION

All countries have ratified the fundamental conventions on **the worst forms of child labour (C182)** and **occupational health and safety (C187)**, with Singapore being the only country to also ratify the **occupational health and safety convention (C155)**.

While the selected countries ratified the fundamental conventions identified as relevant to the domain of entitlement and protection, significant gaps remain in the ratification of governance and technical conventions. Among these gaps, the most critical gap is the **C189 Domestic Worker Convention**. This international standard is critical for protecting domestic workers’ rights, including DECWs. This coupled with the ratification of the **convention on discrimination (C111)** could expand decent work opportunities for

domestic workers, including DECWs. In this context, discrimination refers to the exclusion or preferences based on “race, colour, sex, religion, political opinion, national extraction or social origin”. For DECWs, this convention is critical where customers of DECEs might have preferences for DECWs (especially those who live-in) that belong to a particular religious, ethnic or racial group. This is important for DECWs, where their personal characteristics might be publicly included in profiles on the platform and be at the core of discriminatory practices by the customers. In the sample, only Indonesia and Thailand have ratified C111.

There is also scope for all countries to improve their legal frameworks on entitlements and protection through the ratification of the **Violence and Harassment Convention, 2019**



(C190), and the **Migration for Employment Convention (Revised), 1949 (C97)**. The Violence and Harassment Convention recently introduced a normative framework that is particularly relevant for women in the world of work, including DECWs. More specifically, Article 3 provides coverage for work that occurs in public and private spaces, but also employer-provided accommodation. Its ratification could signal important steps towards protecting the safety of women domestic workers, including DECWs, who are particularly exposed to forms of violence when the employer's home is their usual place of work. At the time of this analysis, no country in the sample has ratified C190.

In addition to ratifying ILO Convention 190, countries could also use the blanket policy approach on sexual violence. In the case of Indonesia, Law No. 12/2022, governing all types of sexual violence that occurs in the

household and workplace and perpetrated by the employer is a legal protection for DECWs. The Law also includes sexual violence conducted via electronic channels, covering the three major violations of distribution of unwanted images of sexual nature, and stalking and tracking the victims using an electronic system.

While the technical standard on migration for employment (C97) plays a key role for migrant workers' rights in receiving countries, including Malaysia, Singapore and Thailand, only the state of Sabah in Malaysia in the sample has ratified it. Nevertheless, it excluded Articles 1 to 3, which relate to making available laws, employment conditions and livelihoods, and general agreements and arrangements for migrant labour. They also relate to providing free services to assist migrant workers and limiting propaganda regarding emigration and immigration.

INCOME

While sex segregation along occupations in the care sector is pervasive—with women being predominantly care workers, including domestic workers—the **Convention on Equal Remuneration (C100)** may play a key role in the elderly care sector, where men are more likely to take on related occupations. All selected countries ratified C100, thus establishing equal remuneration for work of equal value between women and men.

In addition to C100, the **Protection of Wages Convention, 1949 (C95)** is critical for on-demand workers in terms of “payments in legal tender; direct payments to workers; free disposition of wages; prohibition of improper deductions and bonds; regularity and timeliness of payment; full payment upon termination of the work contract; payment

records; and information as to applicable pay rates”.⁹⁰ Furthermore, this is important for DECWs who might be paid directly through the platform or via the household where they are working. In the sample, Malaysia is the only country to ratify this Convention.

Inherent to the business model of digitally labour platforms is the charging of fees for accessing apps to do its matching function. In accordance with the **Private Employment Agencies Convention, 1997 (C181)**, both the ILO and World Employment Confederation argue that recruitment agencies should not charge recruitment fees to workers.⁹¹ The fact that no country in this study has ratified C181 may imply high costs for women to access digitally enabled care work opportunities.

90 ILO, 2021. [World Employment and Social Outlook: The Role of Digital Labour Platforms in Transforming the World of Work](#).

91 Ibid

REPRESENTATION

In the domain of representation, legal opportunities for DECWs exist to some extent, yet coverage is limited to specific countries and specific groups, with migrant workers often excluded. Most notably, Indonesia is the only country in the sample having ratified the **Convention on Freedom of Association and Protection of Right to Organize (C087)**, which protects workers' rights in terms of establishment, membership and constituting the rules of trade unions. When ratified, this Convention could also remove restrictions for migrant DECWs, who are often excluded from establishing trade unions in selected countries.

Another key legal framework is the **Convention on the Right to Organize and Collective Bargaining (C098)**, which protects workers from any interference with their trade union membership or associated activities, and has been ratified by Indonesia, Malaysia and Singapore.

Except for Thailand, all selected countries have ratified the **Governance Convention on Labour Inspection (C081)**. This Convention is complex for DECWs, where the place of work is the private domestic setting of their employer rather than other workplaces, albeit C189 entitles domestic workers to access complaint mechanisms including labour inspection and is equipped with enforcement capacities and deterrent sanctions.^{92,93}

Similarly, Indonesia, Malaysia and Singapore have signed the governance **Convention on Tripartite Consultation (C144)**, but this assumes freedom of association of a representative organization (such as a trade union) with mechanisms to consult with the government and the ILO. While these exist in legislation, for DECWs often working in private homes, the knowledge of and ability to access these representative organizations can be limited or controlled by the household.

92 International Training Centre of the ILO (ITC/ILU). [Curriculum on building modern and effective labour inspection system](#): Module 16 – Labour inspection in domestic work.

93 ILO. 2015. [Labour inspection and other compliance mechanisms in the domestic work sector](#).

4.2 National laws

The treatment of DECWs in national labour laws in selected countries often falls under the classification of DECWs as domestic workers.

However, in these countries, DECWs are either excluded from most labour laws or subject to subordinate laws (Tables 3 and 4).

TABLE 3: Coverage of domestic workers in selected countries

DOMAINS	INDONESIA	MALAYSIA	SINGAPORE	THAILAND
Flexibility and autonomy	Domestic workers excluded from general labour laws.	Domestic and migrant workers covered by specific laws.	Migrant domestic workers covered by specific labour laws.	Migrant and domestic workers covered by subordinate regulations or specific labour laws.
Entitlements and protection	Domestic workers are excluded from general social protection and are covered by subordinate regulations or specific labour laws.	Domestic and migrant workers covered by some general labour laws.	Domestic workers excluded from general labour laws and covered by specific labour laws.	Migrant workers voluntarily included in social protection entitlements. Domestic and migrant workers excluded from general social protection laws.
Income	Domestic workers are excluded from general labour laws and are covered by subordinate regulations or specific labour laws.	Domestic workers excluded from general labour laws.	Domestic workers excluded from general labour laws.	Domestic workers excluded from general labour law.
Representation	Domestic workers are included in trade union legislation.	Domestic workers covered by general industrial relations law.	Domestic workers covered by general industrial relations law and excluded from specific activities.	Domestic workers not included in industrial relations legislation. Migrant workers excluded from specific activities.

Source: Authors' elaboration based on ILO, 2021.

TABLE 4: National labour laws related to digitally enabled care work

DOMAINS	INDONESIA	MALAYSIA	SINGAPORE	THAILAND
Flexibility and autonomy	<p>Law Number 20 of 2008 on Micro, Small and Medium Enterprises.</p> <p>Manpower Law (13/2003)</p>	National Action Plan on Forced Labour (2021-2025)*	Employment of Foreign Manpower Act 1990	ROYAL ORDINANCE Concerning the Management of Employment of Foreign Workers, B.E. 2560 (2017)*
Entitlements and protection	<p>Domestic Worker Protection Bill*</p> <p>Jaminan Kesehatan Nasional (JKN)</p> <p>BPJS Kesehatan (Badan Penyelenggara Jaminan Sosial Kesehatan, Social Security Agency of Health)*</p> <p>Badan Penyelenggara Jaminan Sosial Ketenagakerjaan</p> <p>Law No. 12/2022, governing all types</p>	<p>Employment Act 1955</p> <p>SOCISO (Social Security Organization), also known as PERKESO (Pertubuhan Keselamatan Sosial)*</p> <p>Employees Provident Fund (EPF)</p>	<p>The Central Provident Fund (CPF)</p> <p>Employment Act 1968</p> <p>Work Injury Compensation Act 2019</p> <p>Medical and Personal Accident Insurance.</p>	<p>Social Security Act B.E. 2533 (1990)</p> <p>Labour Protection Act B.E. 2541 (1998)*</p> <p>Social Security Fund (SSF)</p> <p>Independent Labour Protection Act*</p> <p>Migrant Health Insurance Scheme (MHIS)*</p>
Income	Domestic Worker Protection Bill*	Minimum Wage Order 2022	<p>Employment Act 1968</p> <p>Employment of Foreign Manpower Act 1990</p>	Labour Protection Act of 1998 - Ministerial Regulation No. 14 (B.E. 2555)*
Representation	Act of the Republic of Indonesia Concerning Trade Union/Labor Union, 2000*	Industrial Relations Act (1967) Act 177*	Trade Unions Act (1940) 2020 Revised Version*	<p>Labour Relations Act B.E. 2518 (1975)</p> <p>Royal Ordinance Concerning the Management of Employment of Foreign Workers, B.E. 2560 (2017)</p>

*Indicates that this legislation provides some coverage for domestic or migrant workers

Domestic workers, including DECWs, and platform workers more generally, are to an overwhelming extent insufficiently protected by national laws across all four countries. In countries where domestic workers, and by extension DECWs, are included in labour laws, this is often through subordinate legislation. There are several examples where these workers are either excluded

from specific activities (e.g. forming a union) or from specific clauses within legislation. There are significant opportunities for governments across these countries to improve decent work outcomes for domestic workers through the inclusion of domestic workers in general labour laws or through identifying gaps in the legislation that exclude these workers.

FLEXIBILITY AND AUTONOMY

In all four countries, DECWs are mostly excluded from laws that relate to the domain of flexibility and autonomy. In Indonesia, on-demand workers—commonly referred to as partners or mitra—are part of a partnership model that comes from legislation on subcontracting to micro, small and medium enterprises (MSMEs), which is not directly related to digital platforms (Law Number 20 of 2008 on Micro, Small, and Medium Enterprises). The subcontracting arrangements establish a business services relationship and must be in writing. The terms “partnership” or “mitra” are not mentioned in Indonesia’s Manpower Law, which excludes informal and domestic workers.^{94, 95} Thus, it does not establish labour protection for DECWs.

In Malaysia, the National Action Plan on Forced Labour 2021–2025 aims at establishing protections for migrant workers, in accordance with the Convention on Forced Labour (C029).⁹⁶ In Singapore, the Employment of Foreign Manpower

Act is inclusive of (migrant) domestic workers and establishes the nature of the work relationship.⁹⁷

In Thailand, there has been positive regulatory development for migrant domestic workers that relates to flexibility and autonomy through the Royal Ordinance Concerning the Management of Employment of Foreign Workers, B.E. 2560 (2017).⁹⁸ The legislation, which was updated in 2021, included the removal of recruitment fees charged to workers in compliance with the C181 Private Employment Agencies Convention, even if Thailand is not a signatory to this labour standard. It also includes the removal of prison sentences for irregular migrant workers, the provision of written contracts in the language of migrant workers, the flexibility to change employers, autonomy over identification documents, removal on housing zones that restrict freedom of movement, and a tripartite committee on migration policy.⁹⁹

ENTITLEMENTS AND PROTECTION

Access to entitlements and protection is generally limited, due to the exclusion of DECWs from national social protection schemes across all four countries.

In Singapore, migrant domestic workers are excluded from progressive regulatory developments relating to digital platform workers. Currently, the Work Injury Compensation Act



94 Excludes informal workers including domestic workers. See Government of Indonesia. 2003. [Law Number 13/2003 Concerning Manpower](#).

95 ILO. 2006. [The Regulation of Domestic Workers in Indonesia: Current Laws, International Standards and Best Practice](#). Geneva.

96 Focused on domestic (and other sectors) and migrant workers. See: Government of Malaysia, 2021. [National Action Plan on Forced Labour](#).

97 Covers domestic workers. See: Government of Singapore, 2020. [Employment of Foreign Manpower Act 1990](#).

98 Sections 51 to 55 provide the flexibility for foreign workers to change employers - with caveats. See [Government of Thailand, 2017. Royal Ordinance Concerning the Management of Employment of Foreign Workers, B.E. 2560 \(2017\)](#).

99 Government of Thailand. 2017. [Amendment of 2018 to the Royal Ordinance Concerning Management of Foreign Workers in Thailand B.E. 2560 \(2017\)](#).

2019 covers migrant and non-migrant workers, but currently excludes the self-employed. From 2024, the Government will seek to extend coverage to independent workers as a result of the recommendations of the Advisory Committee on Platform Workers.¹⁰⁰ However, migrant domestic workers and DECWs are excluded from the Work Injury Compensation Act as they “live and work close with their employers”. Instead, employers must purchase medical and personal insurance to provide compensation in the event of an accident, death or disability.¹⁰¹ Similarly, from 2024 workers and digitally enabled enterprises will have to contribute to the Central Provident Fund (CPF). However, domestic workers who are not Singapore citizens or permanent residents are exempt, as are domestic workers who work less than 14 hours per week. Considering that DECWs are generally migrant workers in Singapore, DECWs will remain exempt from the CPF.¹⁰² Where migrant workers are classified as nursing aides, different legislation applies, and some social protection provisions are provided by the Ministry of Manpower or through the DECE.

In Thailand, the Migrant Health Insurance Scheme allows voluntary contributions by migrant workers except for workers in the fishery sector.¹⁰³ A positive regulatory development lies in the Independent Labour Protection Act. This Act, which is currently being debated by the Council of State, includes the coverage of self-employed workers who engage in services. While the Act remains in draft form, it would be a positive development for DECWs if it covers services as well as a defined work arrangement across sectors. Whether this legislation will include migrant domestic workers is unknown.¹⁰⁴

The Domestic Worker Protection Bill is a significant regulatory development in Indonesia.¹⁰⁵ Recently, the Indonesian Government mandated a coordination taskforce to progress coordination between the Ministry of Manpower and Ministry of Law and Human Rights on the bill, first introduced in

2004.¹⁰⁶ While this bill would include many aspects of the domestic workers convention C189, it would not include a minimum wage or working age, cap working hours or enable unionization. Furthermore, the bill relates to domestic workers hired through an agency rather than those employed directly by households.¹⁰⁷ This implies that DECEs can play a role in facilitating better pathways to decent work.

Regulatory efforts at the national level leave DECWs in a grey zone, with many workers unprotected.

Despite some regulatory grey zones, Malaysia’s entitlements and protection coverage is somewhat promising for domestic workers when they are covered by an employment arrangement. Domestic workers, including migrant workers with proper documentation, are covered by the Employees’ Social Security Act (Act 4) and Employment Insurance System (Act 800).¹⁰⁸ They are also covered by the Employees Provident Fund if they are employed by a registered employer; otherwise, they are excluded. This is a major risk for DECWs who are independent workers.¹⁰⁹

In 2022, the Employment Act (1955) was amended to cover all workers including ‘domestic servants’, as they were defined in the previous Act. The Act has some positive protections for workers, including maternity leave provisions. However, domestic workers are excluded from the Minimum Wage Order 2022 that set wages at MYR 1,500 per month. This means that while domestic workers are formally recognized, they are not afforded access to the entire suite of general labour laws. Furthermore, amendments to the Employment Act 1955 now recognize workers without employment contracts as employees, providing they meet certain criteria. These criteria include control by the employer over working time, working hours and payment intervals.¹¹⁰

100 Government of Singapore. 2022. [Strengthening Protections for Platform Workers](#).

101 Government of Singapore. [Are MDWs covered under the Work Injury Compensation Act?](#) Ministry of Manpower.

102 Government of Singapore. [Who Should Receive CPF Contributions?](#) Central Provident Fund Board.

103 ILO. 2021. [Social Protection in Action: Building Social Protection Floors for All](#). Geneva.

104 Government of Thailand. [Draft Independent Labour Protection Act](#). [Thai]

105 R. Kabinawa and P.A. Dewanto. 2023. [Indonesia gets the ball rolling on domestic worker rights](#). Lowy Institute. 1 February.

106 Government of Indonesia. 2023. [Gov’t to Accelerate the Ratification of Domestic Workers’ Protection Bill](#). Cabinet Secretariat of the Republic of Indonesia. 25 January.

107 N. Harsono. 2023. [Bill to protect Indonesia’s domestic workers won’t cover 2 million of them](#). The Japan Times. 8 May.

108 Government of Malaysia. 2023. [Domestic Workers](#); Government of Malaysia. 2021. [Frequently Asked Questions: Extension of Social Security Coverage to Domestic Workers](#). Update 2 June.

109 Government of Malaysia. 2023. [Membina Persaraan Mapan](#).

110 Government of Malaysia. 2012. [Employment Act 1955](#). 30 April.

INCOME

Thailand has some of the more advanced regulations in the domain of income for DECWs. Thailand's Labour Protection Act (1998) sets out rules for payment of wages and in 2012, the government extended this legislation to include domestic workers without any involvement in business operations ('home work') through a ministerial regulation.¹¹¹ This legislation also covers subcontracted workers and states that the employer as a subcontractor should be liable as the first contractor to pay wages, overtime, holiday pay and other benefits. This, coupled with the Independent Labour Protection Act which is currently in draft, could be interpreted to provide income protection to DECWs.¹¹²

Conversely, Indonesia and Singapore do not currently have legislation for minimum wages for domestic workers and Malaysia excludes domestic workers from the Minimum Wage Order 2022.¹¹³ However, in 2022 Malaysia and Indonesia signed a bilateral Memorandum of Understanding that set a minimum wage for Indonesian migrant workers at MYR 1,500 per month. There is a dearth of national legislation that protects income arrangements for DECWs, including contracts in the language of workers, costs such as recruitment fees payable to agents, and payment modalities.

REPRESENTATION

There is potential for enabling representation of DECWs through national legislation given that there exist some significant exclusions that contravene ratified international conventions. **Most industrial relations laws in the selected countries allow workers to join trade unions. However, there are differences in whether they can establish unions or what role they can play as union members.** In Singapore, migrant domestic workers may join a trade union, but they are prohibited from establishing a union and prohibited from holding

an office bearer position.¹¹⁴ Indonesia's industrial relations laws refer to "workers" who work for a wage or "remunerative exchange", and thus should cover DECWs.¹¹⁵ In Malaysia, all workers are covered by the Industrial Relations Act. However, when DECWs are not employees, they might be excluded from industrial activity.¹¹⁶ Similarly in Thailand, employees are defined as agreeing to work for an employer in return for wages.¹¹⁷

111 ILO. 2013. [Thailand: new Ministerial Regulation offers better protection of domestic workers' rights](#). Developments in Law and Practice. Geneva.

112 Government of Thailand. 1998. [Thailand: Labour Protection Act of 1998](#). ILO NATLEX database.

113 Excludes domestic workers. Government of Malaysia. 2022. [Minimum Wages Order 2022](#). 27 April.

114 Government of Singapore. 2020. [Trades Union Act 1940: 2020 Revised Edition](#).

115 Government of Indonesia. 2000. [Act of The Republic of Indonesia Concerning Trade Union/Labor Union, 2000](#). ILO NATLEX database.

116 Includes all workers. Government of Malaysia, [Industrial Relations Act 1967, As at 1 October 2015](#).

117 Excludes informal workers. ILO, [Government of Thailand, Labour Relations Act B.E. 2581 \(1975\)](#).

SECTION

5

CAN DIGITALLY ENABLED CARE WORK BE A PATHWAY TOWARDS DECENT WORK?

Noting severe legal gaps on decent work provisions for DECWs in the selected countries, this section explores DECEs' potential pathways towards supporting decent work. In doing so, it presents both quantitative and qualitative evidence on

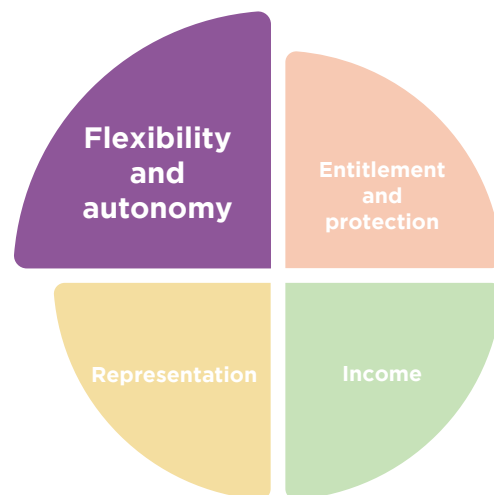
provisions along four dimensions that are deemed critical for analysing women's working conditions in the digital economy: i) flexibility and autonomy, ii) entitlements and protection, iii) income, and iv) representation.

5.1 FLEXIBILITY AND AUTONOMY

Previous research on workers' motivation for engaging in the digital economy highlights flexibility as a core incentive.¹¹⁸ Flexibility usually takes the form of having some control over one's own working hours and dates. From a gender perspective, flexibility may however mask gender inequalities in the world of work, with women joining a flexible labour market through digital platform work because of heavy workloads of unpaid domestic and care work at home.¹¹⁹

When asked about the key motivations for engaging with DECEs, 206 workers out of 357 picked the ease of registering and finding clients, followed by flexibility of work (189 workers), good pay (182 workers), good reputation (162), vetting of clients (159), good working conditions (135) and a good team environment (74) (Figure 6). An open-ended question was also provided to add "other reasons" with only 10 workers answering it.

Qualitative findings further illustrate why flexibility emerged as a key motivation. In Indonesia, a live-in DECW noted that having the choice over a contract length of 3 or 12 months enabled her to manage family responsibilities. This was particularly appreciated when compared to working as a nurse in a hospital, which required working long hours in shifts.



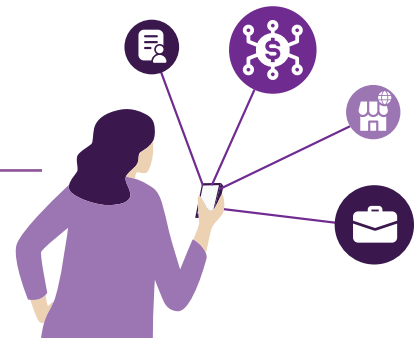
Motivations to engage with the DECEs varied, however, by business models with marked differences along the digitalization continuum. In Indonesia and Malaysia where digitalization is a key component, most DECWS ranked flexibility as a key motivation. More specifically, in Malaysia where the business model relied the most on digitalization, flexibility ranked first (108 of 111 workers), followed by good pay (70) and ease of finding clients (60). Similarly, for **LOVECARE** in Indonesia, DECWS selected ease of registration and finding clients (23 workers) as a key perk, followed by flexibility of work (14) and good pay (11).

¹¹⁸ ILO. 2018. [Digital labour platforms and the future of work: Towards decent work in the online world](#). Geneva: ILO.

¹¹⁹ ASEAN. 2023. [ASEAN Employment Outlook – The Quest for Decent Work in Platform Economy: Issues, Opportunities and Ways Forward](#).

For business models less reliant on digitalization in their operations, motivations other than flexibility emerged more clearly. In Thailand, the main incentives were ease of finding clients (78 workers out of 136), vetting (67) and good pay (60). In Singapore, where migrant workers were the majority of the sample and the recruitment agency is the least reliant on digitalization, the main motivations were good reputation (53 of 78 workers), ease of registration and finding clients (45) and good working conditions (42).

Most workers engaged with the more digitized DECEs identified flexibility as a key motivation

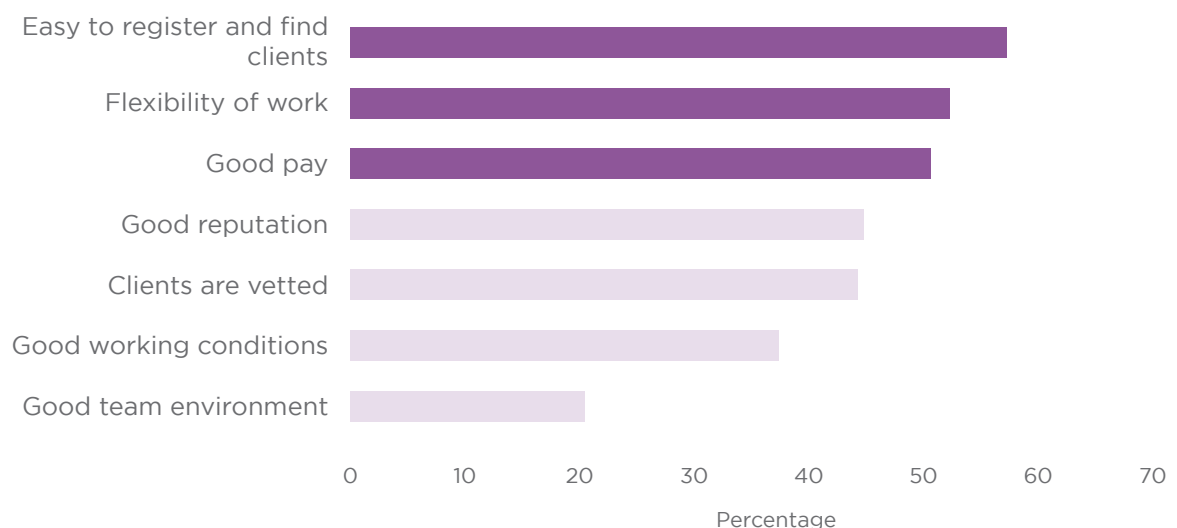


BOX 5: DECWs and customers seek the flexibility provided by DECE business models.

Focus group discussions with customers and DECWs in Malaysia revealed that both cohorts valued the flexibility of an on-demand platform to meet their needs. This related to both the timing and the tasks to be performed. A customer noted that loyalty to the DECE depended on the flexibility of the services that could match the family’s needs, when required. Similarly, a worker noted

that because the DECE clearly sets tasks through the platform, she could choose work opportunities based on the types of services she can provide. This may suggest that the more digitally enabled the DECE, the more opportunities for flexibility and choice available to customers and DECWs because the scope and timing is clearly defined.

FIGURE 6: Proportion of DECWs’ motivations for digitally enabled care work, by type (n=357, percentage of cases)



As well as motivations, the workers' survey also explored DECWs' top three preferred benefits associated with engaging with DECEs, which were safety, income opportunities and skills development.¹²⁰ In terms of challenges associated with engaging with DECEs, the most DECWs

(36 per cent) identified aspects of the algorithm management, such as ratings, as a key challenge. This finding aligns with previous research on other digital economy workers.¹²¹ In an open-ended question about challenges, a worker explained:



“Rating[s] are only for client[s] to rate carers. Instead, it should [let] carer[s] rate client[s] and the completed job whether [the] carer is satisfied with [the] client or the job. Carers should give the opportunity to say whatever problem they are facing during the service, for example, [the] client not following [standard operating procedures] or [the] client never specify[ing] the exact place to take care of the children.”



Another worker noted:



“Please make it easier for carer[s] to check our rating and comment[s] so that we can [improve].”



On the upside, a DECE allowed workers to rate their clients based on, among other factors, their conduct or behaviour, before, during or after the service had been completed, with the possibility for the DECE of suspending the client's account without prior notice. This good practice could be implemented across platforms more broadly to promote safety and wellbeing among DECWs.

Workers also highlighted other challenging aspects related to algorithm management, for example, a lack of response from clients, the lack of ability for workers to access ratings and reviews, and the lack or an alternative to using the phone to update jobs:



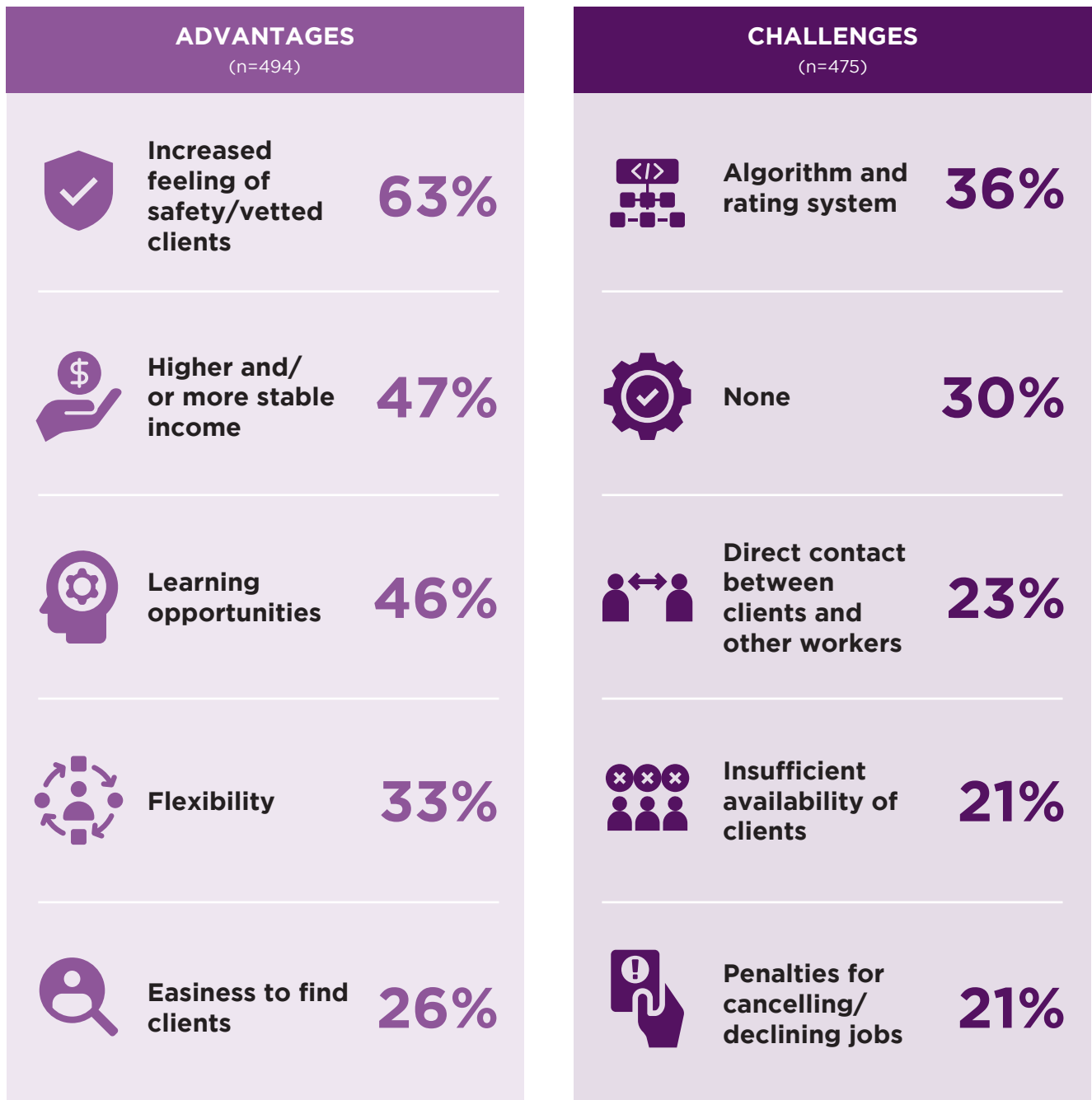
- 1. Waiting time for client approval like the session will start in three hours but no answer yet from client in the application.**
- 2. Rating and review cannot be accessed by the worker**
- 3. To always using phone to update (even though I know this is for our safety).**



¹²⁰ The identification of the main benefits and challenges occurred were through multiple questions with a predefined list of answers. Each respondent was asked to select up to three main benefits and challenges. If the respondent did not find the list exhaustive, an option was given to add text in an open text box when 'other' was selected. Overall, only 5 care workers added benefits not included in the predefined list and 31 workers added challenges.

¹²¹ International Labour Organization. 2018. [Digital labour platforms and the future of work: Towards decent work in the online world. Geneva: ILO.](#)

INFOGRAPHIC 4: Top five perceived advantages and challenges of digitally enabled care work



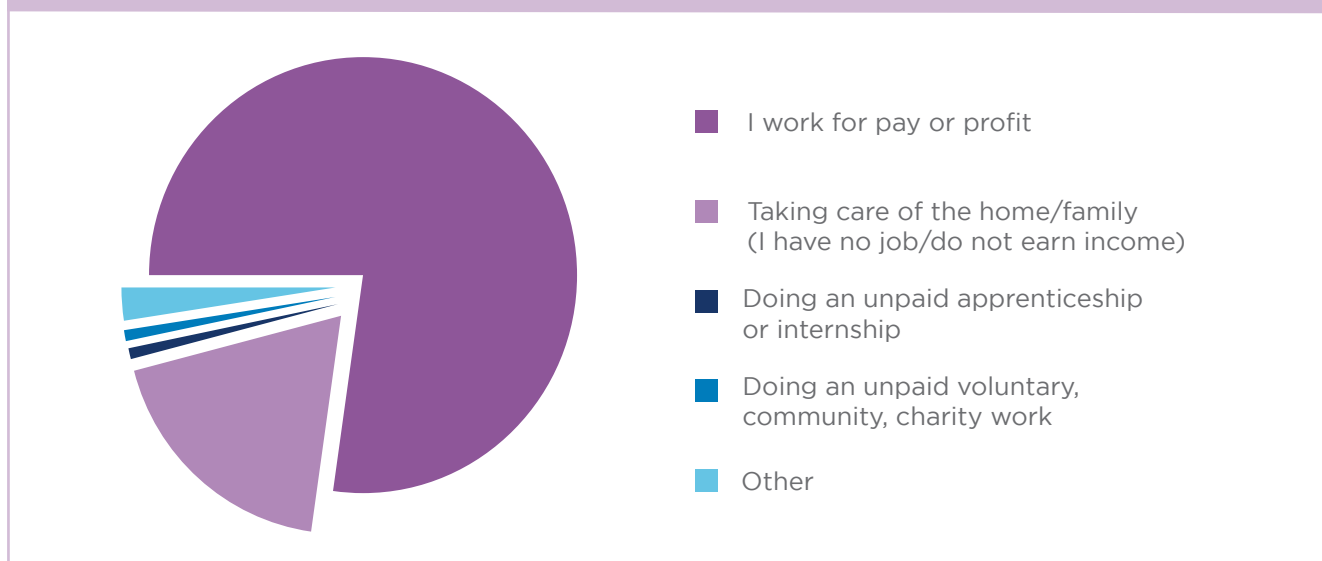
92% of DECWs would recommend the DECE to others.

5.1.1 Clients' perspectives

Information on the clients' experiences of engaging with DECEs was gathered from 120 registered users aged above 18 years. Of these, 90 were from Malaysia and 30 from Indonesia and they were mostly nationals of these countries. Respondents were predominantly female (109), with only 10 male respondents.¹²² Sociodemographic and

socioeconomic characteristics of respondents showed that most female clients were in employment and married (76%), followed by married women outside of employment whose main economic activity was to take care of the family (20%) (Figure 7). Most working and non-working clients (61%) were aged between 29 and 39.

FIGURE 7: Proportion of clients, by main economic activity
(n=120, percentage of respondents)



Most respondents started using DECEs' services since the onset of COVID-19 with 91 per cent of clients registered between 2019 and 2022. Facebook and other social media was the first source of information about these services (41 per cent of clients), followed by word of mouth (35%). For most clients, the utilization of on-demand care services was additional to public and private services. Most respondents in Malaysia relied on public and private kindergartens and day-care centres for meeting daily childcare needs: 75 clients accessed DECE's basic childcare services, including babysitters and nannies, and 15 clients accessed on-demand services related to infant care, with an average of 3 nannies engaged since registration. In Indonesia, household needs for elderly care were met either by outpatient or day-care centres or through ad hoc services if the elderly could manage most activities independently. In this context, DECE services were

mostly associated with assistance for activities of daily living with one DECEW engaged on average per client.

When looking at motivations for engaging with the DECE, professionalism, reliability and accessibility were the three most highly rated (Figure 8). Personal/attitudinal characteristics and trustworthiness were the most desired qualities of workers; most clients (89%) noted the DECE's workers as having such qualities (Figure 9). During qualitative interviews, customers reported that the trustworthiness and reliability of the DECE meant they felt more comfortable with the quality and standard of carers looking after their dependants. A customer specifically mentioned concern about child abuse when hiring domestic workers, but the trust, high entry requirements, and training of workers through the DECE were perceived to reduce the risk of this.

¹²² One informant preferred not to disclose their biological sex.

FIGURE 8: Proportion of motivations for clients engaging with the DECE, by type
(n=104, percentage of cases)

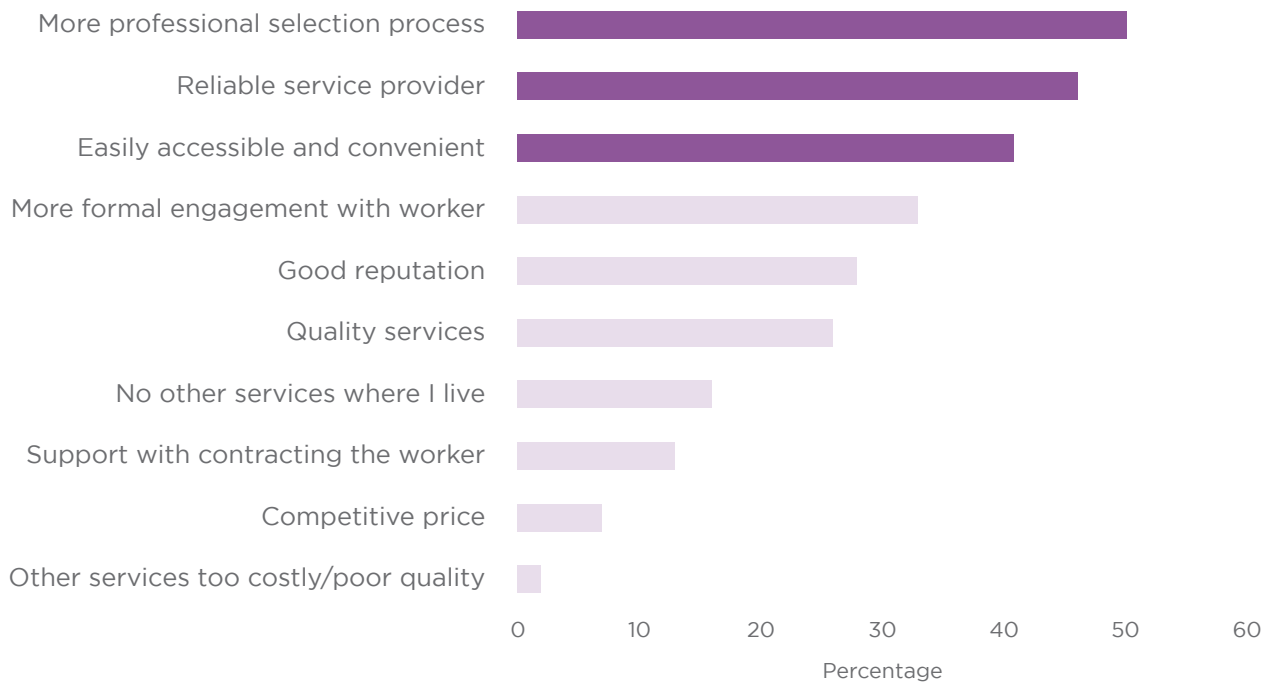
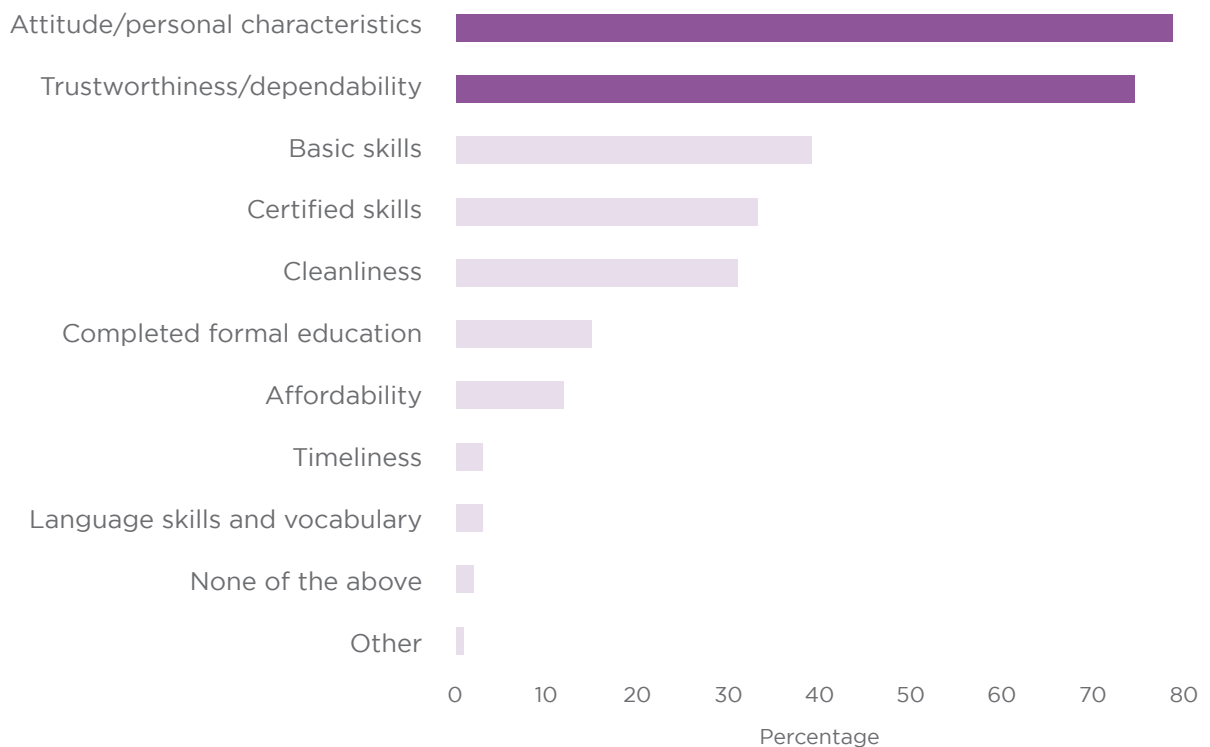


FIGURE 9: Proportion of desired qualities of DECW, by type (n=100, percentage of cases)



INFOGRAPHIC 5: Top five perceived advantages and challenges of digitally enabled care work as perceived by clients



93% of customers of care services would recommend the DECE to others

Safety and quality of services are key advantages for DECEs' clients. However, high fees and the difficulties of finding DECWs are challenging.

5.1.2 Autonomy and status in employment

DECEs represent a business model that in most instances establishes a work relationship of commercial nature between enterprises and independent workers. At the same time, they exercise a large degree of control in the form of price setting and incentives on working time through algorithm management and rating systems^{123, 124, 125, 126}. The policy landscape analysis in Section 4 highlighted that the status of DECWs is a legislative grey zone with DECWs technically classified as domestic workers or subcontractors providing services to households through DECEs. This implies that laws that might apply to domestic workers may not apply to DECWs, and vice versa.

With the proliferation of non-standard forms of employment, challenges associated with the classification of status in employment are also of a statistical nature and also occur in the labour market of domestic workers.¹²⁷ A preliminary analysis of available data—recently conducted by the ILO—showed that only a very small proportion of domestic workers (4.7 per cent of the total number of domestic workers) self-declare as independent workers, irrespective of their actual status.¹²⁸

Statistically, based on the type of authority, digitally enabled care workers can be indeed classified as employees, dependent contractors and independent workers (Figure 10).¹²⁹ In line with this, DECWs in this study have been reclassified as employees if they report dependency from the economic unit (i.e. the household where they work or the DECE). This often means having written contracts or oral agreements other than

Terms of Services (ToS) and being live-in workers. In this study, dependent contractors, on the other hand, were classified as those live-in or live-out care workers who had a work relationship of a commercial nature but did not exercise any control over the economic unit on which they depended, for instance, through influencing the price of their services.¹³⁰ Lastly, independent workers were identified as those live-out workers, who self-classified themselves as independent, or had control over setting the price for their services. In this study, it is noteworthy that 76 per cent of workers were dependent on DECEs.¹³¹

The degree of dependency is also illustrated by the self-reported status in employment of DECWs, with most workers perceiving themselves as employees of the client (41%) or the DECE (48%). Only 11 per cent recognized themselves as independent workers without employees, likely to be the objective reality for these workers (Figure 14). Of those, a very small number were in formal employment and registered in national business registers.

Interviews with the CEOs of DECEs and analysis of the Terms of Service agreements across DECEs confirmed that, in most instances, it was clearly stated that workers were not to be considered employees. For instance, the DECE in Malaysia used the phrases “independent childcare service providers” and “not employees”. Among those who self-identified as independent workers (46 workers), most were in Malaysia (26) followed by Thailand (11).

123 V. De Stefano, I. Durri, C. Stylogiannis and M. Wouters. 2021. Platform work and the employment relationship. ILO Working Paper 27. Geneva: ILO.

124 In 2018, the California Supreme Court challenged the classification of platform workers as independent contractors rather than employees. According to the argument, the worker could be considered an employee if he or she performs a job that is part of the “usual course” of the company’s business. It is worth noting that the state of California has legally defined Uber workers as employees of Uber. Decisions are taken on a state-by-state basis in the United States.

125 Please see: A. Pesole, M.C. Urzì Brancati, E. Fernández-Macías, F. Biagi and I. González Vázquez. 2018. Platform Workers in Europe: Evidence from the COLLEEM Survey. JRC Science for Policy Report. European Commission, for a summary on the status of the major EU documents on the topic.

126 Issues associated with the legal classification of online platform workers and of their labour rights goes beyond national borders and legislation. Please see: M. Graham, I. Hjorth and V. Lehdonvirta. 2017. “Digital labour and development: impacts of global digital labour platforms and the gig economy on worker livelihoods.” *Transfer: European review of labour and research* 23, no. 2: 135–162.

127 ILO. “[Non-standard forms of employment](#)” – also referred to as “diverse forms of work” – is an umbrella term for different employment arrangements that deviate from standard employment. They include temporary employment; part-time and on-call work; temporary agency work and other multiparty employment relationships; as well as disguised employment and dependent self-employment.”

128 ILO. 2021. [Making decent work a reality for domestic workers: Progress and prospects ten years after the adoption of the Domestic Workers Convention, 2011 \(No. 189\)](#). Executive summary.

129 The recently adopted ILO statistical standards, ICLS/20/2018/Resolution I. [Resolution concerning statistics on work relationship](#), also known as ICSE-18, help identify objective criteria for the classification of workers through definitions and guidelines. As per ICSE-18, The type of authority refers to the nature of the control that the worker has over the organization of their work, the nature of authority that they exercise over the economic unit for which the work is performed (including its activities and transactions), and the extent to which the worker is dependent on another person or economic unit for organization of the work and/or for access to the market. The type of authority is used to classify workers as dependent or independent.

130 ILO. 2018. ICLS/20/2018/Resolution I. [Resolution concerning statistics on work relationships](#).

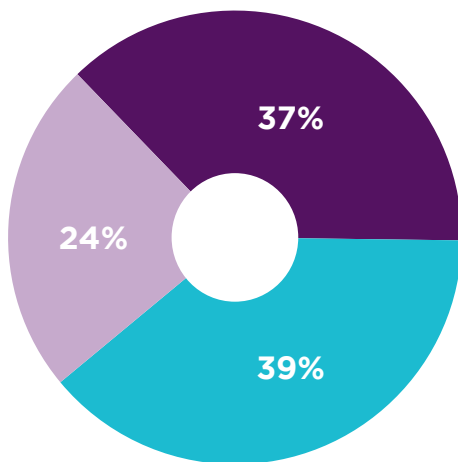
131 Ibid. [The resolution concerning statistics on work relationships](#) establishes that dependent workers are workers who do not have complete authority or control over the economic unit for which they work. If they are in employment for profit, they have no employees, and do not make the most important decisions about the activities of the economic unit for which they work.

Qualitative interviews with DECWs in Malaysia reported a clear understanding of the legal distinction between employee and independent worker; despite this, DECWs considered themselves as DECE employees rather than as independent workers until they were required to make a legal declaration of employment for the purposes of, for example, a bank loan, credit card or mortgage. Similarly, DECE customers did not classify themselves as employers but rather as “middlemen”, believing that the work arrangement was between the worker and the DECE.

The blurry boundaries around the nature of the work relationship may also be because of

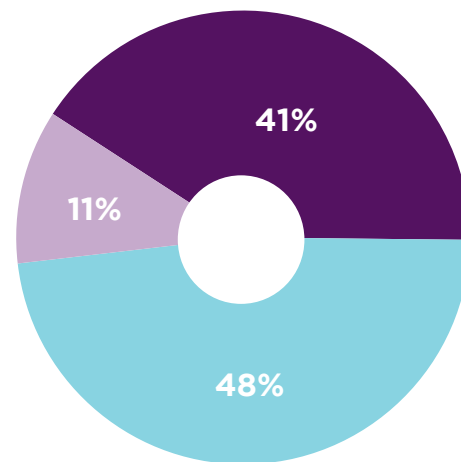
the workers who rely on digitally enabled care work as their main source of income (and hence consider themselves an ‘employee’ of the body that provides that income), and the collection of frequent payments which may be erroneously perceived as a wage. Overall, 73 per cent of workers noted receiving regular remuneration; 18 per cent said they received fees for services; and a small number got paid by other forms of remuneration (e.g. by task). Even in the cases of DECWs who self-classified as independent workers, only 10 workers noted receiving service fees as the main form of remuneration, while most DECWs (26 workers) noted receiving a regular wage or salary.

FIGURE 10:
Proportion of DECWs, by ICSE-18 status in employment (n=374, percentage of respondents)



- Employee
- Dependent contractor
- Independent worker

FIGURE 11:
Proportion of DECWs, by self-reported status in employment (n=372, percentage of respondents)



- Employee of the client
- Employee of the platform
- Independent worker

The recently adopted ICSE-18 guides the identification of objective criteria for the statistical classification of status in employment of digitally enabled care workers.

POLICY IMPLICATIONS:**POLICIES THAT GUARANTEE FLEXIBILITY AND AUTONOMY IN DIGITALLY ENHANCED CARE WORK ARE MISSING FROM INTERNATIONAL AND NATIONAL LAWS**

There are significant policy gaps both in international and national laws governing arrangements on flexibility and autonomy for DECWs.

If flexibility is a driving motivation for digitally enabled care work, then so is freely chosen employment, which Convention C122 on Employment Policy is a core enabler. In this study, Thailand is the only country to have ratified C122. Along with its Royal Ordinance Concerning the Management of Employment of Foreign Workers, B.E. 2560 (2017), which specifically enables flexibility for migrant workers, this is a positive example of regulatory development for DECWs. However, in reality, it can be difficult for migrant workers to change employers because of the unequal power dynamics between DECWs and households. Also, households do not usually sponsor work permits for migrant domestic workers. Currently, Thailand's Ministry of Digital Economy and Society is working on regulations to build a sustainable environment for platform workers and platform work and more clarity is needed on whether it will also include the digitally enabled care economy.

In Indonesia, Law Number 20 of 2008 on Micro, Small, and Medium Enterprises has resulted in the proliferation of the 'partner' or 'mitra' model. Yet, these laws were not designed for the unique characteristics of digitally enabled workers, whereby on-demand work reflects employment relationships that are more dependent. Modernizing these laws may require assessing the status of the employment of DECWs and digitally enabled platform workers more broadly.

Empirical evidence supports the policy review presented in Section 4, which finds that the nature of digitally enabled care work falls between the cracks of laws that are designed for on-demand or subcontracted relationships on one hand and domestic work on the other hand. These exist in silos with one definition often negating the other.

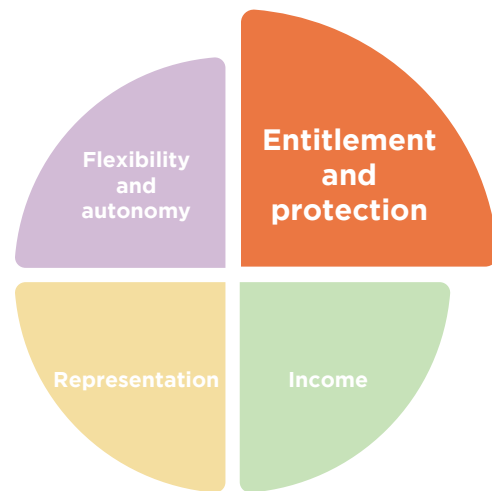
5.2 ENTITLEMENTS AND PROTECTION

5.2.1 Agreements and terms of service

In sectors which are highly informal, such as care work performed in and for households, written agreements may help enforce entitlements and provisions related to decent work, including formalization.¹³² However, this is uncommon.¹³³ For instance, a study conducted in 2016 by UN Women and the ILO noted that only 7 per cent of migrant domestic workers surveyed in Thailand had a written contract.

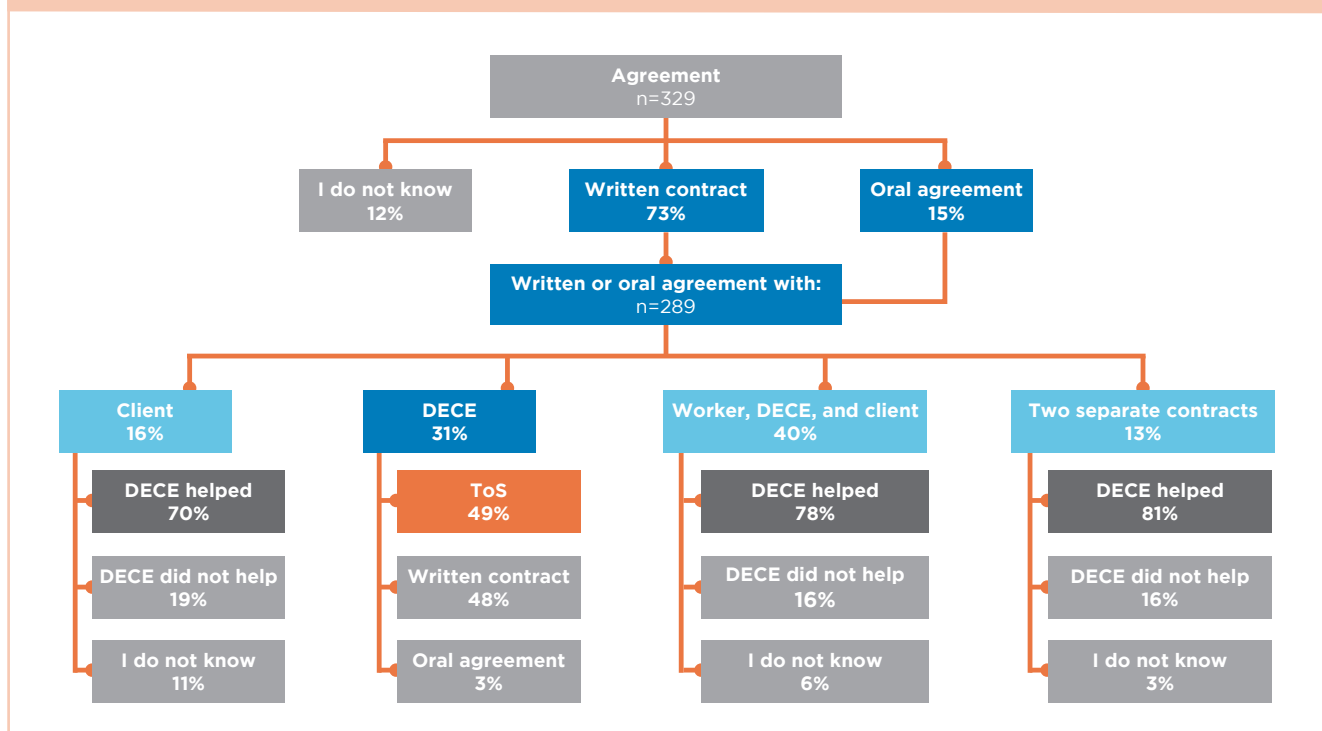
While DECWs in this research operated in countries without a legal framework for their labour rights nor legal recognition of social security coverage of domestic workers, DECEs established pathways towards decent work, such as agreements with clear terms of engagement among parties.

Overall, 88 per cent of DECWS noted having a written or oral agreement for the provision of their services (Figure 12). These DECWs read the Terms of Service (ToS) agreement and 91 per cent considered them to be clear. Statistically, however, it is difficult



to establish the nature of the work relationship, as survey questions about the ToS were only asked to workers that had an agreement with the DECE, but not to others (boxes in light blue in Figure 12). Figure 12 also highlights the role of the DECE in enabling agreements. On average, 77 per cent of DECWs noted that the DECE helped put these agreements in place (boxes in dark grey in Figure 12).

FIGURE 12: Type of agreements, as perceived by care workers



132 ILO. 2017. [Formalizing domestic work](#). Domestic Work Policy Brief 10.

133 ILO and UN Women. 2016. Worker, helper, auntie, maid?: [Working conditions and attitudes experienced by migrant domestic workers in Thailand and Malaysia](#).

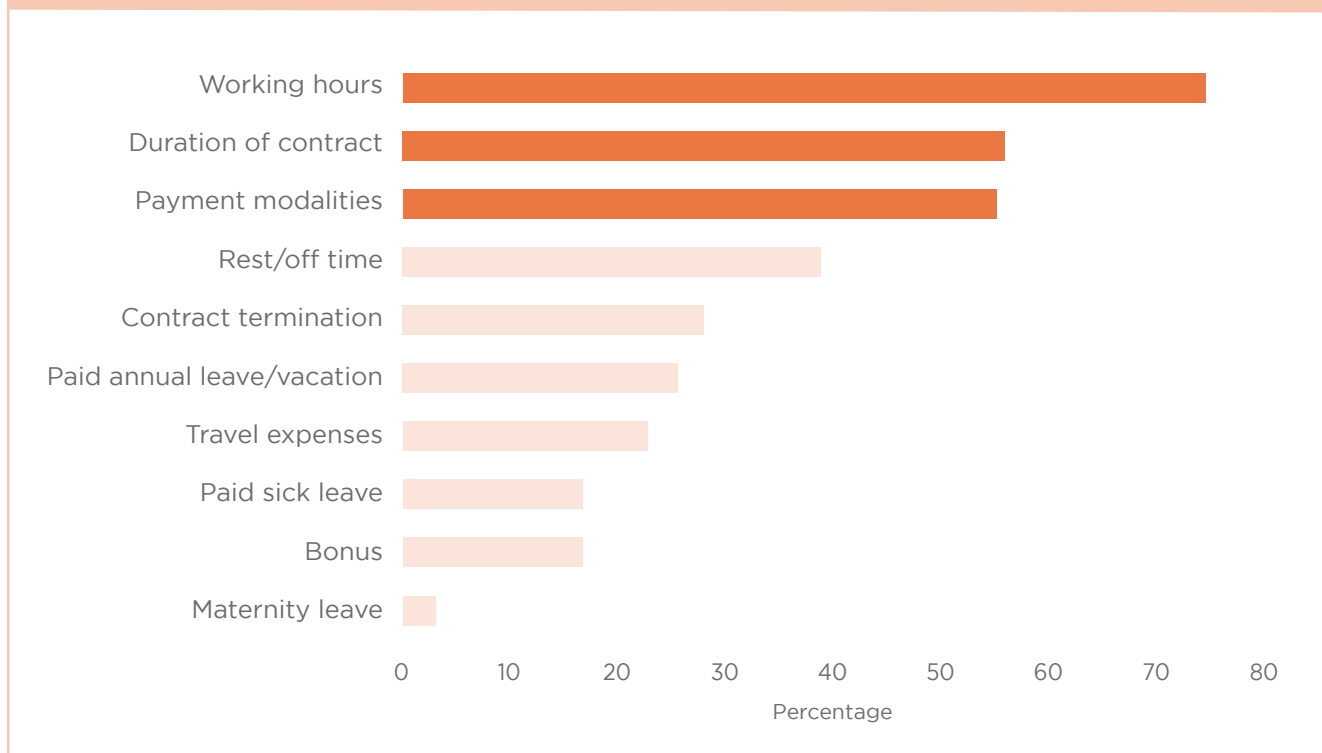
Provisions included in these written or oral agreements typically focused on working time, including rest and off-time, and contract duration (Figure 13).¹³⁴ These aspects are relevant considering the decent work deficits that domestic workers have historically faced in the labour market, with only modest improvements over the years.¹³⁵ While online labour platforms may have similar characteristics as the informal sector, the level of formality found in these business models can create better working conditions for the workers, including training and better job quality through improved linkages with formal activities (ASEAN, 2023).¹³⁶ Nevertheless, focus groups with migrant workers in Thailand identified areas for improvement, such as having the agreements available in the worker’s native language, which otherwise would create a language barrier that may undermine workers’ understanding of what they are signing up for.

74% of DECWs noted having agreed provisions on working time

57% on contract duration

56% on payment modalities

FIGURE 13: Proportion of provisions included in agreements, by type
(n=258, percentage of cases)



88% of DECWs noted having a written or oral agreement for the provision of their services.

DECEs played an important role in facilitating written agreements for DECWs and introducing decent work elements around working time, duration and payment modalities.

¹³⁴ This finding emerged consistently in both the workers’ and clients’ survey.

¹³⁵ ILO. 2013. [Domestic workers across the world: global and regional statistics and the extent of legal protection](#); ILO. 2021. [Making decent work a reality for domestic workers: Progress and prospects ten years after the adoption of the Domestic Workers Convention, 2011 \(No. 189\)](#). Executive summary.

¹³⁶ ASEAN. 2023. [ASEAN Employment Outlook – The Quest for Decent Work in Platform Economy: Issues, Opportunities and Ways Forward](#).

In line with significant gaps in social protection coverage identified in the policy landscape analysis (Section 4), and more broadly in the domestic work sector,¹³⁷ clauses pertaining to social protection are scarce, with only 43 workers reporting provisions for paid sick leave and only 8 workers reporting provisions for maternity leave. These cases related to the DECEs' attempts at extending social protection coverage to DECWs. In Malaysia, the DECE initiated a pilot project to extend social protection to DECWs and the percentages related to social protection in Figure 13 refer mostly to this initiative (Box 6). In this case, the DECE enabled DECWs to transfer funds towards pensions. Another example is to be found

in Indonesia, where the DECE worked with the government to facilitate **LOVECARE** DECWs' contribution to the BPJS- Ketenagakerjaan (Social Security Administrator for Employment). While this is a positive step for **LOVECARE** DECWs, they were still required to pay their own contributions to the BPJS-Kesehatan, which is the Universal Healthcare Plan. The DECE provided detailed information on how to contribute to the BPJS-Kesehatan, including guidance on how to create an account. This is an example of how DECEs can play an important role in advocating to governments for improved access for DECWs to social protection programmes (see Section 5.4 on Representation).

BOX 6:**Malaysia's MySTEP programme – government subsidies can enable social protection for DECWs.**

In January 2021, the Malaysian Government introduced MySTEP (the Malaysia Short Term Employment Programme). MySTEP provides funds covering 6- to 12-month contracts for employment and training to strategic partners in the private sector (1 to 12 months is available in the public sector). Salary scales are set by the government based on the complexity of tasks and academic qualification. In addition, MySTEP workers receive entitlements including annual leave, sick leave and social protection through payment to the Employee Provident Fund

(EPF) and the Social Security Organisation (SOCSO).

KIDDOCARE in Malaysia has taken part in the programme and DECWs in the focus group were participants. While MySTEP was attractive for these workers, the DECE noted that clients' demands were ad hoc and they did not ask for full-time workers. Similarly, many workers used the digital platform to provide on-demand services, rather than for gaining full-time employment.

Clients were asked with a multiple-choice question for which provision they would be willing to pay more to DECWs. Overall, 35 per cent of clients indicated sick leave in case of illness/injury, 32 per cent paid annual leave, 18 per cent parental leave, and 3 per cent contribution to pensions. However, 37 per cent of respondents indicated that they would not be willing to bear any additional costs. Qualitative evidence also indicated that customers varied in their willingness to pay more for services

if they knew the DECW received the minimum wage applied in the formal sector or received some social protection. Some customers with live-in DECWs argued that the current standards and professionalization of the sector did not warrant increased pay and benefits, whereas customers with on-demand DECWs were more willing to increase payments so DECWs would get more benefits.

137 ILO. 2016. *Social protection for domestic workers: Key policy trends and statistics*. Social Protection Policy Papers. Paper 16. Geneva: ILO.

5.2.1.1 Working time

The average working time for DECWs varied across the DECEs. Data on working time were collected through the workers' survey, which were indicative and not representative. While not providing a reliable and precise quantitative estimate of weekly working hours, the data do illustrate hours by living arrangements. On average, live-in DECWs worked longer hours weekly with some exceptions. For instance, most DECWs in Singapore worked on average for 72 hours weekly regardless of working arrangements, except for a few live-in workers who reported working 24 hours per day each week. On the other side of the spectrum, on-demand care workers were mostly live-out and worked on average 18 hours per week.

Qualitative interviews with live-in DECWs in Indonesia highlighted that customers did not allow them to sleep for an adequate time. In response, the DECE implemented a policy of minimum hours of uninterrupted sleeping time for DECWs. Arrangements for days off work were often negotiated between the customer and workers.¹³⁸ DECWs reported leaving customers when they were not given adequate rest time, even when they were provided with higher payments, and even jewellery as compensation. For on-demand workers, managing working time was reported to be easier as each shift was scheduled through the DECE app with clearly agreed time boundaries. This suggests that on-demand work, when facilitated by a digitally enabled platform, can provide more transparency and clear agreement on working hours without unexpected 'add-on' time.

5.2.1.2 Scope of work and tasks

A benefit of digitally enabled work is that boundaries around the tasks to be performed are clearly set. For all DECEs, the online component provided a clear profile of DECWs based on expected tasks and services. In addition, the matching between the clients and the DECWs was based on the scope of tasks and agreements evolved around them. This can be particularly important in the care

sector where long working hours usually result from being on-call, and where there are frequent demands for additional services.¹³⁹ In the care sector, those hired as nannies may, for instance, be asked to provide cooking and cleaning services for the whole household. This may result in distress and strenuous working conditions, and additional services not adequately compensated.

The agreements put in place by the DECE reduced these risks. Most DECWs surveyed (65%) were not asked to provide additional services. Among those who did provide additional services (35%), they provided cleaning and cooking services (41%), elderly care (20%), childcare (20%) medical care (10%) and driving services (8%). Focus groups revealed that workers were less likely to be asked to do additional tasks when DECEs were more digitalized. Conversely, DECWs were asked to do additional tasks including cooking, cleaning and driving when DECEs were less digitalized.

In this study, the most digitalized DECE provided a checklist for tasks on the platform, including check-in and check-out times. DECWs were expected to fill in the necessary details like name, age and medication information upon arrival and to follow the schedule given by parents for necessary activities, like bathing, eating and putting the child to sleep. DECWs may have engaged in leisure activities during their rest time, but they were not obliged to exceed their duties. However, customers did not always strictly adhere to the scope. During focus group interviews, DECWs noted that it was common to encounter instances where they had to care for more than the number of dependants agreed to on the app. In such cases, it was mandatory for DECWs to report it to the administration. Then, the administrator provided necessary remedies to alleviate the situation, including charging higher fees to the client.

DECEs can use digital products to manage DECWs' scope of work and DECWs can benefit through more transparent systems. Where there is a clearly agreed record of tasks, a transparent record also enables DECWs to easily raise grievances.

¹³⁸ M. Humblet and L. Hult. 2015. [The right to rest for domestic workers – Setting a floor](#). ILO.

¹³⁹ ILO. 2021. [Making decent work a reality for domestic workers: Progress and prospects ten years after the adoption of the Domestic Workers Convention, 2011 \(No. 189\)](#). Executive summary.

5.2.1.3 Safety

A key feature of the digitally enabled care work in this study is that the place of work is the private home of the client, which introduces safety concerns and affects the living and working conditions of DECWs. Domestic workers, and especially those who are migrants, are known to be exposed to multiple vulnerabilities, including harassment, at their place of work.¹⁴⁰ In the survey, 63 per cent of DECEWs identified safety as a key benefit of digitally enabled care work.

Participants in the qualitative focus group discussions and key informant interviews overwhelmingly noted that the DECEs provide a layer of safety to DECWs. This was true for DECWs as well as for customers seeking a trustworthy carer. However, ambiguities emerged around the responsibility for providing a safe work environment. In Indonesia, **LOVECARE** introduced a sexual harassment policy establishing that customers are to provide a safe environment for workers. However, some customers in the focus group discussions noted that it is the responsibility of the DECW to provide a safe work environment for themselves. DECEs can provide transparent mechanisms for management of grievances, including those that relate to the safety of the DECW. It also means DECEs can manage their own liability through record keeping of complaints and grievances about safety that might arise. Further research could help identify when and how digital or offline processes for managing grievances are appropriate for use with DECWs.

63%

of DECWs identified safety as a key benefit of digitally enabled care work.



5.2.1.4 Entry requirements, learning and skills

The DECEs in this research had high entry requirements for DECWs and screening processes, such as background screenings, health checks and psychometric assessments. For instance, to be registered as a worker for the provision of on-demand caregiving services in Malaysia, workers were required to complete a training programme on a compulsory basis. In such instances, 93 per cent of DECWs indicated training completion, and the remaining 7 per cent indicated other types of training were being completed. This finding is in contrast to available literature on digitalization in the care sector, which highlights the lack of entry requirements for care workers as a critical challenge.¹⁴¹

DECEs in this study prioritized skills development to ensure the provision of quality care. Sometimes DECWs had to pay for it.

BOX 7:

Training as a standard for entry into digitally enabled care work

Compulsory training is one method of standardizing the quality of care provided by DECWs. At **KIDDOCARE** in Malaysia, DECWs are required to undergo mandatory training to ensure they comply with the standard operating procedures of the DECE. Given the DECE is an on-demand platform, customers know that all DECWs have a benchmark of quality.

Similarly, at **LOVECARE** in Indonesia, the DECE mandates training of all DECWs at their training centre. During this training, which is provided live-in at the centre, DECWs are educated in hospitality, sexual harassment training, privacy training and awareness, and palliative care. When the DECW completes these courses, it appears on their profile with the DECE and is used to promote their skills and qualifications.

¹⁴⁰ In June 2019, the International Labour Conference adopted ILO Convention No. 190, the first international treaty to recognize the right of everyone to a world of work free from violence and harassment, including gender-based violence and harassment. None of the selected countries in this study has ratified it as of July 2023. In June 2022, the International Labour Conference included [a safe and healthy working environment in the ILO's framework of fundamental principles and rights at work \(FPRW\)](#), designating the [Occupational Safety and Health Convention, 1981 \(No. 155\)](#) and the [Promotional Framework for Occupational Safety and Health Convention, 2006 \(No. 187\)](#) as fundamental Conventions.

¹⁴¹ S. Wandile and D. du Toit. 2022. "Sweeping up decent work: paid domestic work and digital platforms in South Africa". *Gender & Development*, 30(3): 637-654.

Training requirements and delivery mechanisms varied across DECEs. In some instances, incoming DECWs were required to attend on-site training at the company headquarters. In the case of **LOVECARE** in Indonesia, trainings focused on elderly care services, include basic nursing. At the training centre, DECWs also attended online interviews with clients and underwent additional training while waiting for placement.

Most DECWs and clients highlighted on-the-job training and skills development as crucial to meet the demands for specific caregiving services.

For instance, DECWs highlighted the need for training in psychology for working with customers with dementia, whereas customers identified additional skills, such as tutoring or language training, more advanced medical skills, and speech therapy. However, a key barrier to upskilling was its associated costs. Survey data indicate that out of 481 care workers for which data are available, 31 per cent of respondents had to pay for training, 51 per cent did not have to pay and 18 per cent preferred not to say. The training in some cases was costly, approximately US\$35 per session.

POLICY IMPLICATIONS:

REGULATORY PROGRESS MUST INCORPORATE BOTH DOMESTIC WORK AND DIGITALLY ENABLED CARE WORK TO ENSURE DECWS' ACCESS TO ENTITLEMENTS AND PROTECTION.

In the absence of the ratification of the C189 convention on domestic workers and associated protection of workers' rights at the country level, terms of services and agreements are a positive step towards decent work. While legal employment arrangements formalize the attribution of liability for social protection, contractual arrangements that set service fees, outline insurance arrangements, scope tasks, set working time and provide mechanisms for occupational health and safety are a way that DECEs can fill this gap.

While agreements or terms of service are important, DECEs do not classify their workers as employees except for live-in workers. In most cases, these agreements establish workers as independent service providers. Where there are some regulatory conditions for these workers, such as in Indonesia's national laws on subcontractors, the regulations are out of date and do not provide access to social protection.

Regulatory developments need to mutually recognize the role of DECWs to ensure one set of regulations does not exclude a DECW from accessing the other. For example, in Malaysia domestic workers are no longer excluded

from labour laws and as a result, many barriers to formalizing domestic workers have been removed. However, independent on-demand workers are limited from accessing social protection. In Thailand, the drafting of the Independent Labour Protection Act is a promising development, which establishes employment relationships with contractors. Whether this will exclude domestic workers and DECWs is yet to be established.

Safety is a major concern for DECWs given the clients' private homes is their usual place of work. While there are some positive developments at the international level increasing attention to occupational health and safety, more can be done at the country level. For example, all countries have ratified C187 which sets out the conditions for a national framework on occupational health and safety. However, C155 on providing that safe workplace is only signed by Singapore and is limited to those in an employment relationship. Additional regulatory efforts are needed to ensure that the legislative body of laws is fit for purpose in the digital economy, where the place of work is different to traditional workplaces, and work relationships leverage non-standard forms of employment.

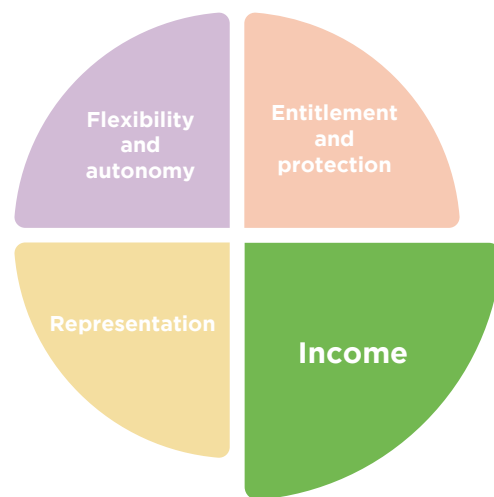
5.3 INCOME

5.3.1 Digitally enabled care work as primary or secondary job

Literature has shown that the engagement of platform workers in the digital economy usually takes the form of a secondary job and additional income at specific times.¹⁴² Conversely, in this study, digitally enabled care work is the primary job or main source of clients and income for most DECWs.

The intensity of engagement with the DECEs is also reflected in the frequency of usage. Since registration, 40 per cent of DECWs have used the platform weekly, 23 per cent monthly, 8 per cent yearly and 29 per cent only once, with variation by business model. For instance, for on-demand care services in Malaysia, 63 per cent of workers used the platform weekly and 22 per cent monthly. On the contrary, for the less digitized DECEs in Singapore and Thailand, DECWs used the DECE only once, which is when the matching between the worker and client occurred.¹⁴³

The frequency of usage varied by the digitalization of business models. Most on-demand workers in Malaysia provided their services to many clients (95 per cent of workers), as could be expected for digital labour platforms. Similarly, in Indonesia where the DECE had a strong technological component, 63 per cent of DECWs provided services to many clients. On the contrary, for the DECE strongly relying on offline components (e.g. DECE agents), such as in Singapore, most workers provided services to one client as a live-in worker (65 per cent of DECWs). Measuring this, however, poses statistical challenges, especially for businesses where service fees depend on the number of care receivers (for instance, number of children) within a household, thus acting as a source of potential measurement error.



DECWs rely substantially on digitally enabled care work for income.



80% of DECWs did not have additional jobs.

For 69% digitally enabled care work is the main source of income.

¹⁴² ILO. 2018. Digital labour platforms and the future of work: Towards decent work in the online world; L.F. Katz and A.B. Krueger. 2019. "The rise and nature of alternative work arrangements in the United States, 1995–2015." ILR review 72, no. 2: 382–416; A. Pesole, M.C. Urzì Brancati, E. Fernández-Macías, F. Biagi and I. González Vázquez. 2018. Platform Workers in Europe: Evidence from the COLLEEM Survey. JRC Science for Policy Report. European Commission.

¹⁴³ For those less reliant on the platform to find clients, other sources for care jobs and clients included Facebook or other social media (37%), word of mouth (25%), other websites or digital apps (20%), WhatsApp/Line/Signal or other chat services (17%) and newspapers (1%).

5.3.2 Payment modalities

Most DECWs received their payments in digital form (77 per cent of workers), a factor that can be important in promoting women’s agency, economic empowerment and financial autonomy^{144,145} (Figure 15). Among these DECWs, 64 per cent received such digital payment through DECEs with variations among business models. For more digitalized business models in Indonesia and Malaysia, 88 per cent and 96 per cent of DECWs received payment in digital form through the DECE respectively. For more offline businesses in Thailand and Singapore, 40 per cent and 74 per cent of DECWs received payment in cash through the DECE respectively.

For on-demand payments in Malaysia, these payments were made directly to the DECE on booking through the app and released to the DECWs immediately at the end of the service. In Indonesia, DECWs authorized **LOVECARE** to systematically collect payments from clients, who paid prior to receiving the service. In Thailand, **KIIDU** received only the first payment from the client to pay out to DECWs: in this instance, the DECE also charges 25 per cent as a fee. After this first payment, cash or digital payments are directly made from the customer to the DECW. The limitation with this model is that the DECE and DECW have little control over whether the customer will continue to pay the agreed fees.

In terms of payment deductions, the payment of a DECE fee was the most common type of deduction (49% of workers). Only 12% of DECWs noted that fees were deducted as contributions to social protection, in the form of social security and 5% for job-related health insurance (Figure 14).

Most DECWs received their payments digitally, an important driver for women’s agency, economic empowerment and financial autonomy.

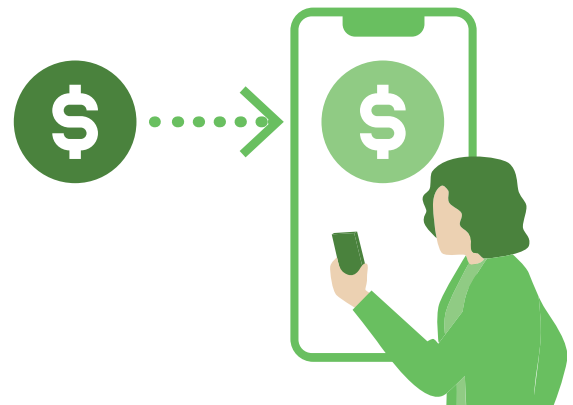
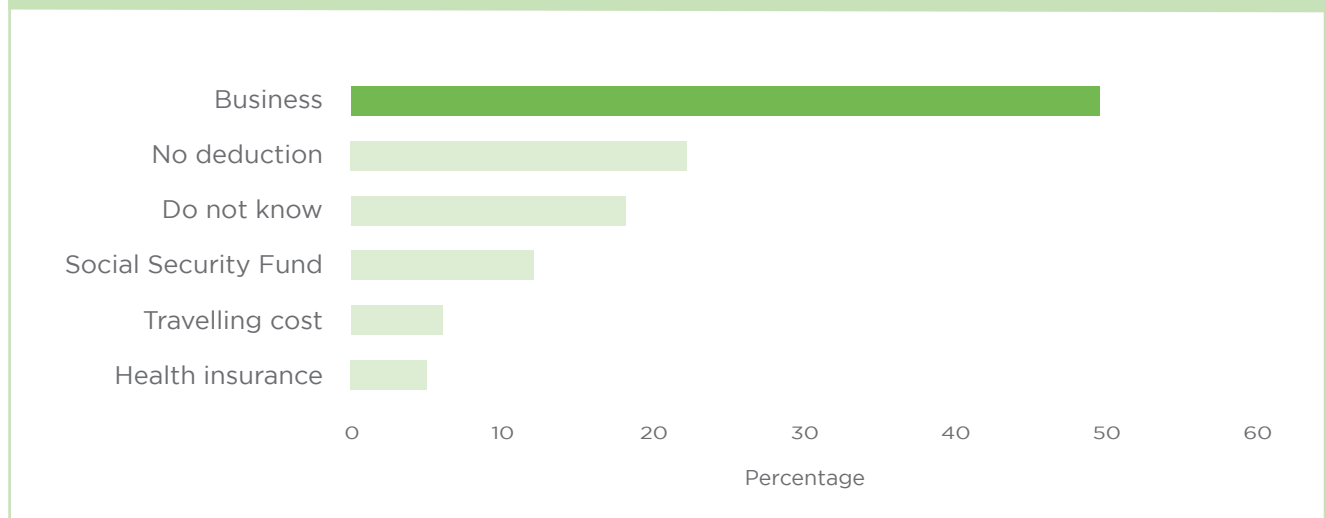


FIGURE 14: Proportion of deductions, by type (n=364, percentage of cases)



144 ILO. 2023. [Promoting responsible digital wage payments](#). Brief. Global Centre on Digital Wages for Decent Work.

145 This report has employed the definition of digital payment provided by [Better than Cash Alliance](#): “a digital payment, sometimes called an electronic payment, is the transfer of value from one payment account to another using a digital device or channel. This definition may include payments made with bank transfers, mobile money, QR codes, and payment instruments such as credit, debit, and prepaid cards”.

DECEs contributed to enhancing transparency in payments, for instance, through the inclusion of service fees in job advertisements. An example is **KIDDOCARE** who included fee rates on its website and explicitly stated the provision to DECWs of basic insurance coverage covering the commute. During qualitative interviews, most DECWs reported customers paying the advertised rates on time with few exceptions. The more digitized

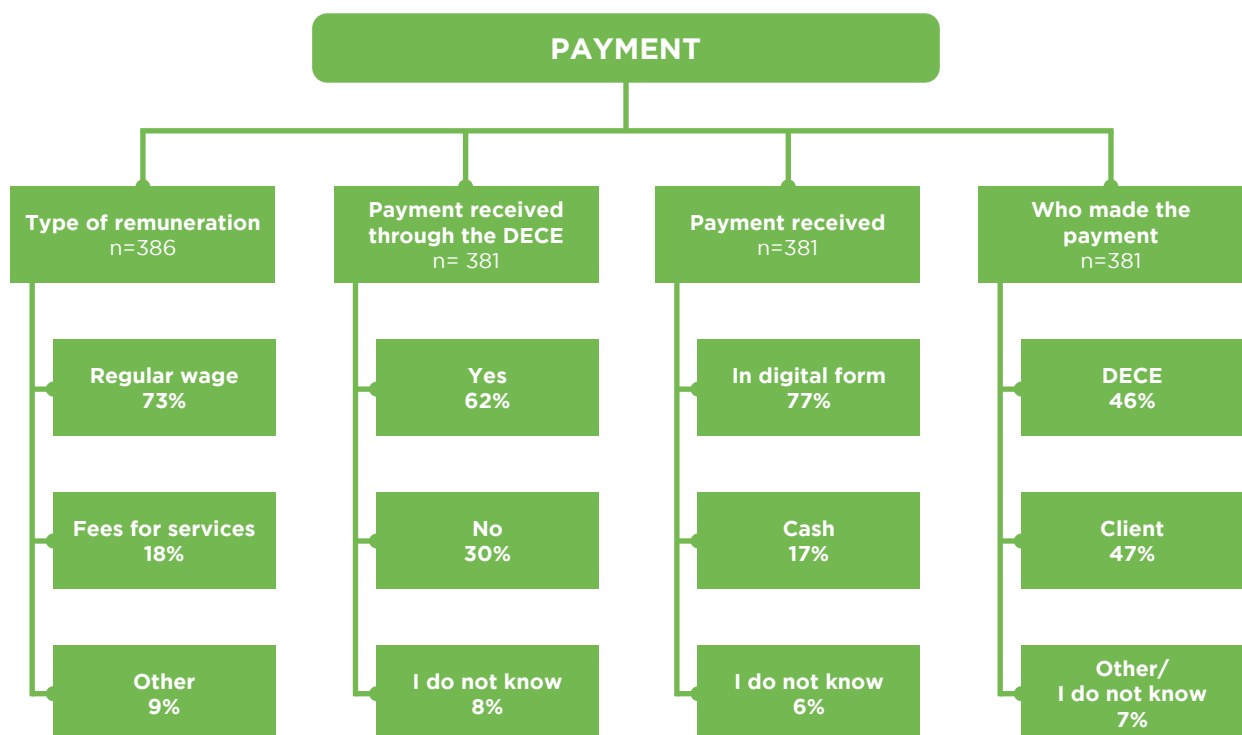
the process, the less likely it was for discrepancies between the advertised and actual price. For **KIDDOCARE** and **LOVECARE**, service fees were agreed through the DECE and a transparent record of them was kept (Box 8). Some clients paid additional tips and bonuses and additional pay for early arrival; some DECEs provided financial incentives to DECWs for getting positive feedback from customers.

BOX 8: Digitalizing payments can improve economic empowerment for DECWs

Digital payments can play a significant role in advancing women's economic empowerment as opportunities for the DECWs increase to have transparency around fees rates and payment rules. In Thailand where payments were less digitized, DECWs were paid once through the DECE, which meant the payment modality, frequency and rates depended

on the customer, regardless of any existing contractual arrangements. In Indonesia, where the DECE collected payments from customers on an ongoing basis, DECWs could decide to draw down on their funds at an interval of their choosing. Payments were made at intervals and rates based on their job level and this was transparent in their terms of service.

FIGURE 15: Payment modalities reported by DECWs



While care workers, including domestic workers, usually have little income security in the open market (not through DECEs), focus group discussions revealed that the DECEs can, though not always, provide more financial security for payments compared to non-digital work arrangements. Live-in DECWs in Indonesia received daily payments through the platform after completing a day of work, which they could request to be paid out directly to their bank account. Most DECWs reported using this function as a saving mechanism. One DECW explained that payments were transferred to their bank account every three months, and noted:

“It’s just like saving money in a bank, and I can always see how much of my salary is not yet in my bank account.”

payments, with entry-level workers receiving payments twice per month and senior levels weekly.

Qualitative evidence also revealed that provisions on meeting the basic needs of live-in DECWs had to be included in agreements and required significant change in behaviour from customers. These provisions set standards on a minimum number of three meals per day, including portions of rice and vegetables, a bed in a separate room rather than cardboard in common areas, and a minimum number of hours of uninterrupted sleep per night. A customer noted that she had to educate her own family on how to treat the worker with dignity and to address the bias that the DECW was “lesser than” the family. This experience was not uncommon with many DECWs reporting receiving fewer meals than the standard requirement set by the DECE. When DECWs were able to record evidence, grievance mechanisms set by the DECE helped address inadequate working and living conditions.

5.3.3 Minimum wage

In the absence of labour laws on minimum wage for domestic workers in selected countries, DECEs contributed to improving the working conditions of the DECWs in terms of remuneration. In focus groups in Indonesia, Malaysia and Thailand,¹⁴⁶ it was reported that DECWs were paid above what they would be paid in non-digital care work. This aligns with DECWs indicating good pay as the third main reason for engaging with digitally enabled care work, signalling that digital business solutions may be providing them with better pay (Figure 6). While during key informant interviews concern emerged whether DECEs could drive pay both up or down, focus group discussions with DECWs only identified evidence for the former.

Qualitative interviews suggested that DECWs’ higher skills led to them being paid more. In Indonesia, **LOVECARE** paid below minimum wage for entry-level DECWs, and above minimum wage for more senior levels, with seniority depending on qualifications, training and work experience. Seniority also determined the frequency of



For DECWs, provisions other than adequate remuneration play a key role in ensuring decent living arrangements. DECEs helped set standards on the number of meals per day and meal quality, as well as adequate sleeping time for DECWs.

146 No focus groups were conducted in Singapore due to resource constraints.

In Indonesia, the presence of **LOVECARE** DECWs improved the living conditions of other domestic workers, including their payments. This was especially the case for live-in DECWs, where salaries and working conditions were often discussed with other workers in the household. In one example, prior to the **LOVECARE** DECW's arrival to the household, other domestic workers had to share long beans and rice. This changed when the DECW started working in the household. Other workers begged her not to leave at the end of the contract, fearing a reversion to the previous status quo.

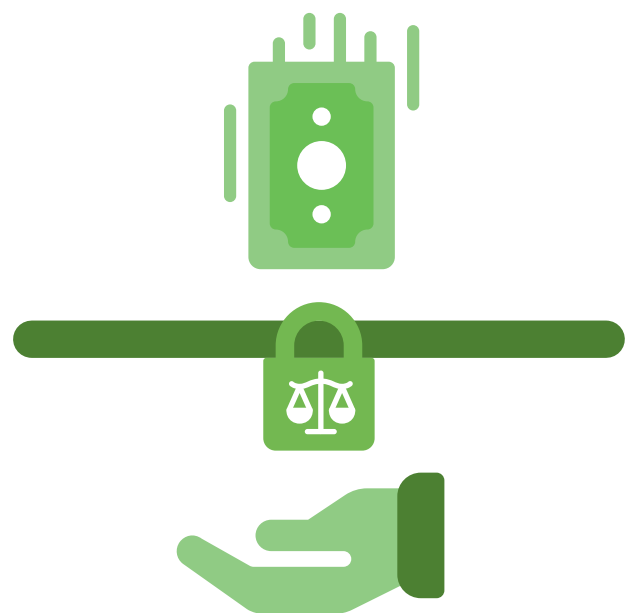
All DECEs in this research noted having complaint mechanisms. For some DECEs, DECWs can raise grievances through the app, while in other cases, DECWs must contact the DECE directly via social media or the phone. Where the DECE manages complaints and grievances through the app, there is an end-to-end record of the process. For those which rely on other mechanisms for complaints, the implementation depends on the DECE. One advocacy expert said:

“Who has the power when a grievance is raised? It's the customer, not the carer who holds that power.”

It is important to note that even more digitalized DECEs, such as in Malaysia and Indonesia, maintain an offline component to communicate with DECWs. This is deemed to be necessary as CEOs themselves recognize direct communication as a critical requirement for operating at the intersection of the care and digital economy.

5.3.4 Costs

Labour laws regulate the costs for workers to protect their rights at work. For instance, Article 7 of C-181 Private Employment Agencies Convention establishes that recruitment agencies should not charge fees or costs to workers, but none of the selected countries in this study have ratified it. Costs for DECWs are also associated with changing employers. Some DECEs require the payment of a fee each time DECWs change employer, which may act as a barrier if DECWs are not matched well with the client or are experiencing any kind of abuse. Another cost associated with placement is inactivity on the platform. In Thailand, **KIIDU** charged a fee to reactivate the account if the DECW did not use the platform for a month, if DECWs cancelled an interview or if they left a client.



The vacuum of labour laws regulating for DECWs results in higher costs, which restricts their financial agency.

With the exception of **LOVECARE** in Indonesia for which data are not available and **ASEANA** in Singapore for which travel costs are borne by the DECE, most workers in Thailand and Malaysia noted having to pay their own transport costs to provide their services. While this is not surprising

for independent workers, it has implications for accessing clients located in distant areas. To minimize costs to DECWs, **KIDDOCARE** in Malaysia allowed for a maximum threshold fee to be charged to the clients for extra expenses, such as a taxi fee. However, as some DECWs noted:

“

“Most clients’ places are far, and I must take public transport to go to their places, and do not have car. [I a]sked for [a] travel allowance, but [I] always got rejected”.

“Most clients are far from my house; thus I don’t get enough clients weekly.”

“There is competition with other carers when they don’t request travel incentives.”

“Most clients do not want to accept it if we [ask for] travelling incentives. So I hope the DECE will charge the client if our home is distant to their place (like how other apps [have a] system for food delivery charg[ing] to the customer for distance”.

”

”

Some DECWs reported also having to pay their own transport costs to attend interviews, which for some acted as a barrier to secure a role. Workers having to pay transport costs may also be problematic in case of a mismatch between the job advertisement and what is offered in terms of rest days and payment terms at the interviews. Ensuring the advertised and actual role are accurate is a way DECEs can reduce these costs for the DECWs. At **LOVECARE** in Indonesia, DECWs can attend interviews with potential employers using video conferencing at the training centre. This is a way digital technology can be leveraged to avoid the costs of transportation for potential placements.

Migrant DECWs faced additional costs and risks associated with securing work. This includes charges payable to brokers for work permits. Digitally enabled migrant care workers interviewed in Thailand reported that they were required to pay these fees, which were approximately THB 7,500 (US\$220). Securing a work permit through a broker means that the work permit is tied to a third party, which is usually unknown, but the migrant care workers perceived this as offering protection.

A DECW has noted:

“

“If we use the broker, we do not need to work for one boss for quite a long time. We can change the boss. If our work permit is tied to one boss, we are subjected to abuse and restriction of our movement by that boss. Getting a work permit through the broker means we hire a boss by paying the fee. In that way, we can easily leave the job if the boss is exploitative, and we can look for another boss.”

”

Despite the perceived protection of a third-party work permit, migrant care workers may experience exploitation as a result. Qualitative interviews reported instances of high fees (some THB 18,000) unduly paid on multiple occasions over one year and passports and documentation kept by the broker. This resulted in an undocumented worker,

who had to recommence the process of securing permits and applying for a passport as a migrant. The question of visas in Thailand represents a challenge that extends beyond the digitally enabled care economy. However, this research highlights that this issue is relevant to DECWs who in particular are inadequately protected.

POLICY IMPLICATIONS:

PRACTICES AROUND PAYMENTS AND ENTRY COSTS CAN BE IMPROVED THROUGH INCLUSIVE LABOUR LAWS AND REGULATORY DEVELOPMENTS TARGETING DIGITALLY ENABLED CARE WORK

None of the selected countries in this study have ratified the Convention of Private Employment Agencies (C181) relating to payment to recruitment agencies by workers. In this context, at least one DECE in this study indicated that their DECWs are required to make a payment when they are placed with a customer. While it is agreed that DECWs should not be accountable for these fees, it is not clear whether the DECEs operating in the digital economy could be considered and treated as an employment agency.

Given that DECWs are mostly domestic workers, they are excluded from mainstream labour laws, including regulations on minimum wage. In this study, some DECEs (e.g. **LOVECARE** in Indonesia) pay at or above the minimum wage, especially for more skilled workers. Moreover, should domestic workers be included in mainstream labour laws, the digitally enabled nature of the non-employment relationship means the DECWs would not necessarily be eligible for minimum wage rates.

Modernizing labour laws to reflect developments in the digital economy would require the targeting of both on-demand workers and domestic workers. In Malaysia, while domestic workers are no longer excluded from the entire Employment Act, they are excluded from the 2022 Minimum Wage Order. It would be significant progress if legislation would include language that explicitly refers to domestic workers and digitally enabled workers.

Regulatory developments in Thailand—the Labour Protection Act (1998) and the Independent Labour Protection Act—are a positive example of how complementary legislation could, if drafted to include domestic workers, improve decent work outcomes. The former now includes domestic workers in minimum wage laws, while the latter establishes work arrangements for subcontracting.

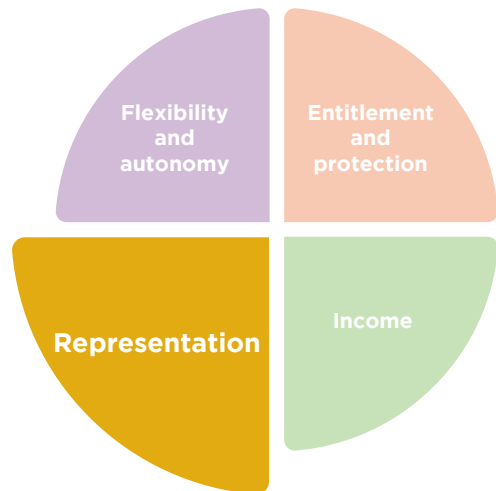
5.4 REPRESENTATION

5.4.1 Trade unions and collective bargaining

Domestic workers in Southeast Asia have little or no opportunities for trade union membership or collective action. Where there are opportunities, DECWs would represent only a small cohort within the broader category of domestic workers, with specific needs related to operating at the intersection of the care and digital economy.

There was little evidence in this study to suggest DECWs engaged with trade unions and advocacy organizations. Most DECWs were not registered in any trade union or professional organization to protect their rights at work. However, evidence showed that DECEs played a role in dispute resolution and that resulted in the high satisfaction of DECWs. Among those DECWs who experienced a dispute with clients (21 per cent of workers), 81 per cent of those experiencing a dispute indicated that the DECE played a useful role in resolving it. Furthermore, most DECWs who experienced a dispute with the client (95%) would recommend the DECE to others.

Advocacy efforts for workers in the digital economy tend to be focused on male-dominated industries, such as transportation and food delivery, and do not represent the unique needs of DECWs. DECEs can play a role in advising DECWs on their rights under both international and national laws. Where there is no representative organization, they could play a role in convening DECWs to advocate to policymakers and regulators on their needs.



Most DECWs are not registered in any trade union or professional organization to protect their rights at work.

5.4.2 DECE advocacy and collaboration with governments

The CEOs of DECEs all recognized that governments play a critical role in professionalizing and formalizing the sector and most of them took a role in advocating for professionalization and increased regulation. The degree to which they were active advocates varied, but there was strong evidence to suggesting DECEs' CEOs worked

towards professionalizing the care sector, including calling for developing national standards for the care sector. The case of the MySTEP programme in Malaysia described earlier in this report (Box 6) is another example of a DECE advocating to government to provide more secure employment opportunities for workers.

BOX 9:**LOVECARE Indonesia - DECEs can advocate for the inclusion of DECWs in social protection schemes.**

In Indonesia, the PJS-Ketenagakerjaan (Social Security Administrator for Employment) is a health protection plan for workers. When **LOVECARE** approached the government to gain access to this scheme for their workers, there was no classification for caregivers as they were informal workers. **LOVECARE's**

advocacy resulted in a change that led to enabling contributions to this scheme by **LOVECARE**. **LOVECARE's** business placement model includes different type of services and contracts ranging from 3 days to 12 months, providing commercial predictability for the DECE to provide health insurance for workers.

Beyond the need for social protection, DECWs also saw the benefits of professionalizing and changing social norms and behaviour towards care work. While customers often saw workers as part of the family, DECWs expressed the wish to be treated like professionals. Achieving this comes with two challenges. On the one hand, customers have deeply entrenched perceptions and attitudes

and do not see care work as a profession. On the other hand, care workers need to get support to increase their capabilities to advocate for professionalization and their rights as workers. DECEs can play a role in enabling the organization of DECWs and, for example, provide them with clear information on their rights.

POLICY IMPLICATIONS:**DECEs CAN REPRESENT AND ADVOCATE FOR DECWs' RIGHTS AND ACCESS TO DECENT WORK THROUGH MODALITIES FOR THEIR OWN SELF-REPRESENTATION ARE NEEDED.**

DECEs have an important role to play in influencing the regulatory environment that impacts DECWs. This is particularly important in a context where workers generally have the right to organize collective action but lack the centralized workplace and traditional employment relationships that make this possible. For example, international conventions on freedom of association (C870) and the right to organize (O98) define "employment relationships" which are problematic for DECWs. This research identified that when DECWs did have a dispute, the DECE helped them to solve the problem, though a relatively low number reported any disputes. This could indicate that DECEs also have an important role in representing the views of DECWs to clients and mediating on their behalf.

DECEs also have an important role to play in influencing and cooperating with governments to deliver social protection to DECWs. The BPJS-Ketenagakerjaan in Indonesia and

MySTEP in Malaysia are both examples of where DECEs have successfully obtained extended coverage of social protection for their workers. Similarly, there could be opportunities for mechanisms for DECWs to have the minimum wage order applied to DECWs in Malaysia and access to the Employee Provident Fund. Both Malaysia and Indonesia provide case studies of the important advocacy role of DECEs in the absence of proper representation of DECWs through unions.

There was little evidence in this study to suggest DECWs played a role in their own advocacy for improved decent work. Future research could examine when and how DECWs are represented in both online and offline spaces and how they organize collective action. While there are advocacy organizations that play an important role in representing domestic workers, DECEs can play a role in ensuring that DECWs understand their rights and have proper representation in national and international policy discussions.

SECTION

6

FINDINGS AND RECOMMENDATIONS

6.1 KEY FINDINGS

This report explored the care delivery models that are fast emerging at the intersection of the care economy and the digital economy in Southeast Asia. It focused on whether digitally enabled care work can facilitate positive pathways towards decent work in four domains: i) flexibility and autonomy, ii) entitlement and protection, iii) income, and iv) representation. The findings

emphasize timely opportunities for policy reforms to establish a rights-based framework for digitally enabled care workers, including domestic workers, and help identify targeted actions for stakeholders in the care ecosystem to accelerate progress towards the realization of decent work and women's economic empowerment.

FINDING 1

A conceptual framework, definitions and classifications for the digitally enabled care economy are lacking, leading to gender data gaps in official statistics. There are also significant knowledge gaps in research, which hamper understanding of working conditions in the digitally enabled care economy.



Currently, there is a lack of an internationally agreed and comprehensive framework on the care economy and its constituent elements, including the digitally enabled care economy and its actors. This void translates into measurement and analytical challenges, including knowledge gaps in research and the lack of availability of official statistics. The lack of gender data on a highly feminized sector, such as the care economy, limits evidence-informed decision making. Innovative thinking is needed to overcome definitional constraints

and knowledge gaps on the digitally enabled care economy. This research employed the newly coined terminology “digitally enabled care workers” (DECWs) and “digitally enabled care enterprises” (DECEs) to refer to workers and enterprises who are in a work relationship with clients of care services, enabled through digital means. This definition has been found to be important in filling definitional gaps in a multifaceted and rapidly evolving care economy.

FINDING 2

The care economy is growing, with a variety of business models operating in Southeast Asia that leverage digitalization for matching care demand and supply. These models attract young, educated, skilled women with previous work experience in the care sector.



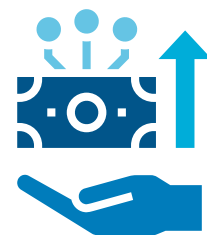
With a growing demand for care services, new care delivery models that leverage digitalization are emerging in Southeast Asia and globally. These include childcare, elderly care, and care for people with disability, and include female entrepreneurs who are establishing DECEs, providing marketplaces and recruitment services for care workers, including domestic workers. DECE business models offer different services and are not uniform. They range from recruitment agencies complementing offline work with online components to digital labour platforms offering on-demand caregiving services. In some cases, DECEs engage live-in migrant care workers; in others, they target only permanent residents in their country of operation. DECEs are rapidly adapting to a higher demand for services as shown in their business growth in

the last three years. DECEs are also widening their portfolio with business-to-business (B2B) solutions, such as employer-supported care, which is an important area for future research.

The profile of DECWs derived from research challenges the notion that workers in the care economy are low skilled and low value. In this study, DECWs are relatively young, and mostly highly educated women. They are experienced, having previously worked in the care sector. This suggests they may have switched from the non-digital to the digitally enabled care sector. A few DECWs in this study saw their digitally enabled work as temporary but most see it as an opportunity for skills development and a future career path.

FINDING 3

In a highly informal care economy, digitally enabled care enterprises can take steps to accelerate progress for digitally enabled care workers towards decent work and women's economic empowerment. DECEs have established pathways to decent work that are particularly important in contexts where care workers, including domestic workers, have historically suffered from workplace vulnerabilities and severe decent work deficits.



Regulations for the digitally enabled care economy can help accelerate actions to fill care delivery gaps in Southeast Asia, while also enhancing transparency in the care economy, which is highly informal. However, in Southeast Asia, there is a lack of legal protection for care workers, including domestic workers. In the absence of regulations, DECEs are playing a role in moving DECWs closer to decent work.

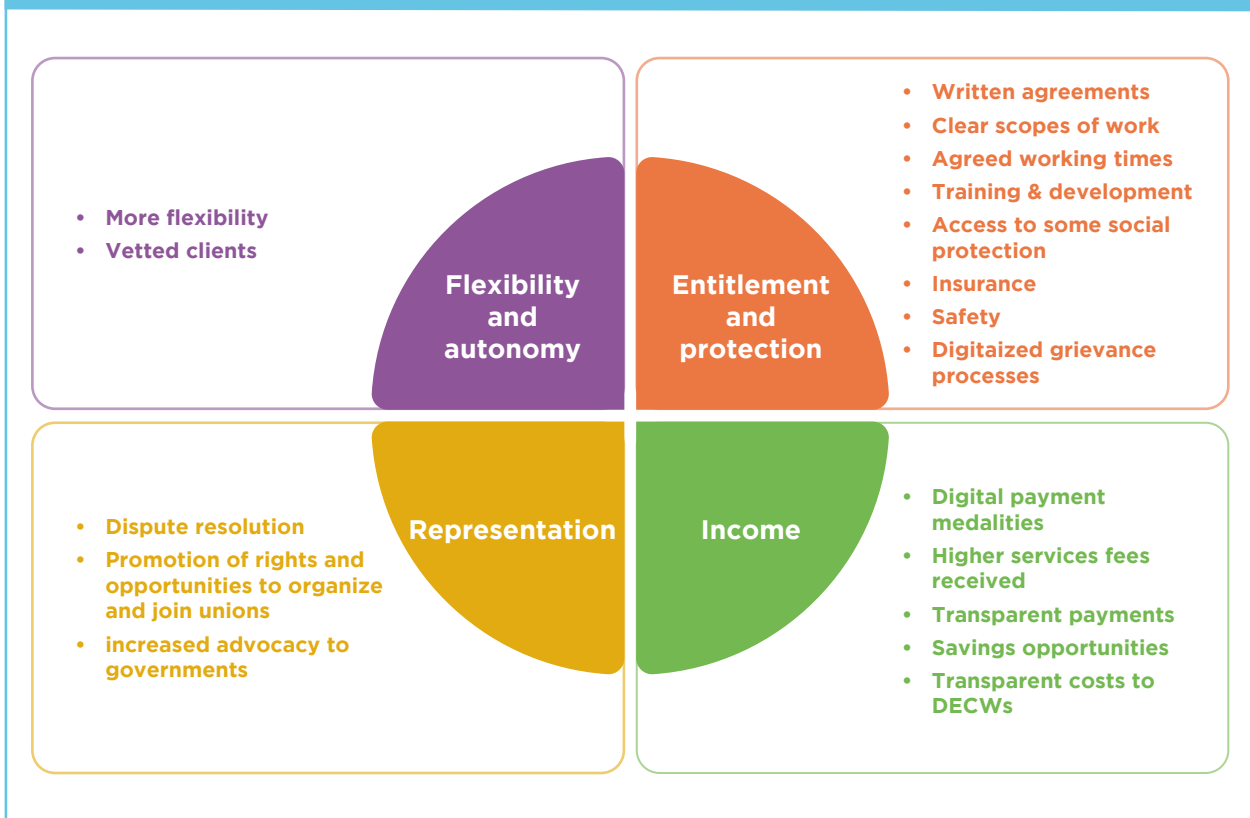
More specifically, DECEs provide work opportunities to employees and independent workers, with flexible working arrangements that are highly valued by the DECWs themselves. The tripartite and digitally enabled relationship also increases the degree of safety at work, as perceived by both workers



and clients. For this, DECEs' added value lies in vetting clients and workers, setting high entry requirements, introducing opportunities for skills development, and grievance mechanisms, including maintaining an offline component for direct communication. More importantly, DECEs use written or oral agreements that clarify the scope of work, working hours, duration of services, payment modalities and rules of engagement. While DECEs' delivery of digital payments increases transparency and offers DECWs an option for savings. They also have positive spillover effects on women's economic empowerment by increasing women's agency and control over assets. Together, these findings indicate that select DECEs are facilitating pathways towards decent work¹⁴⁷ that are particularly important in contexts where care workers, including domestic workers, have historically had a severe deficit of decent work opportunities. While DECEs can be a useful model and

contribute towards a more resilient care economy, there are limitations to the degree to which DECEs can accelerate progress towards decent work and more specifically, towards full social protection coverage for DECWs. While this report describes attempts at advocating for and extending social protection to digitally enabled care workers, within the context in which most DECEs operate where regulations are severely lacking, the full protection and realization of workers' rights is not ensured. Regulations that apply to DECEs, recognizing their specific characteristics and different business models, are lacking. The rapid pace of market development must be matched by an equally responsive regulatory environment that can strengthen decent work outcomes for DECWs, especially in the area of social protection. Practical mechanisms to enforce these regulations and hold actors accountable are also essential to ensure the steady transition of DECWs into decent work.

FIGURE 16: DECEs' contribution to facilitating decent work for DECWs



147 This was observed from the DECEs analysed, yet research with a broader range of firms is needed to ascertain if this is because of a sample bias (e.g. Being Women's Empowerment Principles signatories, having a female founder).

FINDING 4

The lack of ratification of International Labour Standards limits the extent of protection of domestic workers, including DECWs, by national labour laws. They are often excluded from social protection policies regardless of whether they contribute to the digitally enabled or non-digital care economy. There are specific challenges for workers operating at the intersection of the care economy and the digital economy but DECWs are not yet recognized as a distinct legal category in the countries analysed.



Legislation that applies to DECEs and DECWs is not fit for purpose. The emergence of DECEs has outpaced the development of adequate regulatory and legal frameworks for ensuring decent work for DECWs. No current international convention or national law fully captures the regulatory needs of digitally enabled care workers. DECWs are subject to laws on both domestic work and digital platform work, yet they fall through the cracks of both international labour standards and national policies because regulators often treat domestic workers and platform workers separately and as mutually exclusive cohorts of workers. The implication for DECWs is that they can be protected by one regulatory development and excluded from another.

Moreover, when legislation is amended or drafted to adapt to the growth in digital platforms, it tends to be designed around male-dominated sectors, such as driving and delivery services and does not always account

for the needs of other sectors such as care. In the countries considered for this report, there is no evidence of national legislation that addresses the intersection of the care economy and the digital economy. Ratification of international conventions is lagging. DECWs do not yet have a distinct legal classification that can facilitate their proper regulation, while DECEs' business registrations in ICT are exempt from regulations pertaining to care centres. This is systemic across countries and is a broader challenge across sectors in the digital economy. There remain opportunities to improve laws and policies across all four domains of decent work. At the same time, the research found that enterprises operating at the intersection of the care economy and the digital economy are calling for regulation to ensure the quality, affordability and accessibility of care. Thus, DECEs can play an important role in advocating and highlighting the crucial issues at this intersection.

6.2 RECOMMENDATIONS

This research has identified the following recommendations, which were developed based on findings and in consultation with experts and ecosystem stakeholders in order to improve

pathways towards decent work in the digitally enabled care economy in Southeast Asia.

GOVERNMENTS AND POLICYMAKERS



RECOMMENDATION 1

Ratify relevant international labour standards, extend coverage of national policies and regulations to include domestic workers, and introduce gender-responsive policymaking.

- **Ratify C189 - Domestic Workers Convention, 2011 (No. 189).** The ratification of C189 signals a willingness for national governments to include domestic workers in labour and industrial laws and in social protection schemes where women are underrepresented, and to remove exclusionary clauses. DECWs would greatly benefit from this regulatory development.
- **Remove exclusionary clauses targeted at domestic workers to ensure DECWs are covered by social protection and labour rights.** Many national labour laws specifically exclude domestic workers. This means that DECWs are subject to domestic worker exclusions. Governments can make regulations more inclusive by removing these clauses. This would have positive effects for DECWs to access decent work, including their access to minimum wages, social protection schemes and worker entitlements relevant to formal workers in that jurisdiction.
- **Implement a gender-responsive approach to regulatory developments relating to on-demand platform work.** Regulatory development for the on-demand economy does not consider the care economy, and does not meet the needs of digitally enabled care workers, including those related to gender. The inclusion of DECWs and DECEs in these developments will lead to regulations more fit-for-purpose for the digitally enabled care economy.
- **Include digitally enabled care workers, including domestic workers, in the policy development process.** Governments, international organizations and non-governmental organizations should proactively include DECWs in policy development processes including through representation at consultations and providing opportunities for feedback throughout the policy development process. This can include engaging DECWs through DECE platforms and inviting them to contribute to processes through culturally and linguistically appropriate mechanisms. This can also include providing feedback on draft legislation and policies, providing opportunities to speak at conferences and dialogue, and creating case studies from their lived experiences.

RECOMMENDATION 2

Improve government policies and practices for migrant workers in the digitally enabled care economy.

- **Remove exclusionary clauses in national-level industrial relations legislation to enable migrant domestic workers to represent their needs and choices.** Freedom of association and the right to organize should be extended to all DECWs regardless of their status, as their experience of work is at the intersection of multiple policy areas. This applies to all migrant workers engaging in the care economy.
- **Include migrant care workers in the digitally enabled care economy in policy development processes.** There are few pathways for migrant workers to engage in policy processes and this is especially true for DECWs who generally work in and for households. Governments can leverage the involvement of DECEs to include DECWs in policy development that impacts decent work outcomes for migrants operating in the digitally enabled care economy.
- **Roll out digital literacy programmes, including on financial literacy, specifically targeting women migrant care workers.** In view of the digital gender divide, there is a need to mitigate the risk that the benefits and potential of digitally enabled care work are not accessed by less educated and digitally excluded care workers.

RECOMMENDATION 3

Incentivize DECEs to improve conditions for DECWs and incentivize businesses to support DECEs.

- **Introduce government incentives including subsidies and/or tax benefits for DECEs to enable the viable implementation of decent work standards.** Governments can create incentives for DECEs to ensure that care services are affordable, while ensuring workers are paid decent wages and are assured decent work conditions.
- **Introduce government incentives for employer-supported care through DECEs.** Governments can leverage the growth in employer-supported provided care initiatives and incentivize (i.e. through corporate tax incentives) companies to provide employer-supported care. DECEs could be a delivery mechanism for employer-supported care, thereby increasing the revenue streams available to these enterprises to increase the wages of their care workers and offer other benefits, for example, improving safety and establishing grievance mechanisms.

RECOMMENDATION 4**Formalize skill standards and recognition in collaboration with DECEs to professionalize the sector.**

- **Introduce educational standards for the domestic work sector.** Professionalization of the sector will contribute to more respect and dignity for workers.
- **Develop a national standard on educational qualifications and apply it to all groups, including migrant workers.** These standards should be recognized across the care economy and ASEAN and can be used by DECEs.
- **Collaborate with DECEs to support the delivery and implementation of education and training programmes.** Including DECEs in the delivery of training programmes means governments can leverage the existing communication channels of DECEs to upskill and train care workers. Through this partnership, actors must ensure that the cost of upskilling is not borne by workers.

RECOMMENDATION 5**Strengthen DECEs' advocacy efforts by facilitating partnerships and collaboration across sectors.**

- **Leverage public-private partnerships to advance decent work for digitally enabled care workers.** Governments can leverage the digitized elements of DECEs including identity verification and payment modalities to deliver social protection to DECWs.
- **Establish a multi-stakeholder platform, a 'care taskforce' at the national and subnational levels.** Taskforces should be inclusive of the private sector (i.e. DECEs), advocacy organizations, not-for-profit organizations and other relevant stakeholders, and offer balanced representation of all actors to ensure the development of a holistic care ecosystem.
- **Leverage different partnership models to close the gap in care delivery.** Enable different partnership models, e.g. business-to-business, and business-to-government, to support governments to accelerate the delivery of accessible, affordable and quality care services. This can create more competition for care enterprises to attract and retain care workers and encourage them to provide more worker-centred policies and benefits.
- **Support public-private partnerships to offer free universal care implemented through, for example, digitally enabled care enterprises.**

ENTERPRISES



RECOMMENDATION 6

Digitize business processes while maintaining an offline connection to workers to ensure in-person communication with workers and clients when needed.

- **Digitize standard operating procedures.** Transparent and digitized recruitment, job matching, scopes of work, payments, two-way ratings and grievance processes all lead to better decent work for DECWs and provide DECEs with better transparency and records.
- **Use digital payments.** Payments should be transparent and facilitated through digital payrolls. Digital payments increase transparency and the regularity of legal payments, which aligns with the Protection of Wages Convention, 1949, No. 95.
- **Maintain processes for communicating with workers and clients physically.** Operating at the intersection of the care economy and the digital economy, DECEs should maintain an offline component to ensure in-person communication with workers and clients when needed.

RECOMMENDATION 7

Establish more transparent business processes for DECWs.

- **Provide equal opportunities for ratings.** On-demand DECWs should be able to rate customers just as customers are able to rate them. This would increase transparency (and protection) for both DECWs and the DECE customers. This should go hand in hand with confidentiality and data protection agreements.
- **Reduce unnecessary costs to DECWs.** Costs such as payments for agency fees should not be borne by the DECWs, in compliance with the C-181 Private Employment Agencies Convention. DECWs should especially not be required to make payments that primarily benefit the revenue streams of enterprises.
- **Maintain high entry-level requirements and checks for both workers and customers** to ensure there are good safety standards for workers and the recipients of care services.

RECOMMENDATION 8

Engage with government agencies to support the delivery of policies, programmes and initiatives that improve decent work for women in the digitally enabled care economy.

- **Provide governments with a third-party provider solution to the delivery of national education and training programmes.** DECEs can leverage their existing experience of delivering training programmes in-house to roll out national education programmes for DECWs.
- **Coordinate with governments to support sex-disaggregated data collection initiatives.** In compliance with national and international standards on data sharing, confidentiality and privacy, DECEs can coordinate with government agencies to assist with the collection of sex-disaggregated data that will support policymakers to improve elements of decent work and women's economic empowerment.

OTHER ECOSYSTEM ACTORS**RECOMMENDATION 9**

Strengthen decent work in the digitally enabled care economy by collaborating with diverse ecosystem players and subject matter experts.

- **Convene forums for discussion and policy development with adequate representation of care workers, domestic workers and on-demand platform workers.** Policy development for DECWs requires subject matter and legal expertise across key areas of the care economy, domestic work and on-demand platform work. Convening forums across these priority areas can be a mechanism for policy development that meets the needs of these subsectors and leaves no one behind.
- **Support DECEs to be responsible and gender-responsive.** Organizations and networks delivering gender-responsive programmes for women-owned enterprises and responsible entrepreneurship in the digitally enabled care economy should be supported. Continuously nurturing these organizations and networks will contribute to more decent work opportunities.

RECOMMENDATION 10**Promote investment in women-owned and/or women-benefiting digitally enabled care enterprises to create decent jobs, especially for women workers.**

- **Invest in digitally enabled care enterprises to create decent jobs for women as both employers and workers.** Digitally enabled care enterprises are often small women-owned businesses (WOBs), but in Southeast Asia, WOBs only received 1.2 per cent of private investment in 2022.¹⁴⁸ Thus, private capital, government and philanthropic investment could lead to decent jobs and contribute to economic empowerment of women in the care economy through investment in both DECEs in general and women-owned DECEs by: 1) creating decent work opportunities for care entrepreneurs and care workers; and 2) increasing the availability of affordable and quality care solutions and therefore offering a solution for women who are opting out of the workforce because of care responsibilities. For insights into opportunities and practical entry points for investing in care enterprises, see the framework developed by Value for Women in the forthcoming publication *The Case for Care: Catalysing investments into the care economy in South and Southeast Asia*.¹⁴⁹
- **Promote investment in those business models in the care economy which support decent work.** DECEs with impact business models can drive better decent work outcomes for women if they attract private capital and government investment

RECOMMENDATION 11**Set up systems that ensure that customers meet requirements for the provision of decent work.**

- **Take initiative to properly implement contracts and agreements with DECWs.** Customers have a key role to play in ensuring DECWs are provided with elements of decent work. This can be done through the proper implementation of contracts, agreements and compliance with terms of service. Customers should ensure they are familiar with DECE requirements and identify opportunities to DECEs for improving elements of decent work for DECWs.

148 D. Monga. 2023. "SE Asia's female-founded startups bag fewer dollars in 2022, receive 12.6% of total capital". DealStreetAsia, 9 March.

149 Value for Women. 2023. *The Case for Care: Catalysing investments into the care economy in South and Southeast Asia*. (publication forthcoming).



INTERNATIONAL AND NATIONAL STATISTICAL SYSTEMS

RECOMMENDATION 12

Develop and adopt internationally agreed statistical standards on the care economy and its constituent parts, including the digitally enabled care economy.

- **Prioritize the development of international statistical standards on the care economy and its constituent elements, including the digitally enabled care economy.** Currently, there are no internationally agreed definitions of the care economy, including its digitalization. This hampers the regular production of official statistics on the care economy and evidence-informed decision making. There is a need for a clear definition and taxonomy of the care economy to guide the questions used in nationally representative household surveys and the types of indicators needed to inform gender-transformative policies and promote decent work for care workers, including domestic workers.

RECOMMENDATION 13

Invest in the production of sex-disaggregated care data and research to make women's work in the digital care economy visible.

- **Invest in gathering and disseminating more sex-disaggregated care data to monitor decent work for and the economic empowerment of DECWs.** Gender data is needed to inform policies, programmes and initiatives that improve decent work for DECWs while tackling growing care needs.
- **Increase investments in research on the digitally enabled care economy.** There is a dearth of empirical knowledge about the digitally enabled care economy. Investment into future research means greater opportunities for evidence-informed decision making as the care economy evolves and grows.
- **Promote research on social norms and behaviour change.** The feminized care sector remains undervalued as does the work of DECWs. Future research is needed that examines social norms and promotes behaviour change, especially among customers and household members of DECEs. This can improve the perceptions of the role of workers and the value of the sector, enabling women's labour force participation and their economic empowerment.

ANNEXES

ANNEX 1: GLOSSARY AND TERMINOLOGY

Internationally agreed concepts and definitions

- Decent work:** At the international level, the concept of decent work was launched in 1999 in the [Report of the ILO Director-General to the International Labour Conference](#) in its 87th Session. The concept encompasses four main components: employment opportunities, social protection, workers' rights and social dialogue.
 - Domestic work:** Article 1 of Convention No. 189 states that the term “domestic work” means work performed in or for a household or households. Key characteristics of domestic work are: 1) the household as the place of work; 2) it also includes work performed through a third party or agency, including digital platforms; and 3) it includes domestic work on an occupational basis.
 - Domestic workers:** Article 1 of Convention No. 189 states that the term “domestic worker” means any person engaged in domestic work within an employment relationship. Furthermore, it clarifies that a person who performs domestic work only occasionally or sporadically and not on an occupational basis is not a domestic worker. The definition adopted in this research closely resembles the definition provided in the ILO [Resolution I: Resolution concerning statistics on work relationship](#), adopted by the International Conference of Labour Statisticians (ICLS) in 2018.
- Accordingly, domestic work is “all work performed in or for a household or households to provide services mainly for consumption by household members”. According to the resolution, domestic workers are defined as workers of any sex employed for pay or profit, including in-kind payment, who perform work in or for a household or households to provide services mainly for consumption by the household. The work may be performed within the household premises or in other locations. Such definition allows for a more inclusive analysis of care workers who are not in an employment relationship. Thus, domestic work is performed with payment made to employees of the household, but also agencies that provide domestic services to households, or self-employed domestic service providers. For a discussion of statistical definitions of domestic workers, please see: [ILO Room Document 8: The definition of domestic work and domestic workers for statistical purposes](#), and references therein.

Other concepts and definitions

Currently, there are no internationally agreed statistical standards or definitions of the care economy or its interlinkages with the digital economy. This hinders the availability of reference concepts, such as digitally enabled care enterprises and data on this topic. This research has adopted the following terminology and concepts:

- **Algorithmic management:** “Algorithmic management can be defined as work settings in which ‘human jobs are assigned, optimized, and evaluated through algorithms and tracked data’”.¹⁵⁰ “This set of algorithmic rules performing traditional managerial functions is at the core of a new frontier of work organization and management, referred to as algorithmic management”.^{151, 152} “While algorithmic management is nearly synonymous with work on digital labour platforms, it is also present in offline industries.”¹⁵³
- **Care workers:** There is no internationally agreed definition of care workers. The ILO has described that care workers “comprise a wide range of personal service workers, such as nurses, teachers, doctors and personal care workers. Domestic workers, who provide both direct and indirect care in households, are also part of the care workforce.”¹⁵⁴
- **Digital economy:** The application of internet-based digital technologies to the production and trade of goods and services.¹⁵⁵ The “digital economy” is sometimes defined narrowly as online platforms, and activities that owe their existence to such platforms,

yet, in a broad sense, all activities that use digitized data are part of the digital economy: in modern economies, the entire economy. If defined by use of digitized data, the digital economy could encompass an enormous, diffuse part of most economies, ranging from agriculture to research and development.¹⁵⁶

- **Digital labour platform:** Digital labour platforms are digital networks that coordinate labour service transactions in an algorithmic way (e.g. Amazon Mechanical Turk, Upwork, Uber).¹⁵⁷ Digital labour platforms take a variety of forms, although it is useful to distinguish between crowdwork and work on demand via apps.¹⁵⁸
 - » Crowdwork usually refers to activities or services that are performed online, irrespective of the location. Although some of these jobs entail the movement of work from the offline to the online economy, in other instances they are new tasks that permit the smooth functioning of web-based industries, such as content moderation on social media sites, the cataloguing of online products, and the transcription of YouTube videos.
 - » Work on demand via apps refers to physical activities or services that are performed locally; typical activities include transportation, delivery and home services. In these cases, an app is used to match labour demand and supply, usually within a geographically defined area.

150 M.K. Lee, D. Kusbit, E. Metsky and L. Dabbish. 2015. “Working with machines: The impact of algorithmic and data-driven management on human workers”. April. Proceedings of the 33rd annual ACM conference on human factors in computing systems: 1603.

151 Ibid.

152 A. Pesole, M.C. Urzì Brancati, E. Fernández-Macías, F. Biagi and I. González Vázquez. 2018. Platform Workers in Europe: Evidence from the COLLEEM Survey. JRC Science for Policy Report. European Commission: 3.

153 ILO. 2018. [Care Work and Care Jobs: For the Future of Decent Work](#): 9.

154 Ibid.

155 United Nations Conference on Trade and Development (UNCTAD). 2017. [Information Economy Report 2017: Digitalization, Trade and Development](#).

156 International Monetary Fund. 2018. [Measuring the digital economy](#). Washington, DC: IMF.

157 A. Pesole, M.C. Urzì Brancati, E. Fernández-Macías, F. Biagi and I. González Vázquez. 2018. Platform Workers in Europe: Evidence from the COLLEEM Survey. JRC Science for Policy Report. European Commission.

158 V. De Stefano. 2016. [The rise of the “just-in-time workforce”: on-demand work, crowdwork and labour protection in the “gig-economy”](#). Conditions of work and employment series; No. 71. Geneva: International Labour Office, Inclusive Labour Markets, Labour Relations and Working Conditions Branch.