



# **Occupational Safety and Health for Hotel Housekeepers !**

**Hazards & Protections in International Frameworks,  
Argentina, Indian, and Indonesian Domestic Law**

**The Transnational Development Clinic at Yale Law School**

**Prepared for UNITE HERE**

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# Scope of Research

- **OSH hazards faced by hotel housekeepers in Argentina, India, and Indonesia**
  - **Existing legal protections**
  - **Gaps & Recommendations**
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# Tourism Industry Overview

- **260+ million workers in Hotels, Catering and Tourism worldwide (ILO)**
    - In the U.S., 25% of hotel workers are housekeepers
  - **2012: Over one billion international tourists**
    - The sector contributes 9% of global GDP
  - **Common housekeeper tasks**
    - Make beds, strip dirty linens, scrub bathrooms, clean mirrors, push heavy carts, vacuum, dust, replace amenities, remove trash, and more
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# Housekeeper Safety and Health Overview

## Higher Rates of Injury

For all Hotel workers studied, housekeepers in the United States experience

- highest overall injury rate
- highest musculoskeletal disorder rate
- highest acute trauma rate

*\*Buchanan et al. Occupational Injury Disparities in US Hotel Industry. Am J Ind Med. 2010;53:116-125.*

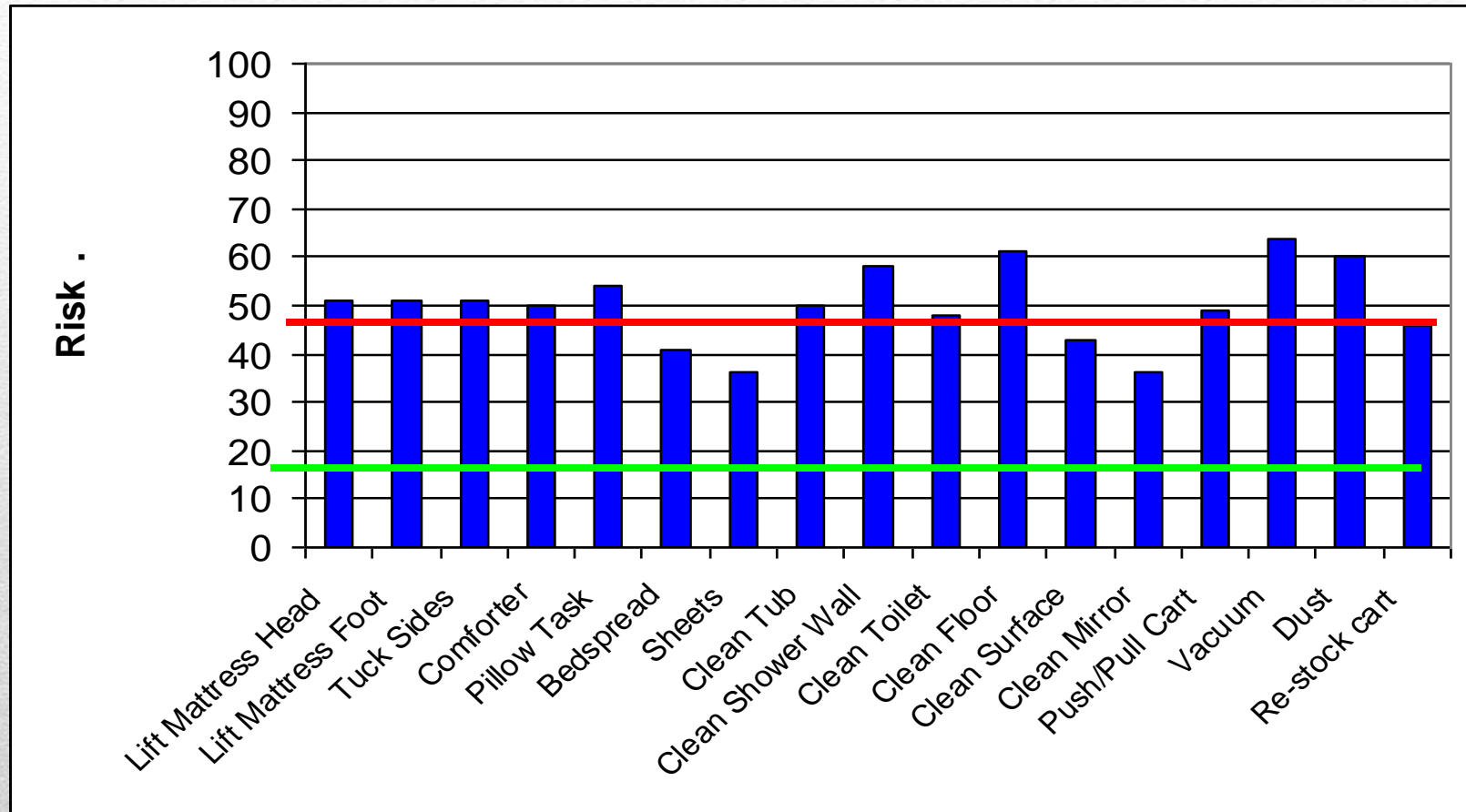
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# Common types and causes of hotel housekeeper injuries

- *Musculoskeletal*: due to heavy mattress lifting, excessive tucking of sheets, repetitive motions, pushing & pulling, bending, reaching high and low, lack of breaks, speed-up
  - *Acute trauma*: contusions, slips, trips, & falls, speed-ups, cuts
  - *Other*: Chemical exposure, working hours, psychological stress, sexual harassment
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# Summary of Hotel Housekeeper Job Tasks & Risk of Low Back Disorder



Ferguson SA, Allread WG, Knapik G, Marras WS. Chicago Full Service Hotel, Lumbar Motion Monitor (LMM) Risk Assessment, 2006.



# **Risk factors that contribute to hotel housekeeper vulnerability**

- Gender segregation - predominantly female
  - Often migrants and/or minorities
  - Occupational segregation
  - Precarious employment
    - Low-wage
    - Low job security (short-term, seasonal, part-time contracts)
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# Right to a Safe and Healthy Work Environment

- **Basic International Law and Constitutional Protections**
    - Universal Declaration of Human Rights
      - Everyone has the right to...“just and favourable conditions of work” (Art. 23(1))
    - Argentina: “dignified and equitable working conditions” (Art. 14a)
    - India: “secur[e] . . . the health and strength of workers” (Art. 39); “just and humane conditions of work” (Art. 42)
    - Indonesia: “fair and proper . . . treatment in employment” (Ch. XA)
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# **Hazards & Protections: Musculoskeletal Disorder Injuries, Acute Trauma**

## **Hazard: Musculoskeletal Injuries**

- **Detailed legal provisions are scarce**
  - ILO Maximum Weight Convention 127 – broad weight limit for manual transport
  - Argentina has detailed provisions on ergonomics that apply to the hotel industry
  - In India, maximum weight standards exist for other sectors, but not for hotels

## **Hazard: Acute Trauma**

- **Relevant legal provisions are scarce**
    - Preventive measures relate primarily to maintenance of a first-aid kit or dispensary (ILO Hygiene Recommendation 120)
    - Argentina: Medical protocols for timeline of diagnosis and treatment
    - Reductions possible through private law (e.g. bathroom floors with nonslip tiles; transparent trash bags)
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# Hazards & Protections: Chemical Exposure

- **Hazard: Constant exposure to potent cleaning products**
  - **Relevant Legal Provisions are Scarce**
    - ILO Chemicals Convention 170 – requires exposure limits & risk assessment, labelling hazardous materials
    - Only Argentina has relevant laws applicable to the hotel industry related to maximum threshold limits
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# Hazards & Protections: Work Hours

- **Hazard: Excessive working hours and demanding pace of work**
  - **Legal Protections Lack Specificity**
    - ILO Convention 172 on working conditions (hotels and restaurants) “reasonable normal hours of work” and predictable work schedule
    - All three countries regulate the maximum number of working hours
    - No provisions related to pace of work
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# Hazards & Protections: Sexual Harassment

- **Hazard: Most housekeepers are women and especially vulnerable to sexual harassment**
  - **Legal Protections**
    - Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, Art.11 on workplace discrimination & OSH)
      - Binding on all three countries through ratifications
      - Only India has a fairly comprehensive law on sexual harassment in the workplace
    - ILO Discrimination Convention 111
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# **Hazards & Protections: Psychological Stress**

- **Hazard: Overly demanding pace and burden of work causes psychological stress**
  - **Scarce Legal Protections**
    - No relevant provisions were found in international law or in India.
    - Argentine OSH law encompasses psychological health
    - In Indonesia, workers' compensation covers psychological harm.
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# Legal Summary

- **Major gaps in legal protection for housekeeper OSH**
  - **Key international OSH instruments are still unratified**
  - **A policy program is not OSH law and not an excuse to avoid international obligations to pursue implementation**
  - **OSH law is not OSH practice**

Labor law enforcement is weak. Labor inspection rate is low.
  - **None of the countries has hotel industry-specific or occupation-specific OSH standard for hotel housekeepers**

General standards are hard to apply to hotel housekeepers
  - **Private law has not filled the gaps**
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# UNITE HERE Housekeeper Campaigns

## **Hotel Workers Rising – U.S. & Canada**

- Housekeeper workshops – “The Pain Has a Name”
- Pain Surveys - Housekeeper to Housekeeper
- Rest & Recuperate - Take a Break Actions

**RESULTS** – Decrease room quota, enforcement of breaks

## **Housekeepers File 13 OSHA Complaints in 8 U.S. Cities**

- California, Hawaii & Federal OSHA Issue Hazard Letters

**RESULTS** – Use of fitted sheets, long-handled tools, safe work practices, etc.

## **CA Housekeepers Mobilize for Occupation-Specific Standard**

- UNITE HERE, housekeepers, labor & public health experts petition for a state-wide injury prevention standard for hotel housekeepers
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