



UNIVERSITÀ
DEGLI STUDI
DI MILANO

Ph.D. Programme

ECONOMIC SOCIOLOGY AND LABOUR STUDIES – 34° COHORT

DOCTORAL THESIS

A PRIVATE BUSINESS.

THE ROLE OF EMPLOYMENT AGENCIES IN THE ORGANIZATION OF DOMESTIC WORK

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Academic Year: 2021/2022

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Introduction

This dissertation aims to clarify the reality of private domestic work employment agencies in Italy. Until now, domestic work has been studied and analysed in the “classical dimension” of its employer-employee relationships with a particular focus on the high composition of migrant workers characterizing this sector, and on the role played by gender in the definition of domestic work. Less attention has been paid to the provision of domestic work by private employment agencies. On the one hand, this is still a quite recent phenomenon in a country marked by the centrality of the family as the main care provider and by an increase of a less-guaranteed migrant workforce that characterizes private and informal outsourcing methods (Bettio, Simonazzi, Villa, 2006). The high informality rate of domestic labour (DOMINA, 2021) and the common noncompliance with current labour laws and workers’ rights make it even more difficult to obtain a clear picture of private domestic work employment agencies. The International Labour Organization (ILO 2018) itself highlights the urgency for collecting more data and analyses on the private providers of care services even at international level. These new actors are effectively re-shaping the very idea of care (Souralová, 2017; Ambrosini, 2017), boosting the shift from the definition of care as a right or social need, towards that of a market commodity to purchase. This is the main dynamic underlying the concept of care marketization and, even more, care corporatization (Farris, Marchetti, 2017; Da Roit, Sabatinelli, 2013; Land, Himmelweit, 2010; Tronto, 2013). Focusing on private employment agencies in the field of domestic work thus gives us at least three vantage points. The first would be to go deeper into the current process of care marketization and its evolution into a global trend of care marketization that is affecting countries like Italy where care has always been seen as a private, family responsibility. The second would be to focus on these new actors in the Italian organization of domestic work in order to grasp existing divergences and similarities between past and current Italian care regimes (Simonazzi 2008, Williams 2012). In other words, the ongoing changing process of care organization often determined by production-driven changes (Fraser, 2016) usually encompasses peculiar traits of previous care setups. As concerns Italy, it would be interesting to highlight how new formal and market-based actors such as labour intermediaries deal with the historical invisibilization of domestic work, resilient familialism, and the pervasive informality of domestic labour. The third highlights the presence of these new market actors, though still limited, that will probably increase in the coming years, due to different factors related to the changing structure of Italian households, and the strengthening of care marketization processes, as shown during the Covid-19 outbreak.

The overall aim of my research, therefore, is to give a first description of the role of employment agencies in Italian domestic work organization. This led me to focus on three main research objectives: to ascertain how these formal market-based actors deal with widespread phenomenon of informal employment in this sector, highlighting whether they contribute to counter or rather, enhance it. The second aim is to

determine whether the agency recruitment process reproduces the stereotyped definition of domestic work as feminised, racialized, low-skilled labour. The third would be to highlight whether these new actors are effectively able to “make visible” the invisible work carried out within the private dimension of the home, often by irregular migrants (DOMINA, 2021).

Focusing on these themes, I opted for a qualitative approach, given the lack of specific data on domestic work employment agencies. Moreover, I was interested in discerning the viewpoint of the main actors and in comparing different narratives. I thus opted for semi-structured interviews, making room for new themes - besides those I myself defined starting from the literature review - while allowing for a meaningful comparison of the results. Both the coding process through NVivo and the consequent directed content analysis were intended as an open process, constantly in dialogue with my theoretical assumptions. Certainly, the Covid-19 pandemic made the difference: I did not have the opportunity to make a comparison with other Italian cities (such as Naples or other Southern cities that could be interesting in detecting existing regional differences). On the other hand, I performed mostly online interviews, a method which, though allowing me to grasp the respondents’ verbal and not-verbal communication, kept a certain distance between the researcher and respondent. This research also presents another limitation in that it does not further investigate the household perspective through interviews not only with the National Association of Domestic Work Employers, but the family members themselves. This would have given more consistency to the triangulation of the perspective of the actors involved, but it was quite complicated to do so in times of pandemic. It would be potentially interesting to carry out further research to overcome these limits, while focusing also on the statistical dimension of the subject matter.

The analysis is based on a precise theoretical framework thoroughly described in Chapter 1. By focusing on the overall context of care organization in Italy, the idea was to clarify why domestic work has a crucial relevance within the national arrangements of care provision. Of course, this overall context is influenced by historical changing dynamics, all revolving around the broader concept of social reproduction (Bhatthacharya, 2017). After having defined the same idea of social reproduction and the related contradiction between capital and care (Fraser, 2016), we focused on the original definition of the family as the main home-based care provider thanks to the domestic work of Italian women. The consequent outsourcing of these domestic responsibilities *via* the so-called migrant-in-the-family model of care (Bettio, Simonazzi, Villa, 2006), strengthened care privatization, and paved the way to the current process of care marketization that has turned the Italian familistic welfare into a “DIY welfare” system. (Borelli, 2020). This initial focus on recent changes in welfare organization in Italy has thus widened the view on structural changes and has led labour intermediaries to find their own niche in marketized care provision even within a familistic welfare system, while highlighting the peculiar relevance of domestic work within the Italian care regime. After explaining its relevance, we proceeded with the specific theoretical definition of domestic

work, and selected some socio-economic regimes (Lutz, 2017; Esping-Andersen, 1990) distinguished into macro, meso and micro levels of analysis, which, interacting together, define the Italian dimension of domestic work, and the role of employment agencies in this field. We started with the macro-level involving the welfare and employment regimes analysed also through a gendered perspective that highlights the main limits of these mainstream conceptualisations. We then discussed the meso-level of organizations and networks through Autor's definition of Labour Market Intermediaries (2008) which appears particularly meaningful in this study. At this point we also inserted part of the conversation I had with the National Labour Inspectorate of Italy on employment agencies, which helped me to clarify some of the key points of these meso-level actors. The aim was to underline the logic that leads to the increasing presence of these labour intermediaries, as well as the most relevant theoretical categories. We then focused on the micro-regime of gender and care, and race/ethnicity, to explain why domestic work is defined as an undervalued feminised and racialized work, also accounting for the whole set of stereotypes impacting on the definition of the "perfect domestic worker," and contributing to lowering the economic and social value of this work. To conclude, we gave a statistical description of domestic work situations in Italy: the data refers to domestic work in its general dimension, therefore based on the classical employer-employee relationship established by the National Collective Contract of the sector. Although data on domestic work employment agencies is still lacking, this statistical description appears necessary to detect the general context in which private providers act. Emerging trends, such as the feminization of domestic work, the increase in migrant workforce, and common labour informality (DOMINA, 2021) should be considered when analysing the concrete functioning of agencies, their business strategies, and their effective impact on domestic workers' employment and working conditions.

After the clarification of my theoretical background, in Chapter 2 we analysed the juridical framework regarding the regularisation of employment agencies and focused on three legislative levels: the international, European, and national levels. As concerns the first level, we took into consideration the ILO Convention 181/1997 on private employment agencies that set some of the main normative principles to be implemented also at national level by Member States. The overall aim of increasing labour market flexibility is pursued by the International Labour Organization¹ while simultaneously guaranteeing the protection of these atypical workers. Core principles of non-discrimination and equal treatment both refer not only to differences between typical and atypical workers, but also among atypical workers themselves. At the European level, the most relevant legal tool is Directive 2008/104/EC on temporary employment agencies. As we will see, temporary employment agencies are only a part of the broader group of employment agencies, so this Directive has a limited focus. Nevertheless, it seems important to analyse it to determine how far some of the main principles already established by ILO Convention 181, have been incorporated, as

¹ From now on: ILO

that of non-discrimination and fair treatment of temporary agency workers. Moreover, the Directive introduces a key-concept of flexicurity. Going beyond the ILO definition, the European Commission stated that flexibility should always go together with employment security. This necessity derives not only from structural changes at economic and productive levels, but also from the workers' new needs. In other words, flexibility is depicted here as a real need of workers and not only as a requirement for agencies. Hence, national legislation on employment agencies appears more complicated to reconstruct. On the one hand, from the late 1990s onwards, Italian governments have addressed the labour market's needs for more employment flexibility, trying to respect ILO Convention 181's main principles, as well as the Constitutional guarantees on labour issues. Nevertheless, different strategies have emerged over time: labour market reforms have always been a very political issue in Italy, a reality affected more by poor political equilibrium than by coherent long-term perspectives. This led to different labour market reforms which, far from addressing the theme on solid bases, have been in contradiction with each other, trying to enlarge the electoral consensus of different government coalitions. In this schizophrenic attempt to regularise the matter, legal loopholes as well as grey zones emerged, paving the way for irregular or even illegal practices. Moreover, the presence of not-for-profit cooperatives also active in the private provision of domestic workers, complicated the juridical framework reconstruction: we do not aim to offer a detailed description of current laws and regulations on the matter, but want to describe the normative rationality (or its failure) underlying subsequent reforms. In doing so, we described how domestic work employment agencies are regulated and should function in Italy, encompassing international legal provisions and principles. This step is functional in describing how the specific market of domestic work employment agencies should operate, to later make a comparison with the actual framework emerging at empirical level.

After setting the theoretical bases of this study and the normative context addressing the regulation and functioning of employment agencies, Chapter 3 sets the methodological tools of this research. As already mentioned, we chose a qualitative approach, and so in this Chapter have defined both the overall research approach and the consequent methodology that responds to research query and aims. Due to the lack of data and studies on the topic, we defined this study as an exploratory and descriptive one (Babbie, 2011) and relied on the particular points of view of the actors involved. This choice is not driven by any form of abstract affinity to qualitative research, but rather by the need to go deeper into the meanings and knowledge elaboration of Agencies, workers and households. This called for an intersectional approach to define how the peculiar positioning of the actors within social coordinates impacts directly on their living and working experience, namely how social categories such as gender, race/ethnicity and class together influence those points of view of the actors which we employed in structuring this research. We then defined the construction of my interview samples, as well as the methodological tool of semi-structured interviews. Regarding the first point, we tried to account for the variety of both workers and agencies, considering workers of different sex, nationality, working experiences, migration status and age, and intermediaries that

are both agencies and cooperatives with different territorial dimension, years of activity, workers' employment conditions, client status, and workers' contracts. On the second point, conceiving the interview as a social relation, we strived to continuously reflect on the peculiar relationship existing between the interviewee and the researcher grounded on different power positions. To conclude, we inserted a detailed description of the directed content analysis we pursued, as well as the coding process, highlighting the reasons that led us to opt for these tools, and gauge the suitability of these methodologies in addressing the research aims.

Empirical results are exposed in Chapter 4 where we focused on the idea of the domestic workers and employment agencies regarding domestic work in its classical dimension, namely the direct hiring by employing households without the intervention of intermediaries. This section also describes the peculiar intimate employer-employee relationship that affects domestic work, and defines the most common working conditions, and workers' life trajectories, and the main reasons that lead these people to choose this kind of work.

Chapter 5 continues the overall description of domestic work, addressing in particular the theme of informal employment in this sector. Labour informality is one of the key features of domestic work in Italy and upon identifying the main factors of this reality, we posed the question of whether the phenomenon is an unavoidable dimension of work performed within the privacy of the home. These themes are analysed in a specific chapter, given the overall relevance of the topic, and they underlies both the economic and the cultural reasons behind the high rate of informal domestic work employment – and their interconnections – which are crucial to the comprehension of how employment agencies deal with informal employment and its lower labour costs.

After describing domestic work at the empirical level, we addressed the main topic of this study: the private employment agencies. Chapter 6, in fact, expounds on the role of agencies, with highlights on their multifaceted brokering nature, and on the motivations that lead households and workers to engage with these new actors. We then tried to account for the increasing role of these intermediaries in Italy, and the specific issues such as the increased professionalism of agency workers, the family needs that are in contrast with Italian familialism, and the advantages of having intermediary agencies for workers. The aim was to define the effective functioning of agencies, and to detect whether or not they reflect the current normative framework. The empirical analysis dealt with the recruitment activities of agencies, the services they offer, the role of class, gender and race/ethnic stereotypes in brokering domestic labour demand and supply and so on. Heterogeneity emerges as the main feature of domestic work employment agencies, and we will better describe it by going further beyond the theoretical and normative definitions given in previous chapters.

Chapter 7 completes this overview of the role and functions of employment agencies, and focuses on the economic dimension of their operations. Here we dealt with the definition of costs for households in turning to agencies, as well as agency workers' wages, and their different business strategies employed to find and maintain their niche in this new market. I also addressed the peculiar contradiction of outsourced domestic work, namely households that constant lowering of labour costs that also affects the functioning of agencies. I thus highlighted how the heterogeneity of private providers is often based exactly on this dichotomy: the agencies that cater to wealthier households pay more attention to care quality, whereas the agencies that address middle and lower-class households tend to concentrate on saving costs. Economic affordability however, often paves the way to irregular practices and actual offences: the second and last section of this chapter specifically highlights how the attention paid to costs containment within a familistic welfare system is often an indicator of bad employment and bad working conditions for domestic workers. As we will see, these economic conditions, together with the inconsistent normative framework still suffer from legal loopholes, and difficulties in monitoring the private dimension of the home, and therefore contribute to labour exploitation prevalent in brokered domestic work. This focus on agency offences and irregular practices as described by workers, the National Labour Inspectorate, employer associations and even agencies themselves, depicts a reality wherein regular agencies suffer the unfair competition of fake agencies and their irregular practices. As such, this new market is not only uncontrolled and needs to be better regulated, but is also founded on distorted mechanisms that alter its functioning. At the end of the chapter we also added some policies suggested by both workers and intermediaries to reform the concrete functioning of LMIs as well as the overall organization of domestic work.

Chapter 8 focuses on the Covid-19 impact. The pandemic outbreak, in fact, has deeply affected domestic work organization. If domestic workers were recognised as essential workers since the very beginning of the pandemic, their structural invisibility has not been overcome even at this specific juncture, and domestic workers have received late and limited government support. Though we dealt with the Covid issue only at a certain point, the topic strongly arose in the statements of workers and agencies. On the one hand, workers have particularly suffered from two specific conditions: their being irregular and live-out domestic workers. However, their experience of the pandemic depended more on the peculiar intimate relationship they had with their employing families, rather than on employment and working conditions. On the other hand, intermediaries have had a great opportunity in this emergency period, given the new household fears related to Covid-19. Agencies have been able to intensify their mediation activities during the lockdown, and have also increased their profits. Moreover, the structural invisibility of domestic work came to the fore once more, leading to the adoption of a new amnesty for irregular migrant workers, the results of which are nevertheless not at all promising, as we will better see.

To conclude, in the last Chapter we emphasised the limit of this study which should certainly be better addressed and deepened, but we also analysed the main relevant empirical results, also referring to the current literature on the topic, and reflecting our three main research aims. Then we focused on both positive and negative factors impacting on LMIs functioning within the domestic work sector in Italy: even if some important actions are adopted in the short term, this study mainly ascertained that a fair employment agency market, decent employment and working conditions for domestic workers are at odds with the focus on cost saving that characterizes a welfare system wherein families are left without direct care services and adequate economic support. The only way, therefore, to effectively improve the conditions of domestic workers is to concretely enhance the social image of care work, no longer conceived as a domestic and private responsibility, but as a public and political one.

Chapter 1. Defining domestic work: a theoretical and statistical overview

1.1 A changing context

We start this study with the definition of the overall context in which domestic work is set, and a description of what domestic work entails and of the workers involved. All this encompasses the examination of the complex relation between production and reproduction wherein domestic work is a specific form of service performed on an unwaged or waged basis within the home, and is in fact, one of the main social reproduction activities (ILO, 2018). The relation between productive and reproductive activities structures the context in which the peculiar organization of domestic work takes place, thus, we need *“to look beyond the organization of the capitalist workplace toward a larger analysis of production and reproduction as an integrated system”* (Folbre, 2009:208). According to Bhattacharya, the term social reproduction should be intended as defined in 1989 by Brenner and Laslett: *“the activities and attitudes, behaviours and emotions, and responsibilities and relationships directly involved in maintaining life, on a daily basis and intergenerationally”* (2018:6). Reproduction is therefore not directly involved in the production of goods and services, and is unable to automatically create value, but is strictly necessary to maintain the system of production itself. The two spheres of production and reproduction have been historically distinguished into the economic and social spheres, with economists often failing to address the importance of social reproduction even for the maintenance of the productive system itself. This rigid separation has been accentuated by the historical process of the sexual division of labour. Women are relegated within reproductive labour while productive tasks are assigned to males, thanks also to the capitalist definition of the household as the place of reproduction and the factory as the main site of production (Federici, 2010; Bhattacharya 2018; Fraser, 2016; Maestriperi, Insarauto, 2020). This spatial distinction, however, is not sufficient to eliminate the close links between two parts of an integrated system and *“the labour that is dispensed in both spheres must also be theorized integratively”* (Bhattacharya, 2018: 5). This theoretical perspective results to be essential in this study, especially in the light of recent transformations of domestic work organization, at the core of this research. Nancy Fraser highlighted the impact that the reorganizational process of capitalist production has on the organization of social reproduction itself, framing the concept of contradiction between capital and care:

“My claim is that every form of capitalist society harbours a deep-seated social-reproductive ‘crisis tendency’ or contradiction: on the one hand, social reproduction is a condition of possibility for sustained

capital accumulation; on the other, capitalism's orientation to unlimited accumulation tends to destabilize the very processes of social reproduction on which it relies" (Fraser, 2016:100).

The tension between production and reproduction creates a sort of complex bond, structuring also domestic work as a factor of social reproduction. On this basis, Fraser defines three main historical configurations of social reproduction, dependent on particular capitalist phases. If the birth of Capitalism has provoked a rigid sexual division of labour, the dominant ideology of the housewife as defined in the 18th century has been questioned by the increasing female participation in the workforce during the post-war period and even more so in the 1970s². This led to the creation and development of the welfare state and public services to sustain female employment, clearly founded on each country's particular culture and history. We can say that this is the overall context in which this study is placed, and as every historical formation, this context is continually changing.

As Polanyi (2001) pointed out, the welfare state has been a complex attempt to decommodify labour, challenging in this way the intrinsic capitalist assumption of the need to commodify all the means of production, including labour, money and land. Bhattacharya states that labour power is the only commodity produced outside of commodity production: it has been always inserted more in a social than in an economic dimension. Polanyi himself defines it as fictitious commodity, because *"to allow the market mechanism to be the sole director of the fate of human beings and their natural environment (...) would result in the demolition of society"* (Polanyi, 2001: 76). This is one of the main theoretical cornerstones of Polanyi's thought: the idea that capitalist development automatically implies a commodification of every means of production, even those that should be better defined as fictitious commodities. But this process, historically grounded on the *laissez-faire* ideology, necessarily implies a form of resistance, precisely due to the fact that labour - but also money and land - is deeply embedded in society and thus contrasts with the overall commodification process. This unavoidable feature of fictitious commodities and the disruptive consequences of the social commodification process represent the *"discovery of society"* (Polanyi, 2001), or the idea that the market economy itself is embedded in society. Fraser's definition of contradiction between capital and care (2016) seems to go in the same direction: the phase of 18th-century liberal competitive capitalism showed an evident clash between production and reproduction, due to the working class's inability to provide for its own reproduction because of the central role of female and child labour. This has

² Even if the housewife ideology permeated the whole social fabric since the 18th century, it would be incorrect to affirm that women did not work at that time, since all were housewives. Lower-class women have always worked, while the housewives were almost exclusively bourgeois or higher-class women. Nevertheless, the dominant housewife ideology led to conceive female labour as secondary with respect to male labour, and so, accessory. Defining the priority of social reproduction over production within the female world meant to simultaneously making female productive work invisible and downgrading both in the household and outside. (Federici, 2010; Sarti, Bellavitis, Martini, 2018).

provoked the urgency for protective legislation that corresponded to a sort of *housewifization* for women (Fraser, 2016), though it didn't prevent the lower-class women from working. This attempt however was still insufficient to avoid a broad-based class conflict: the working class was certainly more affected by the labour commodification process. Polanyi's idea of double movement is therefore enriched by Fraser with the introduction of a gendered perspective, arriving to the definition of a triple movement in which also emancipatory dynamics counts: "*proponents of protection and marketization collided not only with one other, but also with partisans of emancipation*" (Fraser, 2019: 29). Moreover, considering Fraser's conceptual framework helps us to grasp how the distinct regimes of capitalist production and labour organization have impacted also on reproductive activities.

It is precisely Polanyi's idea of double movement – and Fraser's triple movement- that contribute to the comprehension of the historical and social reasons at the basis of the welfare state. The attempt to contain the disruptive potential of the commodification of labour created the urgency for the states to assume their responsibility for social reproduction. Fraser's analysis is not distant from that of Polanyi's: "*Assuming some public responsibility for "social welfare," the -states of this era sought to counter the corrosive effects on social reproduction not only of exploitation but also of mass unemployment*" (Fraser, 2019: 29). We faced a real class compromise due to the threat of the elites to mobilize the working-class, and the determination to preserve the system's stability. This role of the state in the field of public services and social assistance managed to restrain unemployment and ensure active support to the increasing participation of women in the labour force, also taking into account all the national differences that affected and still affect the development of welfare regimes.

If Polanyi stops his analysis at the post-war period, Fraser adds another phase to the production-reproduction arrangement that she calls "financialized capitalism": "*globalizing and neoliberal, this new regime is now promoting state and corporate disinvestment from social welfare while recruiting women into the paid workforce*" (Fraser, 2019: 32). How was this sudden change possible? According to Mohandesi and Teitelman (in Bhattacharya, 2018), the falling rate of profits in the 1970s, due to different factors such as the oil crisis, financial instability and growing international competition, paved the way for a strong attack on the previous historical arrangement between capital and labour. "*The state began to unilaterally devolve the costs of social reproduction back onto the working class*" (in Bhattacharya 2019:63). Also in Europe we witnessed the end of the "Golden Era," the overall trend of marketization and the withdrawal of states from social responsibilities. Among the main driving factors were the high levels of unemployment, concern for costs containment, technological advancement, changes in labour organization, and the tendency to financialize the entire economy, all of which contributed to sustaining the new widespread perspective

based on the central role of profitability for capitalist growth. This neoliberal assumption was translated into more political terms by the New Public Management approach with a strong impact also on care organization (Farris, Marchetti; 2017; Tronto, 2013). According to Hood and Jackson (1991), the New Public Management was based on some basic “thrusts”: the necessity of separation between management and politics, a break-up of administrative units in the public sector, a deep emphasis on cost cutting, a management style based on the private sector model, a policy-making procedure based on opinion polling, and the preference for deregulation. From here, we can describe some of the main characteristics of the NPM approach, such as the emphasis on privatization, competition, separation of provision and production, an outsourcing or subcontracting tendency, and the use of information technologies (Gruening, 2001). This sudden change with respect to the previous regime marked by strong state authority and responsibility for social reproduction, had been also provoked by concerns for sustainability of public expenditure and the common discontent towards central administration with the consequent increasing rhetoric on availability of choice for citizens who are now regarded more as customers able to purchase goods. It may not be completely wrong to talk about welfare commodification. However, it is not relevant here to better define the conceptual paradigm of the New Public Management, but rather, define the implications in terms of domestic work organization, especially in Italy. Ferrera’s analysis of the welfare reforms in Southern Europe (1999) starts from the assumption that in this geographical area, *“Social protection entered the age of “permanent austerity” while it was still in conditions of institutional and financial underdevelopment, exacerbated by internal categorical and territorial imbalances.”*³(1999: 35). Austerity in this case, is rigorously linked to the concern for cost containment and has been strongly enhanced after the 2008 crisis especially in Southern European countries, and that altered some of the main characteristics of Mediterranean welfare states (Ferrera, 1996). In particular, Ferrera defines seven main traits related to the impact of austerity on welfare reforms. The increasing use of monetary benefits instead of public services founded on a sensible difference between labour market insiders and outsiders; an unbalanced frame of social protection focusing on some “classical” social risks while avoiding to take into account the new ones deriving from recent changes (family services, public housing policies...); a substantial mix between public and private actors in the provision of welfare; a general tendency towards clientelism; an uneven distribution of social security contributions and a broad informal economy (1999). Many things have changed since the time of Ferrera’s analysis. First of all, the intensified dismantling of welfare, and the rise of new forms of welfare arrangements, as Ferrera himself and Maino denote in one of their more recent reports (2019), creating the term “second welfare,” or *“dynamics and experiences able to combine the reduction of public*

³ *la protezione sociale è entrata nell’età della «austerità permanente» mentre si trovava ancora in condizioni di sottosviluppo istituzionale e finanziario, aggravate da squilibri interni di tipo sia categoriale che territoriale* (original Italian version, translated by me)

spending with the protection of new social risks, particularly through the growing involvement of private actors and the Third Sector"⁴ (Ferrera, Maino, 2019:1). Upon reconsidering Polanyi's idea of Great Transformation, the Italian scholars affirm that we are living another radical transformation, or a Great Transformation 2.0, related to technological advancement but also demographic tendencies and reorganization of productive labour, all creating new social risks we are still unable to deal with.

It is in this context of welfare restraints that the New Public Management has affected also care organization (Farris, Marchetti, 2017; Da Roit, Sabatinelli, 2013; Land, Himmelweit, 2010; Tronto, 2013) all over the world. Farris and Marchetti (2017), upon quoting Ungerson, define care commodification as *"the dynamics leading a number of European states to move toward, or intensify already existing cash-for-care models that put the responsibility for the choice of care directly into the hands of care seekers, transformed into "care customers"* (2017: 109). The intrinsic logic is to shift social reproduction responsibility from the State to the citizens themselves, now better defined as consumers. According to this neoliberal paradigm, freedom is conceived as the capacity to choose within the overall moral dimension of neoliberal practices that rely only on personal responsibility. Stressing on the individual desire for free choice, nevertheless, conceals the social dimension in which individuals are embedded and the concrete power relations which may encourage them to choose or discourage them from choosing their personal care arrangements (Tronto, 2013). The first step of this process has seen three main driving forces, namely the feminist claim that care work should no longer be considered as unpaid labour, the central idea of individual choice, and the issue of anti-bureaucracy. This overall trend, according to Farris and Marchetti (2017), has not only enhanced the care commodification process, but has turned into a real marketization of care. *"The changing role of the state, from being a direct provider of services (at least in some contexts) to the support of the expansion of private care actors, has been described in terms of marketization"* (2017: 114). In these terms, the changing paradigm in the field of social reproduction organization and structure clearly appears, responding to the urgency caused by the State's withdrawal from its social responsibilities. However, this has never coincided with a real enhancement of this type of work both in economic and social terms, as available data and statistics confirm (ILO 2002, 2011, 2016). If we considered a context marked by a large slice of informal employment like the Italian one, the care marketization process has nourished the particular informal dimension of this type of work, considering also the supply of migrant women's labour especially after the EU's expansion in 2007: *"Here, the existence of a large gray labor market and its social and political acceptance, alongside tolerant attitudes toward undocumented migration, represent an important pull factor for (undocumented) migrants"* (Da Roit, Sabatinelli; 2013: 446).

⁴ *dinamiche ed esperienze capaci di coniugare il ridimensionamento della spesa pubblica con la tutela dei nuovi rischi sociali, in particolare attraverso il coinvolgimento crescente di attori privati e del Terzo Settore.* (original Italian version, translated by me).

Considering all the previous explanations, and if care is defined as a fictitious commodity, it is not surprising that our societies are now trying to deal with the so-called “*trilemma of service economy*” (Iversen, Wren, 1999), the main component of which are fiscal discipline, earning equality and employment growth. All these elements, in fact, are hardly consistent with one another: “*Because budgetary restraint precludes any rapid expansion of public sector employment, governments wedded to such discipline must either accept low earnings equality in order to spur growth in private service employment or face low growth in overall employment. Alternatively, governments may pursue earnings equality and high employment, but they can do so only at the expense of budgetary restraint*” (Iversen, Wren; 1999: 513). If this is the common difficulty faced by all service economies, Picchi has focused on the specific reality of care, identifying three more specific components of the trilemma. The first is affordability, “*expressed in terms of the maximum price that consumers could pay for a particular commodity, subject to their preferences and budget*” (2016:171). The second component is care quality which strictly depends on the idea that care is not a standard good, structured by the development of a relationship between caregiver and care recipient in such a way that “*these conditions do not automatically hold in the market for care*” (Land, Himmelweit, 2010:17). The third component is that of decent working conditions. If we consider the relation between affordability and care quality, the reality of care as fictitious commodity is almost self-evident. “*It is hard to raise the productivity of care, because the need to develop a relationship with clients sets a limit on how many people can be cared for at the same time, or how many home-care visits can be made in a day, without reducing the quality of care provided*” (Land, Himmelweit, 2010: 19). In other words, care suffers from Baumol’s costs disease (Farris, Marchetti, 2017; Sciortino, 2004; Tronto, 2013), being a kind of commodity characterized by the independence of wage from productivity and low profit margins. It is within this difficult trilemma that national states have implemented different long-term care policies starting from the definition of care as a new social risk. Italy, as stated by Da Roit and Sabatinelli (2013), can be considered as an example of the initiative of Southern European states. Such initiative is based on pure privatization and marketization without implementing structural reforms, but allocating only individual benefits through cash-for-care schemes that have increased unqualified and irregular labour, taking advantage of labour market deregulation, and increasing migration flows and even clientelistic public administration. If care has always been a family – and therefore feminized - responsibility, it has recently shifted towards marketization *via* cheap migrant labour.

All the previous different analyses and theoretical perspectives seem meaningful to better understand the ongoing process of care corporatization, which goes further to care marketization founded on the development of a real care industry (Ferris, Marchetti, 2017:115). In this framework, the presence of private companies specialized in specific segments of care provision is the most important trend in present day care organization, although care corporatization is still following different trajectories based on diverse

national features. In all cases, *“The discussion of an emerging corporatization of care in such diverse settings, can thus shed light on how the presence of corporate care actors is being promoted and the initial effects this produces, particularly in terms of labour conditions and care quality”* (Farris, Marchetti, 2017: 117). As regards Italy, although the cost-effective solution of the migrant-in-the-family caregiver (Bettio *et al.*, 2007) is still the most common one, private agencies (also not-for-profit subjects) have grown in recent years, testifying to the ongoing shift in Italian care organization (Brennan, Cass, et al., 2012). What is happening is a so-called *proletarianization* of domestic work: *“Whilst in the past the employment of a cleaner, housekeeper, caregiver, nanny or general domestic helper was a luxury that only few households could afford, in the last couple of decades employers have increasingly come from the middle and lower middle classes. For these to employ someone is not a luxury but a necessity”* (Marchetti, Triandafillydou 2015: 231). The direct consequence in a welfare system like that of Italy is the definition of care as a private responsibility which, together with the lack of services and the overall limited public expenditure recreates a *“Do It Yourself Welfare”* (Borelli, 2020) wherein middle- and lower-class households are somehow forced to focus on cost containment rather than on care quality. Moreover, given the family-based dimension of care provision, the lack of public services and small economic expenditures of public institutions, care work in Italy mostly translates into domestic work, whether it is outsourced to migrant domestic workers as retributed domestic work, or performed as unwaged domestic work by poorer Italian women within the private dimension of the home.

To conclude, this recent process of domestic work privatization and commodification has not only conceptual and theoretical effects, but also more concrete and material ones as regards, for instance, the costs saved by the State precisely thanks to the core role played by the Italian families. According to DOMINA (2021), in 2017 Italy spent only 3.4% of its GDP for households, childhood and disability support, against the European average of 4.3%. Considering that the overall expense for Long-Term Care in Italy in 2018 was equal to 1.71% of the Italian GDP, it seems that the major economic burden of care responsibilities in Italy weighs on families.

Table 1- Estimated savings for the State (data in billions of euros, 2018)

| | Current scenario with expenditure of families | Hypothetical scenario without expenditure of families |
|--|---|---|
| Household expenses for elderly care (family caregivers, regular and irregular) | 8.0 | 0 |
| - LTC Healthcare component | 8.1 | 8.1 |
| - LTC Accompanying Allowance | 10.6 | 0* |
| - LTC Other benefits | 3.3 | 3.3 |
| - Assistance for new 980,000 elderly people | - | 21.5 |
| -Total Public Expenditure | 22.1 | 33,0 |
| Difference (savings for the State) | 10.9 | |

* Indemnity has been zeroed because it is impossible to estimate the precise number of parties involved.

Source: DOMINA, 2021

The emerging framework sees an economic advantage for the State equal to 10.9 billion €, but we should take into consideration also other indirect consequences that the increase in State expenditure would have, such as guaranteeing the entrance of Italian women into the national labour force, a consequent increase of the birth rate and the overall better economic performance.

1.2 What is domestic work?

Within the general context of care organization in Italy that indicates the centrality of domestic work nationwide, I tried to delve deeper into the theoretical definition of domestic work to better understand also the two main dimensions of this phenomenon, namely the high feminization and high rates of migrant workers.

The first step for a more detailed and complex idea of this reality is to define it in a more exhaustive way, considering the main available theoretical approaches to this subject. According to the ILO's Domestic Workers Convention, 2011 (No. 189):

*“(a) the term **domestic work** refers to work performed in or for a household or households;*

*(b) the term **domestic worker** refers to any person engaged in domestic work within an employment relationship;*

(c) it also specifies that a person who performs domestic work only occasionally or sporadically and not on an occupational basis is not a domestic worker” (Art. 1, ILO, 2011).

This definition identifies, therefore, the establishment of a working relationship in the private economic unit of the household for which the employed person receives remuneration as an essential characteristic of domestic work. What counts is the peculiar private and intimate dimension (Marchetti, 2011; ILO, 2016) which distinguishes domestic work that strongly impacts on the same working and living conditions of domestic workers, thus making it difficult to have a clear idea of their tasks, working hours, wages, and working conditions. Another clarification would be needed here, given that domestic workers are part of the broader group of care workers: *“Care work consists of two overlapping activities: direct, personal and relational care activities, such as feeding a baby or nursing an ill person; and indirect care activities, such as cooking and cleaning”* (ILO, 2018: xxvii). Domestic work could therefore also be divided into the two categories of remunerated direct care activities and remunerated indirect care activities. What clearly distinguishes domestic work from other care services is that it is performed within a private home. This means that the responsibility for the provision of domestic work is entirely private, whereas public care services – provided directly by public authorities or outsourced to private providers both in residential and domiciliary form - are not considered in this study, except as a contextual reality that is also important in defining the social relevance of private home-based care.

According to Triandafyllidou, domestic work has some *“special attributes”* (2013:8) derived from its very peculiar condition of transcendence in the distinction between public and private spheres. It is private because it is performed in the home, but it is simultaneously public because it should be subject to proper work arrangements. This feature is closely linked to the low social prestige affecting domestic work, also given the historical representation of the *“servant”* (Cox, 2006). Other aspects which the figure of the servant and the current day domestic worker seem to have in common, are the stereotyped attributes of a *“good domestic worker”* (Gillis, 1979) often related to emotional and soft skills. The tendency to informality and the related idea of a shared moral economy of domestic work (Näre, 2012) as a tendency to replace employment relationships with family-based relationships, make it quite difficult to define this activity. Of course, these general attributes affect the existing difficulties in drawing up a clear statistical framework of this phenomenon (Gallotti, 2009, ILO 2013). Available data often concerns formal domestic work that is still

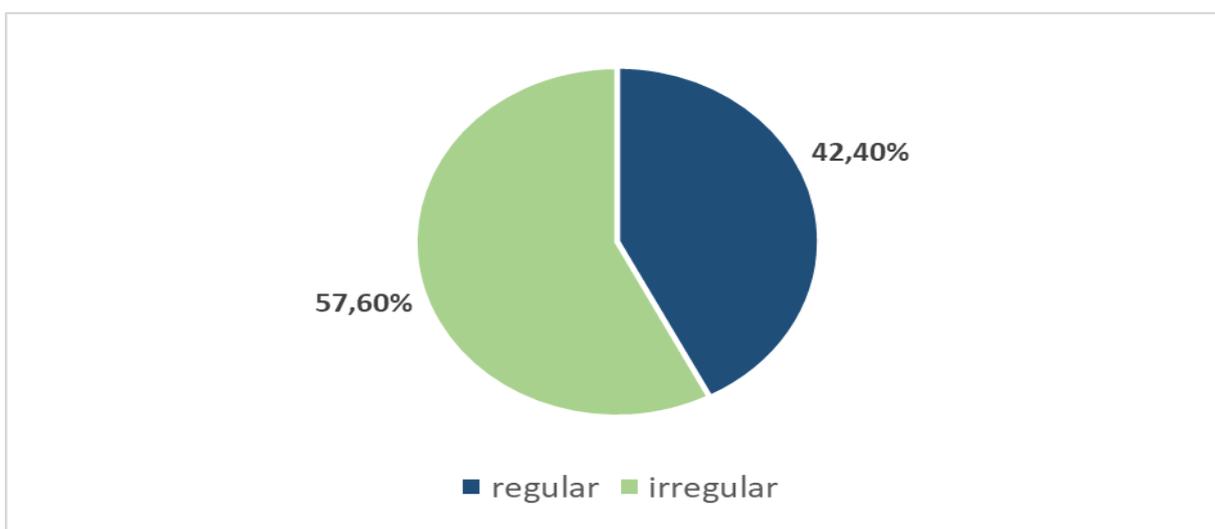
residual in comparison with the huge informal component of this working reality, as ISTAT⁵ estimates confirm:

Table 2- Regular/Irregular employment in domestic work in Italy

| Unit | Employed (thousands) | | |
|---|----------------------|-------|-------|
| Country | Italy | | |
| Employment status | Employees | | |
| Type of occupation | Regular | | |
| Year | 2017 | 2018 | 2019 |
| NACE classification | | | |
| Activities of households as employers; undifferentiated goods - and services-producing activities of households for own use | 658 | 659.4 | 655.8 |

| Unit | Employed (thousands) | | |
|---|----------------------|-------|-------|
| Country | Italy | | |
| Employment status | Employees | | |
| Type of occupation | Irregular | | |
| Year | 2017 | 2018 | 2019 |
| NACE classification | | | |
| Activities of households as employers; undifferentiated goods - and services-producing activities of households for own use | 920.5 | 896.9 | 869.4 |

Figure 1- Domestic work informality rate in 2019



⁵ Istituto Nazionale di Statistica, i.e. National Statistical Institute.

As to formal domestic work, we can distinguish between live-in domestic workers -workers living in the same home where they work, (usually entitled to personal care) - and live-out domestic workers (workers living in their own homes) - employed by one or more households (Triandafyllidou 2013). The tasks involved vary greatly, going from the care of children and elderly people (direct care) - to household maintenance and cleaning (indirect care), but are generally considered as low-skilled tasks. Moreover, the national regulation of formal domestic work varies greatly within particular national contexts: some countries provide specific laws to regulate this sector, while others may find specific sections within the general labour law. This obviously creates strong differences in terms of wages, social protection, working time, and rest periods.

Existing literature on this topic starts from this “special attribute” of domestic work and addresses the description of this reality through different analytical perspectives, focusing on various regimes structuring domestic work organization. The word regime must be intended here *“as a way of referring to the organization and corresponding cultural codes of social policy and social practice where the relationship between three social actors, the state, the (labor) market and the family, is articulated and negotiated.”* (Lutz, 2017: 358) and it relates to disparate fields. Each single regime does not operate separately, but actively interacts with the others in structuring the everyday reality of domestic workers. It is precisely for this reason that I have conceptualized the organization of domestic work through three levels of analysis, namely the macro, the meso and the micro levels (Parreñas, 2001; Ferreira, Serpa, 2019). Each level, in fact, involves one or more regimes: this approach results more useful in defining a complex reality quite difficult to explain only through separate regimes. As Ferreira and Serpa state (2019), Sociology is grounded on a theoretical pluralism that *“seeks to articulate macro-social dynamics with local processes, allowing the linkage between subjective significances and practices, and focusing on the articulations between systems and actors, between structures and practices”* (2019:121). Thus, in every sociological study it is possible to establish a continuum between a minimum unit and a maximum unit in which other intermediate levels usually act. In other words:

“Social relationships regard individual interactions and are framed and conditioned by the level of social relations that take place between groups structured in a given social hierarchy, and both are included on a broader scale – the frames of the social – as a social reference framework built throughout history in its economic, political and cultural dimensions, with mutual inter-penetrations between these three levels” (Ferreira, Serpa, 2019: 122).

The meso level of social analysis thus plays a very relevant role, constituting a kind of bridge between the other two analytical levels. However, it cannot be conceived as separate and isolated: its heuristic potential can be implemented only if also the macro and micro levels are inserted into the broader

sociological analysis. According to Parreñas (2001), the macro level involves structural and especially economic processes that are exercised worldwide and beyond the will of individuals or local and national actors. The meso-level differs from the first because it explicitly recognizes the agency of the involved subjects, who do not passively suffer the effects of the structural macro processes but face and react to them in pursuing their objectives. Lastly, the micro level is strictly subjective: it does not focus on social processes but conceives them as contextual to the subjects' actions. This conceptual approach therefore helps to shed some light on the constitutive invisibility of this peculiar working sector, taking into large account not only the structural dimension of sociological phenomena and their implications on individuals, but also the intermediate level of groups and institutions.

Macro Level

Starting with the impact of economic macro processes affecting the whole society, the role of employment and welfare regimes in structuring domestic work organization is essential. If both affect the entire social structure, they impact in a very precise way also on domestic work, often interacting with other macro-level regimes such as care and migration ones in defining the core role played by migrant domestic workers in the Italian welfare organization. We start with the welfare regime: it is in the organization of national welfare arrangements that the peculiar condition of invisibility of domestic work (both the *de facto* invisibility of sexual division of labour, and the *de jure* invisibility often derived from migration) has some more concrete effects. The welfare regime is therefore essential: although national differences exist, it is still possible to define some main welfare regimes (Esping-Andersen, 1990), such as the liberal regime (marked by market solutions for social problems and means-tested assistance), the conservative regime (structured on family-based assistance, and relying on work-related services), and social-democratic-regimes (universalistic systems based on the decommodification of welfare services). The Mediterranean welfare model, though often included within the wider context of conservative regimes, has some specific peculiarities, such as the central role of the family, the use of cash benefits instead of services, a kind of work-related maintenance, and a universalistic approach to healthcare and education (Ferrera, 1996; Martin, 2015). It can thus be defined as a familistic welfare, given the crucial role of the family as a social safety net and, above all, the crucial role of unpaid female work within the household in both direct and indirect care (Saraceno, 2016; Lyon, 2006). This is even more evident if we consider that different welfare regimes diverge especially in identifying who the main subject entitled to care provision is, namely the State, the market or the family. Nevertheless, this mainstream classification of welfare regimes, despite its usefulness, has been criticized by feminist scholars (Lewis, 1997; Orloff, 2011), due to its limited attention

to gender and its implication on the welfare structure itself. As Lewis states: *“access to income and resources of all kinds has been gendered as have been the concepts that are crucial to the study of social policy: need, inequality, dependence and citizenship”* (1997: 161). Gender, here, should be intended not as an individual attribute, but rather as a social relationship having mutual kin with systems of social provision (Orloff, 2011). The feminist critique is based on both theoretical and methodological aspects: as regards the first point, it is in fact, a *“falsely universalizing (implicitly masculinist) analytic frame undergirding almost all comparative studies of welfare states, including that of Esping-Andersen”* (Orloff, 2011:2). On the other hand, methodological criticalities affect particularly Esping-Andersen’s focus on the link between employment and welfare, based exclusively on a male perspective, without considering gender and women’s unpaid work as variables of analysis. Deepening this point, Tronto (2013) highlights how the work ethic centred on the two assumptions of autonomy and independence defining the “perfect worker” as a male worker, is radically antithetical to care ethics that emphasise the concepts of vulnerability and dependence, historically identified with the feminine. These two ethics are both deeply gendered, but *“the gendered dimension only becomes clear when we look more deeply at “work” and the location of work in our culture”* (Tronto, 2013:84). Starting from here, we should maybe consider the position of women in the labour market and social security, tax systems and provision of care to include a more gendered dimension in this analytical framework (Lewis:1997). What seems to lack in mainstream welfare analysis is the crucial role of unpaid work, (i.e. unpaid domestic work), that impacts on women’s everyday life, interacting with paid work and welfare. According to this perspective, the same idea of labour de-commodification (Polanyi,2001) boosting the birth and implementation of welfare states in the post-war period, had a different weight for women. Access to paid work, in fact, constituted a strong factor of independence for women, and investments in welfare have often led to socially sustain this increased female presence in the labour force (consider the importance of child-care services, for instance). However, as Orloff highlights, this might lead to a *“welfare state paradox,” in which well-developed welfare states increase women’s participation in the labour force by offering extensive services and leaves – but simultaneously may hinder women’s access to desirable (masculine) jobs.”* (2011: 6). Even if this is not the right place to further deepen the feminist critique to mainstream welfare regimes analysis, we believe that it helps to problematize ideal types of welfare, adding a gender perspective that appears essential in defining how welfare regimes are linked to domestic work organization and functioning.

When dealing with welfare organization, we should consider that in recent years, there has been a strengthening of care -and thus domestic work, within the Italian context- commodification and marketization (Williams, 2012; Farris, Marchetti, 2017; Tronto, 2013; Farris, 2020) based on market answers to care needs, often sustained through individual cash payments to buy home-based care. This process has

characterized especially the evolution of caregiving, due to recent demographical changes and social transformations.

To better understand this point, we should define care regime. Care regime (Simonazzi 2008, Williams 2012) is related to the “production” of the same workforce, to the care of households and people (children, elderly people), and, lastly, it guarantees the perpetuation of culture and society through its basic process of socialization (Anderson, 2001). Of course, it involves not only the care provision system, but also its financing. The centrality of the private dimension in this field seems to be the heritage of the historical process of “*gendered division of private and public spheres*” (Lutz, 2007:187), deeply analysed and studied according to the perspective of gender studies. As Lutz (2017) clearly defines, the issue of domestic work has been crucial in this theoretical field, due to the historical process of the “naturalization” of women’s responsibilities with respect to the house and family care.

Recently, the overall financial cuts to public services have had a strong impact on familistic welfare regimes such as the Italian one (Ferrera, 1999; Karamessini, 2007), given the increase in female participation in the workforce and the process of ageing population, creating a real care shortage (Zilli, 2018) and reinforcing the use of migrant workers. As Bettio, Simonazzi and Villa show (2006), familistic welfare has faced a deep transformation, shifting from traditional family care to a “migrant-in-the-family” model of care. In other words, if the commodification process of care has provoked a radical change in the welfare organization of Mediterranean States, this has been a converging tendency to replace unpaid female domestic work within the household with low-paid migrant domestic work. Though expressed in different ways according to national features, it has affected care provision and job quality in different countries. Among the principal tendencies contributing to this shift, we can certainly denote the overall increase of migrant employment and the spreading of neoliberal austerity policies and financial cutbacks after the 2008 crisis, which have compressed public care financing also in non-familistic welfare regimes. (Simonazzi, 2008; Burns, Hyde, Killet, 2016). The re-commodification of domestic work through migrant workforce (Lutz, 2017, Williams, 2012), is therefore going on although care continues to be conceived and defined as a private and intimate affair, more embedded in the relational and emotional sphere than in the economic one. This rooted entanglement between care provision and migrant workforce leads us to consider also existing interaction among care regime and migration regime in this section on welfare organization. As highlighted by Sciortino (2004), in fact, different kinds of welfare regimes produce different demands for foreign labour. Being the familistic dimension of Italian welfare at odds with the increased female participation to the labour force, and domestic work suffering from Baumol cost disease (Farris, Marchetti, 2017; Sciortino, 2004), “*such tension may be managed only if a way is found to maintain a comparatively cheap and flexible provision of household services*” (Sciortino, 2004: 117). Immigration, thus, has been the solution to this structural tension. The issue of migration regime discussed in different studies on domestic work (Da Roit, Weicht

2013, Lutz 2017, Anderson 2012) has been clearly defined by Williams (2012), who identifies its main features, namely immigration policies, residency and settlement regulations, cultural norms and practices shaping relations between majorities and minorities and national- transnational histories. Focusing on the macro-dimension, we specifically deal here with the first two points of William's definition, or the actual governance of migration by the State, while cultural norms and practices will be better analysed in the micro-level section. According to van Hooren, we can talk about varieties of migrant care work (2012) structured by the contextual interaction among care regime and migration regime. Within the Italian context, several factors have created the current reality: on the welfare side the scarcity of universally accessible public care services and the lack of controls on State's cash benefits, on the migration regime side the migrants' internal differences structured by specific legal statuses, and the use of annual quotas and recurrent regularizations enabling irregular migrants to work irregularly as private care assistance. This is the normative ground of the invisible welfare defined by Ambrosini (2013) which relies on low-skilled and not guaranteed migrant labour reducing public expenditure and maintaining the (gendered) social order: *"the recourse to irregular immigrant labour is the bottom-up reaction to the failure of the public welfare system to provide adequate responses to the increasing demand for elderly care services"* (Ambrosini, 2013: 5). So, the recent transformation affecting Italian welfare regime within the framework of overall care marketization necessarily leads us to simultaneously consider the interaction among welfare regimes, care regime and migration regime.

The other macro-regime deeply involved in domestic work organization is the employment regime, considering that the welfare commodification process has been inserted within a wider trend that also affects employment. The re-commodification of care and the State's widespread withdrawal from care responsibilities (Brennan, Williams, 2012; Triandafyllidou 2013) interact with the particular national organization of the labour market. As concerns domestic work, countries with more rigid and guaranteed labour market, such as Italy, often evidence the existence of broad niches of labour informality (Ballarino, Panichella 2017, Simonazzi 2009). On the other hand, even more flexible labour markets do not provide a real alternative to avoid labour informality in domestic work (Simonazzi 2009, Lutz 2017, Burns, Hyde, Killet 2016). The general trend of the labour market's segmentation plays a crucial role here, being often grounded on the acknowledgment of the economic value of peculiar individual features such as gender, race and nationality. As Davidsson and Naczyk clearly show (2009), we can find different forms of individual exclusion from the primary labour market also in terms of different levels of education, skills and employment relations. The overall process of deregulation characterizing especially Europe in recent years has generated a progressive erosion of worker guarantees, creating strong differences among workers themselves, often based on personal attributes. As regards domestic work, this process has contributed to the widespread use of informal employment in strongly rigid labour-markets (but also in others) due basically to the high rate of

irregular migrants working in this sector and to the gendered and racialized definition of this peculiar work as one of low value.

Studying the impact that the employment regime has on domestic work organization, the Varieties of Capitalism approach may help us to better define our topic, even more if addressed through a gender perspective. In their fundamental book, Hall and Soskice (2001), expound on the group economies of developed countries on the basis of institutional similarities which had and still have an impact on capitalist development. They define two main types of market economies, namely liberal market economies and coordinated market economies, taking into consideration vocational training and education, industrial relations, corporate governance, inter-firm relations and relation with employees. *“The fundamental premise of Hall and Soskice’s approach is that companies in a particular political economy obtain a comparative institutional advantage based on their strategies for solving coordination problems”* (Matějů, Vitásková, 2004: 891): this analysis helps to define two extreme models of developed market economies diverging in terms of subordination to regulation through non-market procedures. While liberal market economies (LME) rely primarily on market forces in coordinating relations among economic and institutional actors, coordinated market economies (CME) usually rely on non-market mechanisms. In this way, the scholars detect how institutions (including culture and national history) have counted in the development of market economies and how they still shape the everyday organization of work, industrial relations, and skills formation. This fundamental approach, nevertheless, has been reviewed later to obtain a more gendered analysis of the Varieties of Capitalism approach. Estévez-Abe focuses on *“the effects of employment protection and different vocational training types in influencing sex-based occupational segregation in the private sector”* (2009: 185), highlighting gendered implications of the labour market and skills formation systems and trying to interconnect this multifaceted gender inequality with class inequality due to which some women really need more social protection and regulation. According to Mandel and Shalev (2009), one of the main limits of the Varieties of Capitalism approach is the economic determinism predicated on a man’s world: the visibility of gender relationships should be grasped through women’s access to the labour market, and the rate of occupational segregation, both horizontal and vertical. Without this focus, *“the distinction between liberal and coordinated forms of capitalism—which lies at the heart of the theory—is unable to explain variation in the single most important dimension of cross-national variation in gender stratification, female participation rates”* (Mandel and Shalev, 2009: 2-3). Also, the peculiar process of skills formation has a direct gendered impact considering that, if employers expect employee commitment to recoup their investment in specific skills, the unavoidable discontinuity affecting female employment may bring employers to discriminate female workers, thus creating a dimension of major female dependency on welfare and protection. Also in this case, *“Only when the global dichotomy between men and women is broken down by class is it possible to see that a given type of labour market—whether CME or LME—may be advantageous to women of one class while imposing penalties on those in another.”*

(Mandel, Shalev, 2009:11). When also considering gender, the role of unpaid domestic work - and especially childcare - as a limit to female employment clearly emerges. Thus, we need an intersectional approach able to consider together class, gender and racial differences to problematize the impact of peculiar capitalist configurations on different subjects, as also Acker highlights (2006). This feminist critique is helpful because it inserts a specific perspective in the general framework on the development and consolidation of market-economies, namely the gendered one, highlighting the close connection between employment regime (strictly dependent on capitalist development) and current care regime, as well as gender regime at the micro-level.

Meso level

Upon considering the meso-level, I take into account the community dimension of the studied phenomenon: it is in this level of analysis that we can grasp all the interconnections between the macro-dimension of processes affecting society as a whole, and the micro-level of individuals. Recent transformations in domestic work provision, the triangulation of employment relationship and the overall tendency towards care marketization, highlight how employers and employees are not the only actors in this field: the meso-level of networks and agencies structures present-day domestic work organization (Parreñas, 2001). Employment agencies may play a relevant role in the hiring process, ensuring the match between labour demand and labour supply, even more if we consider the peculiar reality of migrant domestic workers and their lack of information on work organization in their arrival states (Granovetter,1973; Podolny, 2001, Brennan et al, 2012). The focus on the meso-level throws light on employment agencies representing an increasingly important actor in domestic work organization (Brenn, Williams 2012; Borelli 2020;). According to IZA report no. 57 (2008), the role of these actors is strengthening in the European labour market given the overall trend of privatization, but without overcoming national differences which obviously exist. We can therefore find four main types of employment agency organization: market-oriented countries (UK); social dialogue-based countries (Germany, Denmark), legislator driven countries (Italy, Southern Europe), and emerging countries (Poland). Despite the existence of the European Directive on Employment Agencies (2008), different national definitions of employment agencies exist, based on a more general or more specific approach. Moreover, also the ILO and WTO⁶ have defined these actors in their own way, contributing to creating a network of legal orders in which the definition of employment agencies can be inserted. Employment agencies are usually classified in different types. Private employment agencies are defined as *“Any enterprise or person, independent of the public authorities, which provides one or more of the following labour market functions: (a) services for matching*

⁶ World Trade Organization

offers of and applications for employment; (b) services for employing workers with a view to making them available to a third party (“user enterprise”); and/or (c) other services relating to job seeking, such as the provision of information, that do not aim to match specific employment offers and applications. Agencies cannot charge workers for finding work” (ILO 2009:1). Temporary work agencies – which have strongly grown in recent years - are part of employment agencies, namely those that “provide temporary employees to user enterprises to cover employee absences, skill shortage and varying seasonal workloads. Workers are employed and paid by the agency, but are contracted out to a client for either a prearranged fee or an agreed hourly wage. Some companies choose to use temporary workers on a long-term basis rather than permanent staff” (ILO 2009: 1f). Despite the differences existing between these types of employment agencies, their common function is to make the match between offers and applications for employment, structuring in this way a triangular employment arrangement that involves agencies, workers and firms or employers.

Autor’s analysis of the economic role of Labour Market Intermediaries (LMIs)⁷ appears to be useful in better understanding the logic according to which the LMIs have played an increasingly important role within the consolidation process of the service economy. Their very existence testifies that our labour market is far from being truly competitive and perfect: *“Although heterogeneous, a central theme of this volume is that these intermediaries serve a common role, which is to address a set of endemic departures of labour market operations from the neoclassical benchmark” (Autor, 2008:2). Autor openly speaks about three main deviations from the ideal type of a perfectly competitive labour market which sustains the everyday existence of the LMIs, namely costly information, adverse selection, and collective action (2008). As regards the first deviation, he refers to monetary or physical costs involved by the fact that not all the labour market actors have the same information assets: since information about job vacancies and jobseekers is largely conceived as a public good, it is often undersupplied by the market. Exactly for this reason, some LMIs are just information intermediaries. As regards the second deviation, or adverse selection, it is directly linked to asymmetric information involving particularly disadvantaged workers: “these information asymmetries readily generate a market equilibrium where lower quality market actors (workers or firms) exert negative externalities on their higher quality counterparts, depressing both the quantity and quality of trade.” (Autor, 2008:4). Starting from here, in recent years we have witnessed an increasing use of for-profit employment agencies especially by unskilled workers and migrants; but these agencies have sometimes exploited precisely those information asymmetries they were expected to reduce, nourishing competition between the public and private sectors (Autor, 2008). The last LMIs’ economic deviation is related to collective action: “There is potential in such settings for market intermediaries to improve upon competitive outcomes. But this is only feasible if these intermediaries have teeth — or more specifically, the power to change payoffs so that the maximizing choices of actors on one or both sides of the market also*

⁷ From now on referred to as LMIs

serve the common good" (2008: 11). This perspective is grounded on the idea that also unions may act as LMIs, going beyond their traditional organization and function, and conceiving them as an open-source model in which, despite being despoiled of one of their major tools - namely collective bargaining - they may attract members through legal advice, group employment benefits and political lobbying.

The increasing presence of LMIs appears crucial in determining their role also in domestic work organization, but it obliges us to better understand another aspect of this phenomenon - LMI regulation. If privatization and marketization supporters argue that agency brokering may help to define domestic work as decent work and improve workers' conditions and guarantee a cost-effective solution to care as a new social risk, of course these LMIs must act within the legal framework. However, this is not always true. Being that the LMIs are a quite recent phenomenon, and the attempts to regulate them are still quite fragmented, even if they all are going toward the same direction: *"If the facilitation of labour through labour market intermediaries is not adequately regulated, workers run the risk of being exploited by fraudulent labour market intermediaries. During the recruitment process, the potential employee might be deceived about the nature of the job, location or employer. The potential employee's vulnerability might also be exploited. International and European reports have increasingly shown how abuse by labour market intermediaries can result in employers disproportionately benefiting from people's labour, which might amount to trafficking in human beings for the purpose of labour exploitation"* (Eurofound, 2016: 3). Until now, regulation has developed on three main levels: internationally through the ILO convention 181, at European level through Directive 2008/104/EC and at the national level through different national regulations and laws for the implementation of the European directive. National laws vary greatly, but we can define two main mechanisms of LMI regulation: 1) the registration systems *"require businesses to register with a public authority before starting to operate their business. They often serve as a registry of the amount and kind of businesses that provide goods and services"* (Eurofound, 2016: 9); 2) the licensing system *"refers to a mandatory (sometimes voluntary) certificate or authorisation from a public or private authority. Licenses to operate a business such as an LMI are often monitored. Licensing standards, which can cover health and safety, accommodation, pay, transport and training, as well as compliance with national tax regimes, are checked through inspections. Licensing might need renewal on a regular basis or become indefinite after a business has operated for a number of years"* (Eurofound, 2016:9).

As regards the national context, Italy falls within a legislator-driven environment marked by high regulation: it is characterised by a regulation system based on specific requirements, such as *"adequate professional skills"* and minimum financial guarantees, within a general trend towards specific regulation and control. Some very interesting considerations can be deduced from the conversation I had with the Supervision and Control Directorate General of the National Labour Inspectorate (NLI) in January 2020. During this conversation, I had the opportunity to go deeper into the complex world of employment agencies

regulation and sanctioning in Italy. The first relevant data is the timing of the phenomenon: if until 2012 the existence of these agencies took place almost exclusively in Northern Italy, in recent years we have witnessed the birth of a new national market share with a labour cost reduction of 30%. In all cases, we should always consider that the National Labour Inspectorate deals with irregular agencies, namely with subjects operating outside of the legal framework, and deals only with national or at least interregional complaints. The conversation I had with NLI officers has been very helpful in better defining the most relevant law-breaking practices of agencies in general and within the specific reality of domestic work. As regards agency actions in general, NLI officers state that one of the most widespread irregular practices is the so-called contractual dumping, namely the noncompliance with basic working conditions set by union benchmark contracts. Other common offences are the lack of registration in the national list of employment agencies -which is a concrete violation of the Italian regulatory system, and the application of false contracts by which intermediaries do not exercise a real control over their workers. Another widespread practice is the so-called “letter box companies,” namely agencies owned by Italians with a head office in another European country that have lower contributory systems, but are actually operating in Italy and practicing contributory dumping. In all the previous cases, the offence concerns subcontracts, without addressing the particular employment condition of workers. However, despite being quite general and focusing on the broad spectrum of employment agencies, these testimonials help to shed some light on these new economic actors. Focusing on the functioning of the Italian registration system, the NLI officers state that the main problem is non-compliance with current requirements: each agency, in fact, needs to be registered in the ANPAL⁸ list, and present self-certifications on financial, spatial and organizational requirements. ANPAL itself proceeds with controls within two years from the accreditation time and, if the inspectors certify some offences or lacking conditions, the agency is banned from the national list, but this does not mean that the same illegitimate agency automatically runs out of business since they often are able to operate and act in an even more illicit condition.

As specifically regards domestic workers, the Inspectorate's activity mainly concerns the possibility of paying recoveries based on workers contractual frameworks. While focusing on the main motivations pushing towards the increasing presence of agencies in this working sector, we must consider that, according to the NLI, families and workers are the most vulnerable actors within the triangular employment relation structured by agency intermediation. From the household point of view, in fact, contacting an agency provides a semblance of greater reliability, but market competition between LMIs often contributes to the enhancement of irregular practices. Moreover, families often lack the necessary information on the agencies they choose, usually relying on cost reduction as their choice criterion. Another relevant issue is the extremely complicated regulation of domestic work, the interpretation of which can be fundamental for

⁸ National Agency for Active Employment Policies

employers regarding agency brokering. In addition, contacting an agency guarantees the management of the possible absence of the caregiver or housekeeper, with the agency itself working to find a replacement.

On the workers' side, the NLI states that migrant workers often turn to agencies with less diffidence towards them than towards the State, or because they have no other ways to find a job. Moreover, the Inspectorate relates that, despite the lack of available data, in recent years there has been a formalization of the previously informal networks. This has been proven by the multiplication of agencies - though some criticalities remain. On the one hand, migrant workers necessarily show trust towards the agency due to their vulnerability, on the other hand, agencies are often able to escape controls within a still emergent market.

According to NLI statements, the ongoing reality of domestic work agencies appears quite complex: if it is true that legal agencies may help domestic workers to improve their working conditions, the current reality testifies the huge importance of illegal actors, without effective ameliorations for the domestic workers' conditions. One of the most relevant issues regard legal loopholes to be blocked: the inspectorate carries out downstream control activities, but the penalties in these cases have a relative impact. As for domestic worker's employment conditions, the most common irregularities concern levies and the stabilization of employment contracts, but workers often fear the inspectorate because of the lack of suitable alternatives such as an efficient and legal labour market. A deterrent could be the configuration of criminal offenses (for instance exploitation, fraud) but in these cases, the problem of difficult case classification emerges clearly. Furthermore, the judicial activity is hardly perfect because the cases are too many or difficult to investigate, or because the criminal cases are too serious and difficult to prove. To summarize, the main problem to be tackled according to the NLI, is related to cost sustainability for families: in a triangular employment relationship, in fact, the agency appears to be the strong subject, while workers and families are the vulnerable actors. Agencies, in fact, can easily set the functioning conditions of brokered domestic work, worsening both employment and working conditions of workers in the constant attempt to lower labour costs. Therefore, there is surely a lack of vigilance over the progressive erosion of public welfare in favour of privatized welfare.

Meso-level actors may interact in a very different way with other macro, meso and micro regimes according to different national contexts, enhancing or rather, countering the formal recognition of domestic work. These agencies may act, for instance, as drivers of care marketization (Berndt, Chau et al.2017), structuring also other aspects of domestic work organization and functioning. As to domestic worker professionalization, Souralová's analysis of placement agencies in the Czech childcare system (in Marchetti, Triandafyllidou, 2015: 5) detects some of the main changes that LMIs are generating in domestic work organization: *"Agencies do not simply commodify the performance of the childcare itself, but above all allow care recipients to outsource the whole procedure of caregiving, which includes the selection of nannies, the*

definition of their traits as well as logistics during caregiving" (2017: 152). Souralová talks about double commodification, including both the process of the recognition of domestic work following the employment logic of a professional relationship, and the trend of agencies to sell very customised types of care. These peculiar LMIs, in fact, insist on the concept of qualified care as a very particularly distinctive trait from other kinds of care provision, targeting the recognition of a more formal dimension of domestic work. This, of course, reshapes the same conceptualisation of domestic work, considering that this new qualified care is no longer conceived as a "natural" female aptitude, but rather as formal employment based on specific qualifications and soft skills that, nevertheless, are often based on women and their having a particular ethnic/racial origin (Souralová, 2015). However, the role of agencies in this working sector has also other implications. One of the main current tendencies for instance, is depersonalisation: *"The professionalism of the care work consists not only in the qualification of nannies and care, but also in the nanny's attitude towards caregiving, to clients and to the child"* (2015:158-159). In other words, the guarantee of reliability and safety that should especially characterize care work is no longer based on the peculiar personal relation between caregiver and care receiver, but on the presence of an external authority. Trust is now established with an agency and not with the domestic worker, and this does not mean that trust is no longer a fundamental trait of domestic work, but rather we can define LMIs as trust intermediaries (Ambrosini, 2013). Another interesting tendency is the shift from being care providers to being care managers (Ambrosini, 2013, 2020). This affects especially Italian women: the assumption is based on the resilience of the process that sees Italian women shift from being the principal provider of unwaged domestic work to becoming the subjects entitled to manage domestic work organization even in its outsourced forms. Domestic work, therefore, is still a female issue: even in the more egalitarian households, women are still the main administrators of care organization, configuring in this way the "mental load" borne exclusively women when dealing with domestic responsibilities (Damamme, Paperman, 2009). If we can thus affirm that employment agencies in this working sector could help to better formalize domestic work, framing it as a "real" employment relation, we should consider some critical issues. Firstly, private employment agencies acting as gatekeepers may impact on the migration infrastructure itself, linking together technologies, institutions and actors that can facilitate and condition mobility (Berndt, Chau *et al.* 2017). After which, the matching process between labour supply and labour demand may naturalize some hierarchical differences in the status and rights of workers, often linked to migration regimes, also brokering ethnic differences between the sending and receiving countries. In addition, agencies providing some forms of training for workers can contribute to the formal recognition of this work as proper work, but on the other hand, these training processes may contribute to recreate differential competences among workers, thus boosting segmentation and fragmentation among domestic workers. The still crucial role of emotional and personal skills has a strong impact also on the individual personality and affects the subjectivity of migrant workers themselves. Training in this sense, may be a vehicle to recreate the ideal migrant worker, who can modify

even some very personal features of his/her character in trying to perfectly embody labour demand needs, as a sort of “technology of the self” (Foucault, 1992) in the attempt to compensate the structural power relations of domestic work in a purely individualistic and personal way. Moreover, employment agencies often act to make the match between supply and demand of domestic workers without questioning the gendered and racialized stereotypes contributing to the structure of the employers’ needs (Bakan, Stasiulis, 1995; Marchetti, Scrinzi, 2014). Simultaneously, the very existence of these agencies seems to be an insufficient condition to the overall improvement of domestic worker conditions: citizenship laws, in this sense, are very relevant. Considering the condition of the juridical irregularity of numerous migrant workers, it is easy to imagine the strong competition that may exist between these migrant workers and the those employed by agencies (Bakan, Stasiulis, 1995; Lutz, 2017; Bettio, Simonazzi, Villa, 2006).

As Cangiano and Walsh (2014) have stated, the same recruitment process seems to be strictly linked to specific migrant statuses, considering that *“the number and the skills of foreign recruits available to employers depend on the degree of openness in immigration systems”* (2014: 375). Different migrant statuses place migrant workers in different economic, working and bargaining positions, with regular and well-established migrant workers who can rely on different recruitment strategies ranging from personal contacts to high-standard employment agencies, and recently-arrived irregular migrants who still have no personal contacts, and often rely on informal recruitment driven by illegal intermediaries. Another problematic issue in this process of workers’ segmentation is also linked to the difficult -if not impossible- recognition of educational degrees obtained in migrants’ countries of origin. This, together with the Italian structural process of extraordinary regularization for undocumented migrants in specific working sector lead non-UE migrants to be segregated into low-skilled and low-paid occupations as domestic work. So, migrant workers’ vulnerability is not only a subjective feature, but it is the direct consequence of an institutional phenomenon: *“the overall structure of such a migratory regime keeps migrants as long as possible in the categories where fewer rights are enshrined and where the protection of such rights is less stable”* (Sciortino, 2004: 124). As highlighted also by Anderson (2012, 2007), the production of different migrant statuses according to the current migration regime has direct consequences in terms of domestic workers’ employment and working conditions, with *“immigration status helping to ‘design’ workers by giving households additional means of control over them”* (Anderson, 2007:261). The State’s production of different statuses perfectly fits a segmented labour market, producing heterogeneous workforce in term of acknowledged skills, protection, working conditions and guarantees, maintaining labour market stratification, and enhancing ethnic inequalities (Cangiano, Walsh, 2014).

The role of agencies in boosting domestic worker segmentation was pointed out also by Farris (2020), who clearly establishes the link between the heterogeneity of agencies and worker segmentation. What emerges from her recent research on care providers in London is that any global city (Sassen, 2016)

foresees various types of domestic arrangements often as a natural consequence of domestic work marketization. Agencies can address rich and wealthy clients or to middle-class families, thus shaping their business strategies, the level of professionalization of their workers, and also the quality of care services they provide. Some agencies refuse to work with newly-arrived migrants and set a lot of requirements which automatically exclude many domestic workers from being selected. Other agencies, instead, focus more on cost containment, allowing also new arrivals and less experienced workers to work with them. This translates not only into great wage differences among workers, but also into different working conditions and quality of care, depending on the quality of employment experienced by the worker. To conclude, even if the LMIs acting within the legal framework and in compliance with employment laws can improve the living and working conditions of domestic workers, some specific features of domestic work remain critical, such as the dimension of intimacy which automatically derives from care activities, but also from the spatial dimension in which this work takes place, namely the home. Employers look for care practices “*which are regulated by hidden principles and organised along axes of power*” (Marchetti, Triandafyllidou, 2015: 4). In other words, domestic work, even when formalised, implies a continuous negotiation between public and private boundaries and the change in social relations structured within the home between the main actors of this kind of work. Can exploitation, oppression, and discrimination within the private dimension of households really be avoided?

Micro level

The micro level of analysis focuses on the group of individuals called “domestic workers” to highlight those individual features that may play a peculiar role in domestic work organization. As the data clearly shows (ILO, 2016; INPS,2018), this is a highly feminized working sector which also involves a strong presence of migrant workers: defining the micro-level dimension of gender and migration regimes appears fundamental to have a complete framework of domestic work.

We can find a strong interconnection between care and gender regimes (Lett 2012; Walby, 2020) which explains the high rates of domestic work feminization. In Lett’s words, gender regime is “*a particular and unique assemblage of relations of sex within a specific documentary, relational, and historical context*” (Lett, 2012: 393). Gender as a social category defines relations between sexes in both private and public spheres, as well as the specific positioning of women and men within these two social spheres. Defining the care regime as a gendered one helps to explain why paid domestic work is strictly linked to the more general idea of domestic work as a natural attribute of women. According to Silvia Federici (2010), the 18th century process of industrialization and the birth of the capitalist system of production replaced the home as the economic unit of production with industries and factories. This process generated a detachment between

social production carried out in the public extra-domestic sphere and the reproduction of everyday life taking place in the private dimension of the home. This separation structured the sexual division of labour identifying the man as the family's breadwinner involved in the extra-domestic sphere of production, and the woman as the housewife totally dedicated to looking after her house and family. But if the man receives a wage to counterbalance his productive work, the woman performs her domestic work for free, as a natural consequence of her being a female. This point is central in Fraser's idea of the contradiction of capital and care, according to which unpaid domestic work - is a "*condition of possibility for sustained capital accumulation*" (Fraser, 2016:100), albeit it has not been historically recognized as real work. Lutz (2007) recalls that the feminist movement in the 1970s demanded real wages for domestic work and greatly claimed it could demonstrate that domestic work is work and not a natural burden of females. Scott's definition (1986) of gender as a historical category of analysis also signifying power differentials is essential in determining domestic work as non-labour carried out in the intimate dimension of the household as a natural feminine vocation, rather than as "real work" in a formal workplace (Triandafyllidou, 2013, Lutz 2007; Tronto, 2013; Anderson, 2001; Williams and Brennan 2012, Parreñas 2001; Bhattacharya, 2018).

If the notion of a gender regime may help to highlight the historical invisibility of domestic work, another stream of literature that better describe the reality of paid domestic work today, is that of studies on migration. The high migrant composition of domestic workers (ILO 2016, Parreñas 2001, Marchetti, 2011; Sassen, 2000) leads me to also consider the particular condition of migrant workers among domestic workers. Some key concepts emerge, such as the international division of reproductive labour (Parreñas, 2001) and the idea that nationality can explain different employment statuses (Williams, 2012, Nelson and Mezzadra, 2014). The first concept refers to the global share of reproductive labour among three main actors: the upper-class of western women delegating their reproductive responsibilities to migrant working women, and lower-class women staying at home to look after the children of migrant women. As concerns the second concept, migration policies and the juridical production of different subjectivities create also different models of workers (Mezzadra, Neilson, 2014; Chignola, Sacchetto, 2017) having access to different employment statuses also in terms of social protection and guarantees. Consider for instance, the economic migrants, refugees, asylum-seekers, illegal migrants and so on, all having different settlement and work conditions in the countries of arrival, and who clearly depend on their peculiar legal status. Recalling William's definition of migration regime (2012) already exposed in the macro-level analysis, we focus here on the specificity of cultural norms and practices shaping relations between majorities and minorities and national-transnational histories⁹, namely the micro-level dimension of the phenomenon. In the overall

⁹ When dealing with cultural norms and interaction processes among national majority and minority, the theme of migration necessarily involves that of racial/ethnic discrimination. I am perfectly aware of the problematic use of the term race nowadays, nevertheless I assert the postcolonial idea of the centrality of race in our society: "*Even if the races do not exist, that is, they are mere representations or ideological-cultural constructions aimed at the domination of the*

context of a feminized labour market, the shortage of care (Zilli, 2018) derived from western women's increasing presence in the productive workforce since the 1970s has caused a consequent feminization of migrations (Castels Miller, 2012; Sassen, 2005; Bettio, 2006). Moreover, this led-by-State juridical production of different migrant statuses increases the segmentation of domestic workers, even though among domestic workers the migrants are the overall majority due to the shortage of indigenous people that *"was a function of the general underfunding of the sector, a lack of career pathways and the negative perceptions of older adult care"* (Cangiano, Walsh, 2014:378). In other words, if among domestic workers the migrant workers are the majority due to the widespread idea of domestic work being a secondary job, different legal statuses produce different "types" of domestic workers which can rely on different recruitment strategies, wage levels and working conditions, responding in this way also to the heterogeneity of domestic work demand.

Gender and migration regimes may therefore help in explaining the peculiar feature of invisibility that characterizes migrant domestic work (the main component of domestic work in general): the concrete invisibility of domestic work performed within the home is reinforced by the juridical invisibility of migrant workers. This dynamic creates different positions for women within domestic work employment relations. Although both employees and employers are generally women acting in the feminized space of the household, they are in very different positions in terms of economic wealth and power (Rollins 1985, Marchetti 2011, Anderson, 2001). Of course, this difference among employers and domestic workers, and the workers' exploitation derived from the multifaceted invisibility they experience are not just suffered by domestic workers, but also 'acted' by them. Workers' agency should not be reduced in its importance: as we will see in the empirical section, domestic workers find their own strategies to survive the exploitation they live and to somehow benefit from it (Marchetti et al, 2021; Rollins, 1985): the same labour informality can be, for instance, a way to ensure the freedom to suddenly escape from an exploitative situation (Anderson, 2007). The concept of intersectionality (Collins 1995; Crenshaw 2002, Mohanty 2012, Davis 2018) appears strongly consistent, and I use it on the basis of Crenshaw's classical definition: *"Consider an analogy to traffic in an intersection, coming and going in all four directions. Discrimination, like traffic through an intersection, may flow in one direction, and it may flow in another. If an accident happens in an intersection, it can be caused by cars traveling from any number of directions and, sometimes, from all of them. Similarly, if a Black woman is harmed because she is in the intersection, her injury could result from sex discrimination or race discrimination"* (Crenshaw, 1989:149). The concept of intersectionality as a simultaneous effect of different axes of discrimination seems essential also in defining Acker's idea of inequality regimes (2006) or *"the*

inferiorized groups, and despite the definitive defeat and scientific delegitimization of the biologist idea of race which occurred at the end of the WWII, we are still struggling with the symbolic, psychological and material effects of its secular and tragic history on the social fabric." (Curcio, Mellino, 2012:11, translated by me). I will use thus use the expression "racial/ethnic discrimination," because *"racial and ethnic identities cannot be understood as two different forms of identity. In today's global coloniality we need to understand that identities operate as both "racialized ethnicities" and "ethnicized races"* (Grosfoguel, 2004: 332).

interlocked practices and processes that result in continuing inequalities in all work organization” (Acker, 2006: 441). Although her peculiar analysis concerns the work organization of companies, it is of key importance in translating a very theoretical concept such as intersectionality into a more concrete and material framework. Moreover, Acker pays attention to the related concept of invisibility of inequality, which perfectly applies also to the different position of privilege played by native and migrant women within domestic work dynamics.

1.3 The statistical dimension of domestic work

After describing the overall context that has made domestic work the most relevant component of care organization in Italy, together with the theoretical regimes involved in my definition and understanding of current day domestic work, we can now give a statistical description of the phenomenon being examined. The theme of paid domestic work represents a central issue in our society, both in quantitative and qualitative terms. As regards its quantitative relevance, the employment rate in this peculiar economic activity is a necessary indicator of the overall economic scenario. The International Labour Organization (2021) states that in 2019, 75.6 million men and women were employed as domestic workers worldwide and that domestic work in the same year accounted for 4.5% of women employment worldwide (ILO, 2021: xviii). The overall emerging framework at global level testifies that domestic work is a highly feminized activity, with women representing the 76.2% of all domestic workers worldwide (ILO, 2021:12). As concerns migrant domestic workers, there were 11.5 million in 2013 (ILO, 2016). From a more qualitative point of view, this working sector frames our everyday life, especially in western societies marked by the strong process of ageing populations and the increase in the female workforce rate (Zilli, 2018; Gallotti, 2009; ILO 2016). ILO itself defines domestic workers as a “difficult-to-cover” group (2016), considering that 90% of them are excluded from social protection, which is one of the main problems that has emerged in this study.

To have a clearer idea of the phenomenon, we have included some useful data. Firstly, we have to explain how data is collected in this field of study. According to the ILO statistical report on domestic work (2013), we can rely on four main analytical methods for the collection of domestic work data. The first is the International Standard Classification of Occupation (ISCO-88), which is task-based and, therefore problematic for the difficult definition of domestic worker tasks (as we explain later). The second is the status-in-employment approach (ICSE-93) based on the type of worker’s explicit or implicit contract of employment with other persons or organizations. The main problem here is that it is not so easy to distinguish between domestic workers and other workers. The third is the Household-roster approach, which notes down the relationship of each household member to the household head, but it does not account for live-out domestic workers. The last is the Industry-based approach (ISIC), which groups domestic work into Section T (Revision 4), accounting for “Activities of private households as employers of domestic staff.” ILO uses the industry-

based approach, thus section T of the ISIC classification, based on the only common characteristic of domestic workers, namely working in or for a household. Domestic workers deployed by an agency to a private household are often included in this division because of the lack of a suitable alternative category. This seems to be the more useful approach, even if a specific focus on providers is still lacking. In reporting data, we should consider that the ISIC is an international codification elaborated by the United Nations, and is translated into the NACE¹⁰ classification by the European Union and into the ATECO¹¹ classification by ISTAT in Italy. These are all industry-based classification methods.

Table 3- Employment by sex and economic activity in the T sector of NACE classification (thousands)

Males:

| | 2017 | 2018 | 2019 ¹² |
|----------------|------|------|--------------------|
| Germany | 10.0 | 9.2 | 10.8 |
| Spain | 75.2 | 71.5 | 71.3 |
| France | 30.5 | 28.2 | 30.9 |
| Italy | 92.5 | 90.9 | 84.9 |
| Netherlands | : | : | 1.8 |
| United Kingdom | 16.8 | 13.0 | 10.1 |

Females:

| | 2017 | 2018 | 2019 |
|----------------|-------|-------|-------|
| Germany | 191.4 | 182.6 | 178.0 |
| Spain | 544.4 | 543.0 | 508.9 |
| France | 238.5 | 283.1 | 283.6 |
| Italy | 637.4 | 636.4 | 615.5 |
| Netherlands | 7.0 | 9.9 | 9.3 |
| United Kingdom | 33.9 | 31.9 | 29.2 |

Source: EUROSTAT

The previous data refer to both employees and self-employed domestic workers, thus including the two major forms of employment in this sector; moreover, they include all workers from 15 to 64 years. I selected these countries to account for different welfare regimes (Esping-Andersen, 1990). As we can see, the Italian data testifies to a strong presence of women among domestic workers, while data comparison

¹⁰ *Nomenclature statistique des activités économiques dans la Communauté européenne*, namely Statistical classification of economic activities in the European Community.

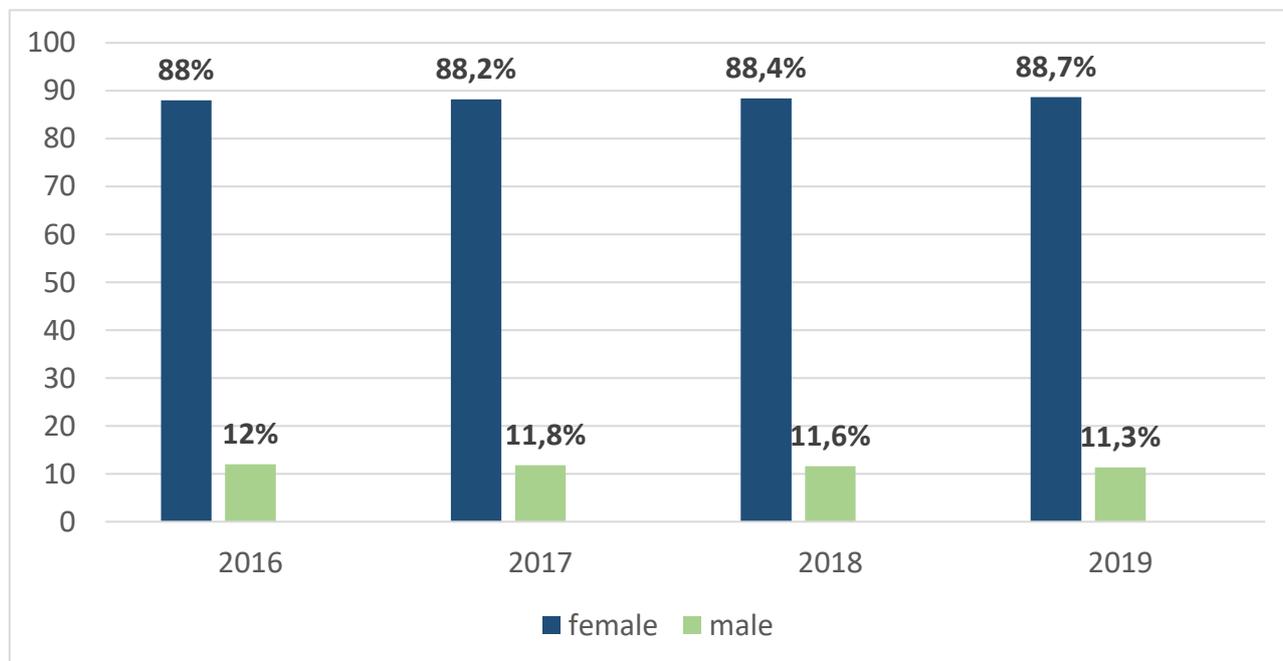
¹¹ *Attività Economiche*, namely Economic Activities.

¹² I did not insert the 2020 data, since it is an exceptional year for the strong impact of the Covid-19 pandemic on overall employment and particularly on domestic work. I will better deal with this issue in Chapter 5, entirely dedicated to Covid-19.

highlights that the major number of workers employed in section T of the NACE classification is registered in Italy and Spain.

Focusing more on Italy, the data of the INPS¹³ confirms the high rates of labour feminization in this sector:

Figure 2- Workers by sex and year



Source: INPS

When dealing with INPS data we should always consider that they refer only to formal employment. Therefore, in 2019, among the total regular domestic workers in Italy, 88.7% were female and only 11.3% were male. Going deeper into the analysis of male domestic workers, it is interesting to note that after the 2012 extraordinary regularization process for irregular migrant workers there has been a decrease of the male component. *“However, this can be traced back to the extensive use of the regularization of 2012 by male domestic workers who subsequently - once the Residence Permit was obtained - changed sectors.”* (DOMINA, 2021: 67, translated by me). While affirming this, it is important to remember that among male domestic workers, migrant workers in 2019 were 75.4%, being certainly the absolute majority among male domestic workers. As such, the role of domestic work as an “entry-level job” is strictly affected by the gender dimension. Male migrant workers seem more likely to exit from domestic work after having obtained the residence permit, while female migrant workers often continue to work in this sector over the years, also given their peculiar migration process which - especially for eastern European female workers - is often grounded on single-member emigration, without family reunification.

¹³ INPS: Istituto Nazionale di Previdenza Sociale, i. e. National Social Insurance Agency.

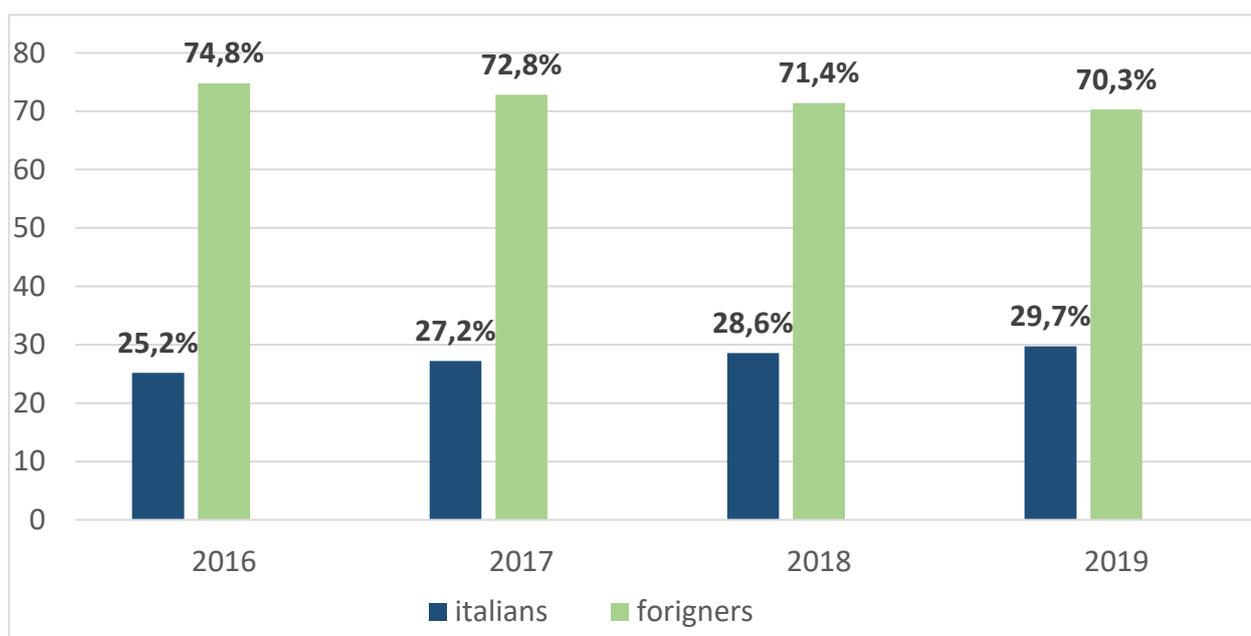
Table 4- Focus on male domestic workers (2019)

| | Male domestic workers | 2012-2019 variation (%) | Male incidence (%) |
|--------------|-----------------------|-------------------------|--------------------|
| Caregivers | 31,679 | -19.9% | 7.8% |
| Housekeepers | 63,933 | -58.0% | 14.5 % |
| Total | 95,662 | -50.2% | 11.3% |

Source: DOMINA, 2021

Also, the strong role of migrant domestic workers seems to be confirmed by INPS's data on Italy:

Figure 3- Workers by nationality and by years



Source: INPS

Upon crossing data by sex and nationality, it emerges that since 2016 there has been a decrease in foreign-born domestic workers and a simultaneous increase in the Italian component, but if we consider that INPS data regard only the regular part of domestic workers, this trend may be explained by an increase of irregular workers in recent years (DOMINA, 2019).

In the description of the typical domestic worker today, the issue of defining her¹⁴ specific task still remains open. The distinct private dimension of this sector creates many obstacles in determining specific

¹⁴ Given the incredibly high rate of domestic work feminization, I will always use the generic female.

tasks. Generally, we can distinguish between caregivers - or people assigned to look after children, elderly people or non self-sufficient people - and housekeepers - or people that should take care of the house, cleaning and tidying, cooking, laundry, ironing, taking care of the garden and family pets. We can find different profiles of domestic workers, differently regulated by national labour laws also on the basis of the required levels of skills. In any case, the reality differs greatly from the theoretical definition: as the ILO (2016) and other scholars (Rollins 1985, Marchetti 2011, Anderson 2001) state, there are often cases in which a domestic worker is hired as a caregiver and has to also perform other tasks. The intimate dimension of the household and the close relationships between employers and employees often contribute to nourishing this reality. Generally, caregivers are hired with a specific contractual level but later are expected to do also other tasks (often linked to housekeeping and cleaning), because of the presumed familiar ties between the worker and the family members. As regards housekeepers, this is less frequent, since they are hired directly to do the housekeeping without being required to possess that peculiar emotional and soft skills characteristic of caregiving. Even in this case, the number of tasks carried out by housekeepers may increase over time, becoming vague and leading to less defined working times. This is clearly determined by the intimate dimension of domestic work and the lack of authority controls within private households, thus constituting one of the main difficulties in the analysis, description, and regulation of domestic work.

Table 5- Domestic workers by nationality and employment relationship (thousands)

| 2019 | | | | |
|------------------|-------------|-------------|---------------|-------------|
| | Caregivers | Housek. | Not divisible | TOTAL |
| | No. workers | No. workers | No. workers | No. workers |
| Italy | 106,652 | 148,270 | 48 | 254,970 |
| Western Europe | 1,052 | 1,884 | - | 2,937 |
| Eastern Europe | 214,018 | 134,413 | 233 | 348,664 |
| Northern America | 26 | 97 | - | 123 |
| Central America | 7,473 | 7,600 | 6 | 15,079 |
| Southern America | 27,302 | 31,726 | 7 | 59,035 |
| Middle East | 9,865 | 3,202 | - | 13,069 |
| Philippines | 10,229 | 56,917 | 260 | 67,406 |
| Eastern Asia | 12,547 | 12,547 | 10 | 45,740 |

| | | | | |
|-------------------------|---------|---------|-----|---------|
| Northern Africa | 15,366 | 14,727 | 9 | 30,102 |
| Central-Southern Africa | 6,203 | 12,735 | 15 | 18,953 |
| Oceania | 43 | 72 | - | 115 |
| Not divisible | (*) | (*) | (*) | (*) |
| TOTAL | 410,776 | 444,826 | 591 | 856,193 |

Source: INPS

DOMINA, the National Association of Domestic Work Employers, provides other very interesting data, giving a clearer statistical picture of the main trends of domestic work. Firstly, it is interesting to note the slow increase of caregivers (48% in 2019): even if housekeepers are still the majority of regular domestic workers (52% in 2019), they are decreasing. This trend seems to confirm the central social relevance of caregiving with respect to housekeeping: even in periods of economic recession, in fact, elderly- and child-care appear more as a necessity than a luxury. While housekeeping may be an unnecessary good, caregiving is essential in maintaining and enhancing the participation of female workers.

Table 6- 2012-2019 Domestic workers by type of employment relationship

| | Housekeepers | Caregivers |
|---------------------|--------------|------------|
| 2012-2019 variation | -32.1% | + 11.5% |

Source: DOMINA

Other relevant data concerns worker distribution according to different contractual levels: as clearly emerges from the DOMINA report (2021), a higher percentage of domestic workers are detected in level A (19.3%), level B (31.2%) and level C super (24.6%). As we can notice, the overall annual spending of households increases with the increase of the contractual level.

Table 7- Domestic workers according to contractual level

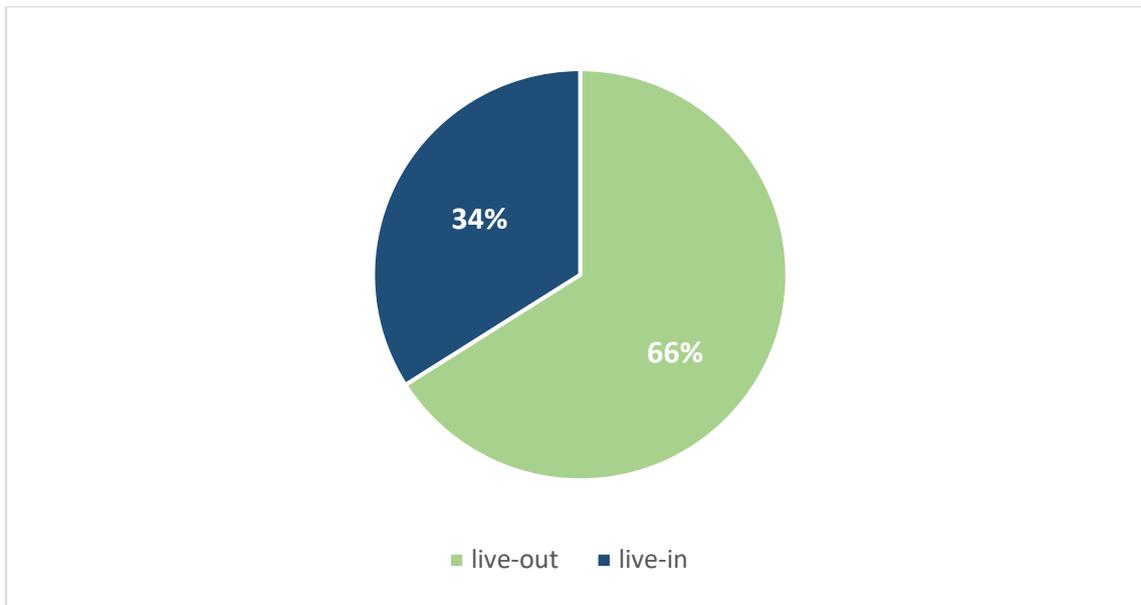
| | Workers percentage | Annual spending |
|--|--------------------|-----------------|
| Level A | 19.3% | 5,233 € |
| Level A Super | 4.4% | 7,274 € |
| Level B | 31.2% | 6,877 € |
| Level B Super | 18.2% | 10,067 € |
| Level C | 0.3% | 20,216 € |
| Level C Super | 24.6% | 11,795 € |
| Level D | 0.4% | 16,457 € |
| Level D Super | 1.0% | 12,260 € |
| Night Assistance | 0.3% | 14,597 € |
| Night Presence | 0.3% | 9,316 € |
| | 100% | |
| Percentage of families paying in advance for Christmas Bonus | 15.7% | |

Source: DOMINA, 2021

As we will see later, the issue of the workers' contractual level is a crucial one, given the common practice of demotion, namely hiring a worker in a lower level with respect to the tasks he/she effectively performs. The private dimension of the household and the intimate relationships existing with workers often problematize the clear definition of workers' tasks and, thus the right contractual levels.

The latest version of the DOMINA report (2021), besides offering very interesting elaborations grounded on the INPS dataset, also includes some relevant and difficult-to-find statistics on domestic work employers. For instance, it appears interesting to go deeper into domestic workers' contractual situations, to detect whether families and workers prefer live-in or live-out forms of domestic work:

Figure 4- Live in/live out distribution in 2019

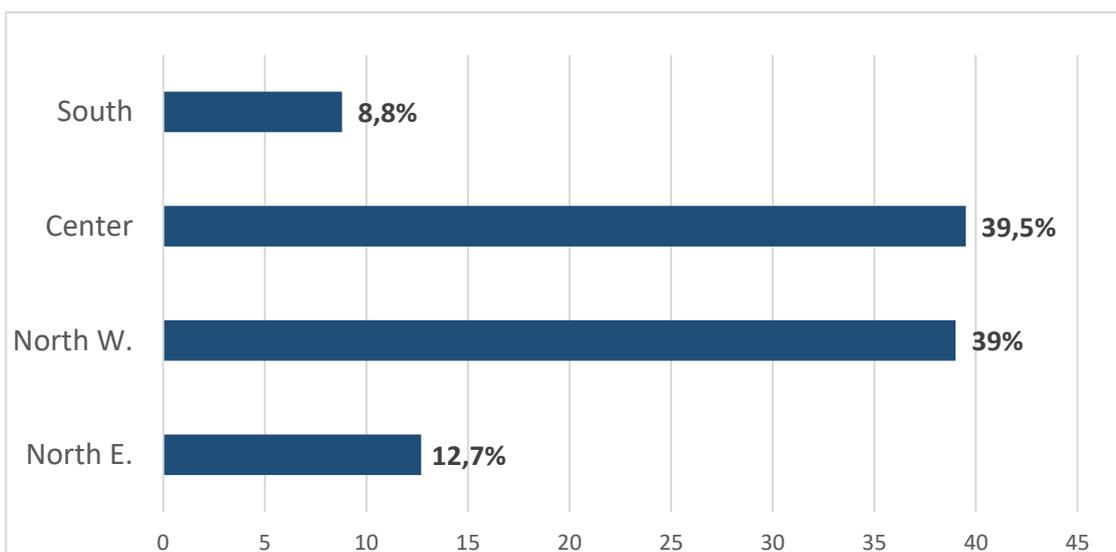


Source: DOMINA, 2021

Among live-in workers, Italians comprise only 9%, while they represent the 23% of live-out workers. Italian domestic workers clearly prefer to be live-out workers, a more appealing arrangement considering that Italian workers have higher chances to also take care of their own family. On the other hand, migrant domestic workers, especially Eastern European women, often live without their family members.

Data on the territorial distribution of domestic work employers, in relation only to the regular component of workers, may be relevant in detecting the trends of irregular employment:

Figure 5- Employer distribution by region (2019)

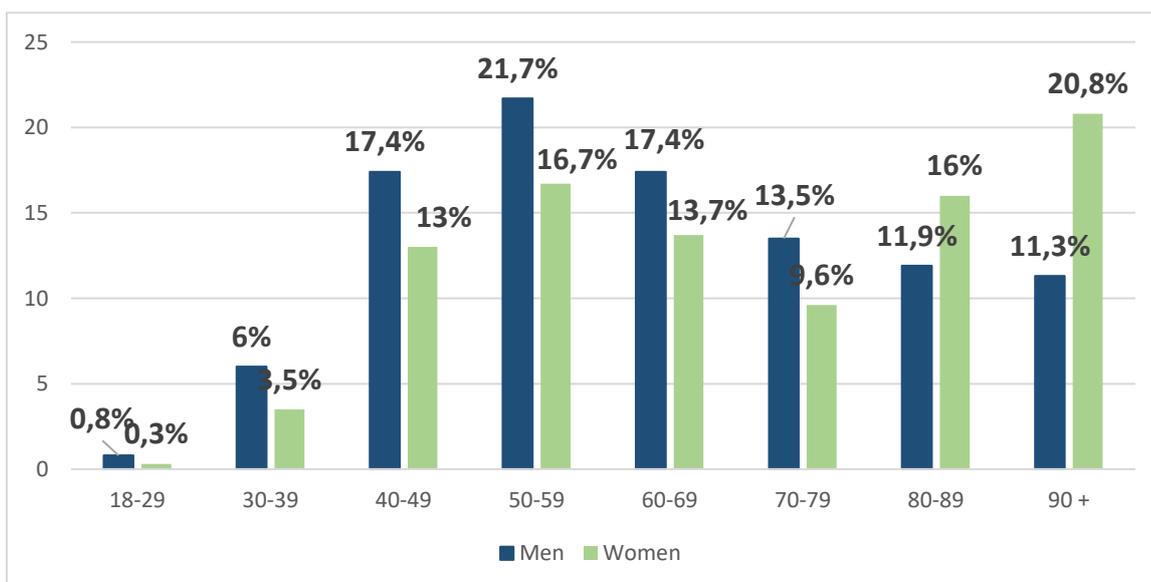


Source: INPS, 2020

The greater concentration of domestic work employers is registered in Northern Italy, with the North East and North West representing altogether 51.7% of the total; whereas Southern Italy seems to be still far from average percentages, given the higher rate of female unemployment (creating less demand for waged domestic workers), but also with higher rates of domestic labour informality (Insarauto, Mastripiro, 2020). The existing regional differences impacting on the territorial organization of domestic work are due, according to Pruna, to *“regional patterns of female labour market participation”*. Once again, the strong nexus between domestic work organization and employment/welfare regimes in a gendered perspective comes out. In Pruna’s words: *“What sets us apart is rather a labour market in which employment is lower, both quantitatively and qualitatively, especially for women and particularly for the less educated, who have very high inactivity rates. But what characterizes us in an even more specific way is the persistent fracture between North and South, still extremely large for the female component”* (2018:3). In Southern regions with higher female inactivity rates and less public services, thus, Italian women are still engaged in the provision of unwaged domestic labour, or even they are directly engaged in waged domestic labour to counter unemployment. In Northern regions with more working opportunities for women, migrant domestic workers are a necessary subject to let Italian women work in other sectors.

Another interesting aspect is the description of domestic work employers at national level, reflecting different life expectations for men and women in Italy:

Figure 6- Domestic work employers by sex and age (2019)



Source: INPS, 2020.

To conclude this statistical description of the phenomenon, we need to mention the problems that arise when trying to give a statistical dimension to domestic workers employed by or through employment agencies. ILO itself (2021) emphasizes the existing limitations:

“However, concerns have been raised about the growing role of unscrupulous employment agencies, informal labour intermediaries and other operators acting outside the legal and regulatory framework, which prey especially on low-skilled workers. Expanding statistical methods to account more accurately for the number of domestic workers working through service providers can help to develop a more precise understanding and analysis of the situation of these domestic workers. Owing to a lack of data for a substantial number of countries, it was not possible to conduct a full estimate using this method” (ILO, 2021: 21).

Besides pointing out that the States should systematically record and report the effective share of domestic workers hired through these operators, the ILO provides for partial estimates on personal and household services, relying on the European Commission’s broad data. According to these, 8 million domestic workers – namely 4% of total employment on average - are employed in personal and household services. Of these, 70% are employed by public or private organizations, while 30% are directly hired by households. Of course, these are overall European data involving differences among countries, but the lack of more precise and detailed statistics prevents us from giving more useful insights. This is one of the reasons I chose a qualitative research approach in dealing with my research theme, but a more quantitative and statistical definition of the role of domestic work providers is certainly needed, as the ILO itself highlights.

Chapter 2. Deepening the legal and regulatory framework of LMIs

This Chapter proceeds with a broad and contextual definition of the main laws and regulations determining the operating procedures of employment agencies, to identify the regulatory system's impact on these intermediaries. The overall aim is to clarify the legal scheme governing the structure, organization and action of agencies, to be compared to the empirical picture emerging from my interview-based qualitative research. This is not a juridical dissertation, and we do not wish to give a punctual and detailed report of all the laws and consequential modifications impacting on this peculiar labour market. Instead, we will describe and clarify the overall logic regulating the functions of agencies and the rights and obligations of domestic workers, focusing at the same time on the most important laws at both international and national levels of analysis. The main concern here is to summarize all the legal actions implemented by international actors such as the International Labour Organization, the European Union, and the Italian State, as compared with the effective and concrete practices and behaviors of intermediaries. In so doing, we dealt with the concrete obstacle represented by the high fragmentation of legal (especially nationally based) measures, also given the high number of modifications realized throughout the years. Consequently, we shall consider two crucial elements. First of all, the introduction and implementation of the LMIs (Autor, 2008) - a recent phenomenon, strictly related to the increasingly important idea of labor flexibility as the core strategy that can enhance employment and cut labor costs, even more so in periods of crisis and recession (Tiraboschi, 2004). The fundament of labor regulation is a highly controversial one, and is strongly affected by the overall economic equilibrium: after countless years of labor market changes and reforms, these LMIs have played and continue to play an essential role within the overall segmentation process of the labour market (Häusermann, Schwander, 2010; Davidsson, Naczyk, 2009). The core political importance of the debate on labour market regulation is directly affected by economic and politically subtle balances that contribute to making this regulatory process increasingly dependent on contextual and specific factors rather than on long-term coherent strategies. If the international legal framework seems to be more fixed and coherent, the national regulation still suffers from government changes and different political priorities (Tiraboschi, 2004, 2006; Garbuio, UMANA, 2020; Sartori, 2018). Secondly, as regards the Italian context, the historical heritage represented by an intense labour protection scheme has been challenged in recent years by the common idea that nowadays work should be more flexible, even if laws and legislations seem to be still incomplete in regulating atypical kinds of work (Häusermann, Schwander, 2010; Garbuio, Umana, 2020). In other words, if the LMIs are increasing their presence within the Italian labor market, legislation is still fragmentary, and needs to be addressed in a more coherent and secure way, without being subject to sudden and unexpected changes.

In trying to overcome the complexity and fragmentation of LMI laws, we have analyzed the regulatory framework starting from the international level, and then moving on to the European and the national levels. We hope, in this way, to recreate a clear setting in which the functioning and practices of both for-profit and not-for-profit agencies can be inserted, better analyzed and evaluated.

2.1 International level

The most important referral for the international legal framework on LMI regulation, is the ILO Convention 181/1997 on Private Employment Agencies. The Convention starts with the explicit list of all the factors pushing towards its adoption, among which we can denote some more important and significant ones, such as *“the importance of flexibility in the functioning of labor markets”* (p. 1), but also the need to protect workers against abuses and promote collective bargaining and social dialogue. Article 1 starts with a fair definition of private employment agencies, that refer to *“any natural or legal person, independent of the public authorities, which provides one or more of the following labour market services”* (p. 1). The included services are of three kinds: a) services for making the match between labour demand and labour supply, without the private employment agencies being a part of the employment relationship; b) services consisting of employment of workers to serve a third party, which assigns tasks and supervises the execution of these tasks; c) other services related to job seeking. Article 2 specifies that the Convention applies to all categories of workers and all branches of economies and, above all, to all private employment agencies, even if member States may exclude some workers’ categories or economic branches without undermining the principle of adequate protection for all the workers, without distinctions. Article 3 recognizes the national State’s authority in choosing between a licensing system or a certification system to determine the operating conditions of private employment agencies. Art. 4 ensures the right to freedom of association and collective bargaining, while Art. 5 establishes the respect of the principle of equal opportunities and treatment for all workers, without any kind of discrimination, which also implies the assurance of special services for disadvantaged workers. Art. 6 ensures the respect of the privacy of workers when agencies deal with their personal data. Art. 7 establishes one of the core principles of the ILO Convention, that of *“not charging directly or indirectly, in whole or in part, any fees or costs to workers”* (p. 6), in accordance with the principle of equal treatment that is core to the whole Convention guidelines. Art. 8 obliges Member States to adopt all the necessary and appropriate measures to ensure the prevention and the adequate repression of fraudulent practices and abuses. Art. 9 forbids child labor, while Art. 10 establishes that national-based competent Authorities shall ensure adequate structures and procedures for the investigation of complaints, alleged abuses and fraudulent practices concerning the activities of Private Employment Agencies. Art. 11 affirms that each Member State shall ensure adequate protection for private employment agency workers as concerns freedom of association, collective bargaining, minimum wages, working hours, statutory social

security benefits, access to training, occupational safety and health, compensation in case of occupational accidents, compensation in case of insolvency and protection of workers' claims, maternity protection and benefits, parental protection and benefits. Art. 12 states that each member shall determine the agencies' responsibilities in relation to all the circumstances mentioned in the previous article. Art. 13 recognizes that each member shall "*formulate, establish and periodically review conditions to promote cooperation between the public employment services and private employment agencies*" (p. 8), thus obliging the private employment agencies to provide for the information required by national authorities. Of course, the competent national authority should make this information publicly available. Art. 14 regards the national implementation of the principles established in the same Convention through national laws, labour inspection services and appropriate penalties in case of violations; Art. 15 affirms that the Convention should not affect the more favourable conditions for workers.

The framework emerging at the international level is therefore an attempt to reconcile the necessity of labour market flexibility with the protection of workers: the core juridical principles guiding Convention 181 regard equal treatment among workers (whether or not hired by private employment agencies), non-discrimination, and the acknowledgement of the central role that private employment agencies may play in a well-functioning labour market. Of course, this is possible only within the legal framework established by the Convention and implemented also at national level by Member States: coherence and consistence between international and national laws and regulations seems to be the key-points to ensure the respect of workers' rights while maximizing also labour flexibility. Another important point of the Convention on this theme, is the identification of two main systems for the regulation of private employment agencies, namely accreditation or licensing: although recognizing the national authority's role in defining the legal status of agencies. The ILO aims at creating a coherent international framework to limit the multiplication or extreme differentiation of laws, in accordance with the general aim of the simplification and synthesis of norms.

2.2 European Level

As concerns the legal intervention to regulate the behavior of private employment agencies at European level, I focused on the main regulatory instrument adopted to ensure the fair functioning of agencies and respect of workers' rights, namely Directive 2008/104/EC of the European Parliament and the Council on temporary agency work¹⁵. As a matter of fact, European institutions, have addressed one of the core social and economic themes of a year strongly marked by the economic crisis, namely that of this specific

¹⁵ With the term temporary work agencies I refer to *agenzie di somministrazione*. The adjective temporary could create some misunderstandings during the translation, because the triangular employment contract actually can be temporary or not in Italy. On the other hand, with the term brokering agencies I refer to *agenzie di intermediazione*. Both of them, together with recruitment agencies constitute the broader notion of employment agencies.

form of atypical work, the role of which increased after the outbreak of the 2008 crisis. The overall aim of this Directive appears to concern the stringent regulation of working conditions for temporary agency workers, focused only on a part of the broader notion of private employment agencies addressed by ILO Convention 181. The Directive starts with the declaration of intent of ensuring compliance with Art. 31 of the Charter of Fundamental Rights of the European Union, affirming that *“every worker has the right to working conditions which respect his or her health, safety and dignity, and to limitation of maximum working hours, to daily and weekly rest periods and to an annual period of paid leave.”* In compliance with ILO Convention 181, the European Directive aims to protect the working conditions’ minimum standard within the new context marked by labour flexibility. The awareness of the need for more labour flexibility, though already clarified by the ILO, is strictly interconnected to security of working conditions through the introduction of the new word flexicurity, *“which strikes a balance between flexibility and security in the labour market and helps both workers and employers to seize the opportunities offered by globalisation,”* and which had been recognized as a common principle by the European Council in 2007. If a more flexible labour market is conceived here as a concrete and useful tool to ensure employment and growth, the Directive also identifies temporary agency work as an important way to solve the problematic contradiction between working and private lives. Flexibility is thus not only a corporate need, but it is depicted also as a worker’s need.

Going straight to the point and postponing reflections and comments on the overall structure and purpose of this Directive, Art.1 concerns the very scope of this normative tool, declaring that it *“applies to workers with a contract of employment or an employment relationship with a temporary-work agency, and who are assigned to user undertakings to work temporarily under their supervision and direction,”* the undertaking being public or private, and engaged in profit or non-profit economic activities. Art. 2 defines the general aim of the Directive:

“to ensure the protection of temporary agency workers and to improve the quality of temporary agency work by ensuring that the principle of equal treatment, expressed in Art. 5, is applied to temporary agency workers, and recognises temporary-work agencies as employers, while taking into account the need to establish a suitable framework for the use of temporary agency work with a view to contributing effectively to the creation of jobs and to the development of flexible forms of working.”

The principle of equal treatment appears to be the main core of this Directive, but is better defined later. Art. 3 gives different relevant definitions, among which we can find that of the temporary work agency, or *“any natural or legal person who, in compliance with national law, concludes employment contracts or employment relationships with temporary agency workers in order to assign them to user undertakings to work temporarily under their supervision and direction.”* Art. 4 establishes that any restriction or prohibition to the use of temporary work agency shall be justified on the ground of the general interest, and specifically to prevent abuses or exploitation of workers. If all the Directives appear guided by the principle of equal

treatment guaranteeing that temporary agency workers shall be treated as other workers, Art. 5 goes further establishing that the basic working and employment conditions of temporary agency workers shall be at least equal to those applied to workers directly recruited by the user undertaking. Moreover, this article specifies that pregnant women and working mothers shall be protected through the implementation of the no discrimination principle, while obliging Members to take appropriate measures in preventing abuses and guaranteeing the adequate level of workers' protection. Aiming to safeguard the workers' transition to typical work, Art. 6 affirms that *"Temporary agency workers shall be informed of any vacant posts in the user undertaking to give them the same opportunity as other workers in that undertaking to find permanent employment."* Member States shall ensure the temporary agency workers' right to information on vacant posts through any action required to not exclude, isolate and discriminate them. This same article incorporates one of the most important provisions of the ILO Convention, namely the prohibition of fees for workers and establishes that *"Temporary-work agencies shall not charge workers any fees in exchange for arranging their recruitment by a user undertaking, or for concluding a contract of employment or an employment relationship with a user undertaking, after carrying out an assignment in that undertaking."* It also promotes dialogue among social partners, specifically regarding temporary agency workers' training, to enhance workers' employability and career development. Art. 7 states that Member States shall define conditions to calculate the threshold of temporary agency workers above which bodies representing workers (which are provided for under Community and national law and collective agreements) are to be formed in the user undertaking. This process shall be equal to the one implemented for workers directly employed for the same period of time by the user undertaking. Art. 8 establishes that the user undertaking must provide information on the use of temporary agency work when providing general information on workers in that undertaking to bodies representing workers. To conclude, among the final provisions provided by Art. 9 to Art. 11, it may be useful to remember that the implementation of the Directive does not justify any reduction in the general level of workers' protection, given that the same Directive establishes only minimum standards, and that Member States shall implement the Directive at national level through adequate administrative or judicial procedures that also determine effective, proportionate and dissuasive penalties in case of noncompliance with this Directive.

The emerging framework is strictly linked to the ILO Convention principles: they both start with the recognition of the central role of equal treatment, establishing the centrality of working flexibility in a changed labour market, while ensuring protection for workers. The introduction of the flexicurity concept at the European level is crucial, going further beyond the ILO general formulation, and summarizing this dual dimension of the renewed labour market in a single word. Furthermore, the no discrimination principle clearly emerges from the European regulatory frame, to be intended not only as equal treatment between workers employed through agencies and those directly hired according to national labour legislation, but even as equal treatment among temporary agency workers with regard to gender discrimination for example.

According to this same core principle, the Directive adopts the ILO prohibition of fees for workers because it would represent another example of different and unfair treatment for temporary agency workers. The overall purpose of both these regulatory instruments seems to be that of preventing abuses and hierarchical segmentation of the labour force within Member States, preventing firms and user undertakings from using this kind of atypical work to worsen working and employment conditions for all the workers through an insane form of internal competition. The Directive, in fact, appears even more precise than the ILO Convention in stating that temporary agency work should not limit workers to obtaining a permanent employment, as clearly emerges from Art. 6. Nevertheless, the most important conceptual change we can note in the Directive with respect to the ILO Convention is that, if the latter starts from the acknowledgment of the importance of flexibility in the functioning of labour markets, the former decline this crucial theme not only on a company's perspective, but also on that of workers, stating that flexibility can be defined as a worker's need in the light of a changed and deeply different labour market affected by both economic and productive transformations.

2.3 National level

As concerns Italy, the national legislator has dealt with the issue of labour flexibility and atypical protection of workers even before the adoption of European Directive 2008/104. Despite the reform's attempt starting 1997 with the so-called "*Pacchetto Treu*," the central legal intervention on the issue of employment agencies in Italy is Legislative Decree 276/2003, namely the legal implementation of the previous national Law 30/2003, the so-called "*Legge Biagi*." This national law started with the recognition of the urgency to renew and reform the Italian labour market, delegating to the Italian government the adoption of measures necessary to "*create an effective and consistent system of tools aimed at guaranteeing transparency and efficiency to the labour market and improvement of the professional integration skills of the unemployed and of those looking for a first job, with particular regard to women and young people.*" Nevertheless, the general legal structure regulating this central issue has not been coherently developed by the Italian legislator. Over the years, there has been an ongoing process of reform and modification through laws and decrees that often contradicted each other. This seems to be due to regulating dynamics that directly impact on social organization itself. As laws and regulations implemented according to a top-down logic, have been able to question the existing social order, these have often created fractures and tension that may have also affected the political equilibrium (Tiraboschi, 2004, 2006). This means that different governments relying on the balances of different parties have adopted different behaviors on labour market regulation, often depending more on consensus seeking strategies than on coherent and structured policy implementation (Garbuio, UMANA, 2020). What emerges from the systematic comparison between the various reforms adopted over the years is an attempt to radically modify the existing labour market

equilibrium and structure, while simultaneously preserving and maintaining the social order, guaranteeing also political consensus. Moreover, we should take into account the particular history of Italian labour regulation, strongly affected by class mobilizations especially in the 1960s and 1970s, which led to the adoption of extremely protective measures and guarantees for workers, starting from the 1970 Statute of Workers. Within this particular national context in which unions have also played their essential role, the transformation of the internal labour market through more flexible and deregulated arrangements has not been a straightforward or painless process, but rather a wavering and problematic one, often leading to increased segmentation and differences among workers (Häusermann, Schwander, 2010; Davidsson, Naczyk, 2009; Tiraboschi 2006; Garbuio, UMANA 2020).

Starting with the Legislative Decree 276/2003, Article 2 begins with a list of definitions of the main concepts structuring legislative innovations and mirroring also the ILO Convention; some are useful to mention here, while defining the main types of agencies involved in this research. The temporary work agency contract is defined as *“the contract concerning the professional supply of manpower, for an indefinite or temporary contract.”* Agency brokerage is identified as *“the activity of mediation between job supply and demand, also in relation to the work placement of disabled people and groups of disadvantaged workers.”*¹⁶ This includes tasks going from the collection of potential workers’ curricula to the establishment of the relative database, from the execution of all communications resulting from the hires taking place following brokering activities, to the planning and delivery of training activities aimed at job placement. To conclude, the screening and recruitment of staff by agencies consist of *“management consulting activities that resolve a specific need of client organization, through the identification of suitable candidates to hold one or more job positions within the organization itself, on specific assignment of the same organization.”* These agencies have different tasks such as the identification and definition of the needs of the client organization; definition of the competence and capacity profile of the ideal candidacy; the planning and implementation of the research program for applications through a plurality of recruitment channels. I shall avoid inserting here the normative definition of agencies for professional relocation support, because they are not relevant or significant in this research.

Following these essential definitions, the decree describes its own priorities and purposes in Art. 3. After underlining that legal innovations aim to guarantee transparency and efficiency of the Italian labour market with a particular focus on professional integration of the unemployed, the Article defines the existence of a single authorization regime for subjects who perform all the activities described in Art. 2. Taking into account the ILO Convention, the national legislator opts for an accreditation system rather than a licensing one, dedicating the entire second part of the decree to a detailed description of the chosen

¹⁶ Translated by me from the original Italian version. All the following translations of Italian laws and regulations are made by myself.

procedure. Trying to summarize the main points that can help to identifying how this system functions, Art. 4 establishes the creation of a special register at the Ministry of Labour in which employment agencies must be enlisted, and which is divided into five sections based on the type of services offered. The Ministry of Labour itself issues a provisional authorization within 60 days from the request, and after verifying the existence of the necessary legal and financial prerequisites. After two years, the authorized subjects can request an authorization for an indefinite period, released by the Ministry of Labour within 90 days following the request, and subject to the verification of compliance with legal obligations based on criteria defined by the Ministry itself. As concerns juridical and financial prerequisites, they vary according to the type of services offered by agencies, nevertheless all types of employment agencies should be accepted in the form of a corporation, or cooperative, or consortium of cooperatives. These particular prerequisites concern different aspects like having a head office in Italy or in other Member States, and offices suitable for specific uses and adequate professional skills. They must not have criminal convictions, and guarantee respect for the privacy of workers while processing their personal data. Financial prerequisites strictly vary based on the offered services, with the acquisition of paid-up capital ranging from € 25,000 for recruitment agencies, and up to € 600,000 for temporary work agencies. Moreover, agencies shall guarantee the regular contribution to funds for training and income integration (when required), and the regular payment of social security and welfare contributions. In the same section, the legislator provides a list of special subjects to authorize, among which we can find comparatively more representative employers' and workers' associations, fiscal assistance centers, bilateral bodies and not-for-profit associations, and the National Roll of Labour Consultants. Moreover, regions are authorized to define their own accreditation procedures, through which they recognize the suitability of a public or private operator to provide employment services in the relevant regional area, through the help of public resources. As Borelli clearly states (2020), within the Italian reality of Long-Term Care service providers, it is quite important to distinguish between authorization and accreditation. While authorization – relying on central and government control - sets the minimum standards that any private personal service provider shall accomplish if it wants to operate in this business, accreditation - recognized by Regions and Municipalities - is necessary to provide services on behalf of public institutions. Furthermore, accreditation can be liberalized, when it is recognized to any provider that satisfies specific requirements beyond those needed for authorization (as in the case of Lombardia), or it can be closed, when released only on the basis of the effective regional demand for services. Therefore, the main difference is that authorized providers can work only with private customers, whereas accredited agencies can take part in public tenders to provide social services on behalf of the public authority, in line with the ongoing process of privatization and outsourcing of welfare. As we will see, the latter can simultaneously work also with private customers, pursuing a profitable “double track.”

Along these lines, Decree 276/2003 prohibits all communications by any means, relating to services performed by unauthorized or not-accredited subjects, and also establishes that all agency communications

must include the details of the authorization or accreditation provision. Moreover, Art. 10 establishes the prohibition of any form of investigation, data processing or preselection of workers even with their consent, while Art. 11 implements one of the most important measures of the ILO convention and the European Directive, explicitly prohibiting authorized or accredited agencies from receiving compensation from the worker, whether directly or indirectly. Also Art. 14 establishes that not-for-profit agencies can enter into agreements with comparatively more representative trade unions and employers' associations, in order to favor the job placement of disadvantaged and disabled workers. Obviously, these agreements must indicate the companies' methods of adhesion, the criteria for identifying disadvantaged workers, and the methods for the certification of the overall value of the work annually conferred by each enterprise in relation to the number of disadvantaged workers.

The last relevant part of Legislative Decree 276/2003 regulates the sanctioning regime, which was subsequently modified and continues to be a hotly debated topic. Initially, Articles 18 and 19 provided for both administrative and criminal sanctions. As regards unauthorized temporary work agencies, in fact, the penalty was the payment of 50 € for each worker and for each working day, while abusive brokerage, was sanctioned by up to 6 months imprisonment and the payment of a fine ranging from 1,500 to 7,500 €. For unauthorized recruitment agencies, the fine ranged from 750 € to 3,750 €. Moreover, the user that relies on unauthorized temporary work agencies was (and still is) required to pay the fine of 50 € for each worker and for each working day. The agencies receiving remuneration from workers are subject to fines ranging from 2,500 € to 6,000 €, in addition to the cancellation from the national register. The decree provided for the two crimes of irregular agency work and fraudulent agency work: according to Article 27, in the case of irregular temporary agency work, namely when the contract does not comply with the conditions of lawfulness provided for in Articles 20 and 21, the worker can apply to the judge to obtain "*the establishment of an employment relationship for the user, effective from the start of the agency work contract.*" Article 28 instead, defined fraudulent agency work: "*when agency work is put in place with the specific purpose of circumventing mandatory provisions of law or collective labor agreements applied to the worker, the agency and user are punished with a fine of 20 € for each worker involved and for each day of administration.*"

Even publishers, directors, and managers of sites on which advertisements relating to unauthorized or accredited agencies are published, are punished with fines ranging from 4,000 € to 12,000 €. Therefore, the general logic of this decree seems to liberalize and to make the Italian labour market more flexible, thus responding to high unemployment rates, while maintaining harsh reactions towards agencies operating without authorization or in violation of regulatory principles, as confirmed by the provision of criminal offences.

Changes were introduced with Legislative Decree 81/2015, the so-called "Jobs Act." Recognizing in Article 1 that subordinate permanent work should be the most common form of employment relationship,

the legislation seeks to bring companies back to the priority use of permanent contracts with increasing protections, to curb the spreading of fixed-term contracts and atypical jobs. However, beyond the general approach to reduce the competition between permanent and fixed-term jobs, what is concerned here is the modification of temporary agency work. In addition to establishing the maximum quota of workers that can be outsourced, including valid prohibitions, contract forms and workers' protection tools, the decree repeals the crime of fraudulent temporary agency work, keeping only that of irregular administration of temporary agency work now defined in this way: *"in the absence of a written contract form, the leasing contract is null and the workers are considered in all respects to be employed by the user."* As rightly pointed out by Pala (2015), the repeal of the crime of fraudulent temporary agency work had many and different consequences: firstly, the inspectors are no longer required to prosecute the perpetrators and recover the non-contributions, since it is no longer required to ascertain the specific fraud. Obviously, the guarantees required for regular outsourced work are not provided in the event of illicit agency provision of work, thus increasing the risk of unfair competition. In other words, users may opt for different forms of illicit outsourced work, which are certainly more convenient given the noncompliance with the principle of equal treatment. *"If the user turns to an abusive agency, perhaps masking the mere supply of labour with a procurement contract or through posting, in the worst case, once discovered, he or she would get away with an oblation without responding in any way for any contributory omissions or salary"* (Pala, 2015: 3). The emerging picture is one in which the use of fraudulent and illegitimate forms of agency work is highly competitive with respect to regular and legitimate forms: even the fact that, in the event of irregular temporary agency work, the law provides for the individual worker the right to appeal to the judge in order to be recognized as a user employee, is not enough. It is evident, in fact, that in an overall system in which the use of irregular forms of temporary agency work is more competitive, individual initiatives restrained back by the fear of not finding other occupations. As it emerges from Pala's observations (2015), therefore the repeal of the crime of fraudulent agency work introduced by the Jobs Act started up a series of criticisms and contradictions which obviously were of great political importance.

As already mentioned, the regulation of atypical jobs is a core political issue, and therefore subject to contextual and transitory government equilibrium. The political election of 4 March 2018 and the formation of the "government of change" led by the 5 Stelle and Lega political parties, was immediately in clear contradiction with the previous governments and especially with the political action of the Democratic Party, the main "Jobs Act" promoter. Once again, the Italian labour market reform project was structured more on evaluations related to political advantages than on internal coherence and clear structural objectives. It is not surprising that one of the first actions taken by the "government of change" had been precisely that of further reforming the matter, through Legislative Decree 87/2018, containing *"urgent provisions for the dignity of workers and companies."* The name "Dignity Decree" itself masterfully

exemplifies the strong political content of the decree, aiming to emphasize the determination to break a government standing in clear contrast with the previous regulations.

Here we obviously report only the decree's most interesting parts, and in particular the reintroduction of the crime of fraudulent temporary agency work through the addition of Art. 38-bis. Essentially, the new decree revives the definition already present in Decree 276/2003 and then repealed by the Jobs Act, without any modification. This decree obviously includes a multiplicity of other measures that are not relevant to our discussion, but are in clear opposition to the rationale underlying the Jobs Act. It is worth remembering, perhaps, only some points. The provision for substantial limits to the renewal of fixed-term contracts now runs from 36 to 24 months and the extensions from 5 to 4 months, whereas the reasons for the renewal are applied to the user even if they have an effect on the worker-agency contract, thus maintain the causality of the staff leasing contract (Sartori, 2018).

2.3.1 The specificity of social cooperatives.

The debate on the issue of the relationship between typical and atypical jobs and on the guarantees and protections of the latter are still open. It is sufficient to consider that the date of the latest law proposal is 20/07/2020, with the title: *"Provisions on cooperatives, agency work, and posting of workers"*, signed by the 5 Stelle Party. Besides starting from the need to regulate particularly the reality of cooperatives, the law proposal also affects the regulation of temporary agency work. In fact, it aims to tackle *"the theme of false cooperatives, exploitation of workers, illicit contracts and the illegal temporary agency work,"* defined as *"a real plague for the entire work system and [it]has infested our country for decades"* (2020). As Marchetti and Scrinzi (2014) clearly pointed out, the increasing role of the nonprofit sector and, above all, of social cooperatives in service provision is linked to the ongoing process of outsourcing and privatization of care. This has led the State to increase the participation of local authorities and private organizations especially in the provision of public elderly care services through the Laws 328/2000 and 42/2009. If these actors initially had to act on the behalf of the public authority in the provision of public services, they are now more and more active in private home-care services: *"not all cooperatives are selected by municipalities, but they can still provide care services to clients who pay for the whole service themselves"* (Marchetti, Scrinzi 2014: 4).

Before illustrating the salient points of the proposal, however, we need to briefly recall the economic and tax reliefs affecting cooperatives and that lead to their extreme impact on the national territory, given also the very high number of social cooperatives active in the sector of domestic work. Law 381/1991 particularly deals with social cooperative regulations and, according to Art. 1, social cooperatives are those which *"have the purpose of pursuing the general interest of the community in human promotion and citizens' social integration"* (Visconti, 2017:1). In doing so, they may be distinguished according to their specific

“objective,” namely the activity they carry out. Type A cooperatives deal with the management of social-health and educational services, while type B cooperatives deal with *“any type of business activity, even that of type A cooperatives, as long as it is aimed at the job placement of disadvantaged people”* (2017:2). Furthermore, social cooperatives can group themselves into consortia, and are obliged to enroll in the Regional Register of Social Cooperatives, and are always legally considered as cooperatives with prevalent mutuality. This aspect is crucial since *“the importance of the prevalent mutuality derives from the fact that only to cooperatives presenting this characteristic are reserved the facilitated tax provisions provided for by special laws”* (2017:3). As for the tax regime, social cooperatives have concessions regarding IRES (Corporate Income Tax) if their activities regard production and work, and agricultural or small-scale fishing. They are allowed to not pay the IRES tax on the portion of profits – and even all of them - destined for the indivisible reserve, but they must pay the IRES tax on 10% of net profits, and are exempt from the payment of registration and stamp duties on articles of association, statutes and amending acts. It should also be remembered that social cooperatives regulated by Law 381/1991 are considered by law as ONLUS (not-for-profit organizations), or tax law subjects that exclusively pursue purposes of social solidarity. These have access to other tax reliefs such as *“the possibility of being recipients of donations for which the donor has a deduction from IRPEF (Personal Income Tax)”* and to a whole series of other tax concessions, as reliefs on registration tax, exemption from the municipal tax on advertising, and a reduction of a quarter of cadastral and mortgage taxes. Lastly, a reduced VAT rate of 4% is envisaged for the auxiliary activities of health professions, as long as they are not included in a broader service of *“hospitalization and care.”* *“Both social and health services of hospitalization and care, and the educational services and didactics provided by social cooperatives (or any other ONLUS) are always exempt from VAT”* (2017: 13). Without going further into the subject matter, however, it is clear that social cooperatives enjoy a much lower tax and fiscal regime with respect to agencies, which explains and motivates also the incredible number of social cooperatives especially in the field of assistance, care, health services and educational services.

After having explained the tax reliefs for social cooperatives, it seems easier to understand the reason for the large presence of these actors and the July 2020 law proposal. The new article 1 seeks to limit the multiplication of employment contracts in social cooperatives where the mutual relationship has work performance as its main object. *“The working member of a cooperative establishes through his own membership or after the establishment of the associative relationship, a further and distinct subordinated employment relationship with the cooperative, regulated, with the exceptions provided for by law, by the ordinary regulation of labour laws”* (2020:1). The establishment of alternative employment relationships (self-employment or coordinated and continuous collaboration) is envisaged only if the cooperative certifies its actual occurrence. As already mentioned in Law 142/2001, in fact, cooperatives can operate *via* autonomous employment or continuous collaboration only if the reasons for this necessity are explained within Cooperative Regulations, while project-based contracts are not allowed (Vedani, 2009). Art. 2 refers

to disputes between cooperatives and working members concerning employment relationships, recognizing in this case the competence of the labor court. Art. 3 seems more relevant as it establishes that *“each working partner with a subordinate employment relationship must have an economic treatment not lower than that provided for by national collective bargaining agreements stipulated by the most representative employers’ organizations.”* Instead, in the case of employment relationships different from that of subordinate contracts, the law proposal confirms the current remuneration criterion used for similar services. As regards the inspection activity aimed at detecting the effective achievement of the mutualistic purpose and prevention of member worker exploitation, Art. 5 states that inspections can take place *“even on non-anonymous reports of workers of the same cooperatives”* to strengthen controls. Starting from the same point of view, Art. 6 establishes that the Ministry of Labour is obliged to adopt - and can no longer just issue- sanctions against cooperatives, where envisaged by law. Art. 7 establishes the crime of ideological falsehood for cooperative companies: *“the ideological falsity in company documents, minutes of meetings or in other documents drawn up by a cooperative society, is punished with the penalty of up to two years’ imprisonment”* (2020: 3). As regards unauthorized companies, in fact, unlawful conduct is detected in the exposure of false material, and in omitting materially relevant facts on the economic and financial situation of the company, the disclosure of which is required by law. Articles 8, 9 and 10 focus especially on the issues of posting and procurement. A clearer distinction is made between tenders and temporary agency provision of work for the organization of the necessary resources by the contractor, limiting *“labour intensive”* tenders only to skilled workers, so as to stem *“tenders consisting of a mere supply of workers as long as the workers’ technical management is more or less formally entrusted to the contractor”* (2020: 4). Furthermore, specific social clauses are envisaged to make the successful outcome of the tender process subject to the guarantee of full employment stability for the staff. In conclusion, Art. 11 returns to the issue of agency-provided work, excluding the contextual violation of rules from the decriminalization provision of the Jobs Act. In particular, it states that cases of unauthorized exercise of the agency work and fraudulent agency work are not decriminalized and in addition, establishes a general intensification of the pecuniary penalties already provided for by Decree 276/2003.

Although it is still only a proposal, the law intends to address an objective problem, namely the alarming increase of cooperatives operating illegitimately throughout the country, and taking advantage of the existing legal contradictions and loopholes. According to the most recent National Labour Inspectorate’s report (2019), one of the most widespread offences perpetuated by cooperatives is the application of non-representative collective bargaining agreements, thus applying lower economic conditions to working members: out of 2,733 inspected cooperatives in 2019, 66% were found to be irregular, with an increase of 6% compared to 2018. The proposal, therefore, seems to move in two directions: on the one hand to protect and give greater guarantees to the cooperatives’ working members by ensuring compliance with the principle of equal treatment, and on the other hand to limit the proliferation of cooperatives that are not accredited

or that advocate illegitimate forms of agency work, contracting and posting. The issue is certainly still open and debatable, but it should be noted that precisely it is this internal inconsistency of the legislation on the matter and the more political rather than legal value of the measures adopted that feed an uncontrolled and poorly regulated market in which illegal behaviours can proliferate.

Table 8- Differences among agencies and cooperatives

| Agencies | Cooperatives |
|---|--|
| <ul style="list-style-type: none"> - Temporary work agencies / Brokering agencies/ recruitment agencies - Can also be cooperatives, but needing to be authorized to be treated as agencies - Must be authorized - No fees for workers - Temporary work agencies: only dependent workers hired via national collective agreement of the sector. | <ul style="list-style-type: none"> - Need accreditation to act on the behalf of public authorities subsidizing their services - Do not need accreditation to operate with households paying for the whole services (“double track”) - Can work with dependent workers/autonomous workers/ coordinated and continuous collaboration - Can ask for a quota from their working members - Can rely on cooperative’s working members with economic and fiscal advantages |

Moreover, the Labor Inspectorate also intervened on the issue of irregular agency provision in the field of domestic work with note 5617 of 21/06/2017, specifying to its inspectors that in this case the administrative penalties are applied exclusively to the agency and never to the user, namely the family. The reasons seem to be linked to the *“frequent textual references of the relative discipline of the productive world with the exclusion, obviously, of the actors of the purely social world such as families”* and also to *“practical and justice reasons, including the difficulty for families to apply an average due diligence to verify the possession and legitimacy of the work provision subjects, regarding the particular conditions and authorizations provided by law for administration activity.”* The logic seems clear: considering that the users in the case of domestic agency work are families, it seems unfair to apply the same sanctions foreseen for the productive subjects. However, this note appears very controversial especially for those agencies which,

operating in compliance with current legislation, see it as a reason for the increase in irregular agency work practices within the context of domestic work.

2.3.2 Illicit labour intermediation.

To conclude this quick and concise analysis of the regulatory paradigm of agencies and cooperatives, it is necessary to recall the impact of the recognition of the criminal offence of illicit labour intermediation and exploitation¹⁷ by Legislative Decree 138 of 13/08/2011, introducing Art. 603-bis of the criminal code. The article establishes “*the punishment of one to six years imprisonment and a fine of 500 to 1,000 euros for each worker recruited, to be given to anyone who: 1) recruits labour for the purpose of assigning such work to third parties in conditions of the exploitation of workers’ state of need; 2) uses, hires or employs labor, also through the intermediation activity referred to in number 1), subjecting workers to conditions of exploitation and taking advantage of their state of need.*” Furthermore, if the acts are committed through violence or threats, both the imprisonment and fines will be increased. The exploitation indices provided by the article are, therefore: a remuneration that use systematically different from the related national collective contract, or in any case disproportionate to the work performed. It is also a systematic violation of the legislation relating to working hours; and a violation of the legislation on safety and hygiene in the workplace, subjecting the worker to particularly degrading work conditions, surveillance methods or accommodation.

To better analyze the innovations deriving from the introduction of Article 603-bis, it is important to underline some aspects, as Stoppioni (2019) does. Firstly, she points out how years and years of deregulation have limited the workers’ bargaining power, and have increased labour exploitation rates especially among the most disadvantaged people: whether they are Italian or foreigners. “*All these subjects experience an initial disadvantage, attributable to various reasons*” (2019: 72), and are exploited in various working sectors, among which domestic work also stands out. Furthermore, Stoppioni points out how “*in almost all the proceedings, the establishment of the employment relationship is not the effect of a direct coercion and the victims remain, abstractly, holders of negotiating autonomy which, they however, are unable to exercise.*” (2019: 73). A situation emerges in which the condition of disadvantages faced by workers often counts more than the violent or coercive actions implemented by employers: the weight of the socio-environmental context in determining the worker’s condition of vulnerability and marginality has been, in fact, explicitly recognized at international level. Instead, national legislation before 2011 was still limited, referring to directly imposed coercion. Although Article 603-bis in its original version recognized the importance of the workers’ state of need, it presented another criticality, as it dealt only with the conduct of the *caporale*¹⁸

¹⁷ In Italian: *caporalato*

¹⁸ Italian version of *gangmaster*, or who practice illegal hiring/gang mastering. I opt to use the Italian term appearing more accurate.

while "limiting the criminal relevance to recruitment only means leaving the person who benefits from the service unpunished, saving on production costs and dictating the conditions for carrying out the service" (2019: 79). Furthermore, the choice to strictly define the exploitation indexes obviously limited the applicability of the law itself. For this reason, the legislator intervened with Law 199/2016, establishing the separation of the facilitation activity from that of use (making the *caporale* punishable even for recruitment only), and the punishment (even autonomously) of the employer, given that fraud concerns, alternatively, the use, hiring or employment of workers in conditions of exploitation, regardless of whether there has been intermediation. However, Stoppioni points out: "From a practical point of view, it should be borne in mind that procurement often hides behind complex mechanisms, where the intermediary makes use of organizational structures in which the worker is hired. In most of the proceedings examined by the Observatory, the caporali act through the creation of cooperatives or companies that provide their services through contracts or agency work." (2019: 84). Finally, the author emphasizes that repression is not sufficient to tackle the problem effectively, but the plan of prevention must be addressed, taking care of the worker's needs to change the socio-economic context that is often the basis of the worker's inauthentic consent even in the absence of direct pressure.

2.4 The new Domestic Work Collective Agreement

Upon outlining the legislative and legal framework regulating domestic performances in Italy, it is useful here to recall the main points of the new domestic work collective agreement - the CCNL Fidaldo¹⁹ - signed by the main national trade unions and employers' associations. Considering that the sector now sees an effective multiplication of employment solutions, ranging from family aid services sector contracts up to collaboration contracts and even VAT numbers, this collective agreement represents the main normative reference for domestic work. This contractual system is, in fact, the most suitable for guaranteeing the respect of domestic workers' rights and duties, besides being the result of constant dialogue between employers' associations and trade unions involved. Furthermore, this last renewal, having occurred after the first wave of the Covid 19 pandemic, could have been a special occasion to solve a series of problems in the organization and regulation of domestic and care work. As we will also explain later, the pandemic has shown centrality and relevance of domestic work in our society, but this has not been enough to break that systemic dimension of invisibility characterizing domestic work. The new contract, while introducing some important innovations and increasing domestic workers' salaries in a transversal way, is nevertheless still inadequate in some very important themes.

¹⁹ Fidaldo: Federazione Italiana dei Datori di Lavoro Domestico, namely Italian Federation of Domestic Work Employers.

Before reporting all the innovations and continuities of the new domestic work national contract, it seems useful to highlight some of the main Italian collective bargaining issues and that of recent national collective bargaining issues. Until few years ago the history of employment relations in Italy was marked by the core role of trade unions and by the wide application of national collective contracts as outcomes of collective bargaining due to which the system may be defined as a self-organizing one. The bipartite form of collective bargaining involving both trade unions and employers' associations has prevailed over legal interventions by governments (Carrieri, Pirro, 2019). Despite the existence of two bargaining levels (the first having a national range and the second a decentralized one), the national dimension of contracts has been more important in Italy. Recently we have witnessed a slow decline both in the role and importance of unions and in collective bargaining (Kisson 2010; Carrieri, Pierri, 2019), due to changes in the productive structure, the decline of union membership and the increasing fragmentation of the workforce, thus radically impacting on the same structure of Italian (and other) employment relations (Kisson, 2010). If Art. 39 of the Italian Constitution explicitly recognizes the right to free association and establishes that "*unions can stipulate collective labour agreements with mandatory effect for all those belonging to the categories to which the contract refers,*" the issue of the representativeness of unions emerges as problematic especially today, given that union action impacts not only on union members, but on the whole workers' category to which a peculiar collective contract refers. As long as the unions (at least the main Italian ones, namely CGIL²⁰, CISL²¹ and UIL²²) were strong social actors, their representativeness could be easily presumed, but the recent decline in union membership and the changing layout of Italian employment relations pose new questions and doubts on their effective power. In this recent attempt to institutionalize Italian employment relations, we have witnessed, on the one hand, a process of formal definition of shared objective standards of representativeness through the Interconfederal Agreement of 2011, the Memorandum of Understanding of 2013, and the Consolidated Text on Representativeness of 2014 (Carrieri, Pirro, 2019), whereas on the other hand there has been a general trend in the enhancement of second-level bargaining, especially firm-based bargaining. National collective contracts might therefore be defined as framework contracts involving both employment and working conditions in specific working sectors, and aim to determine wage-related elements, regulate individual employment relations, and provide both rights and duties of the social actors signing the contract (Natalini, 2019). If this is the general context, the reality of domestic work has always been a *sui generis* one, given that the domestic dimension of this peculiar work is hardly comparable to the classical industrial relations in which collective bargaining developed. As the same ILO recalls, domestic work is always seen as an "unorganizable" sector for several reasons. Firstly, it is never seen as "real" work, thus "*domestic workers and employers also see their relationship not necessarily as one of employment, but*

²⁰ CGIL: *Confederazione Generale Italiana del Lavoro*, namely Italian General Confederation of Labour

²¹ CISL: *Confederazione Italiana Sindacati Lavoratori*, namely Italian Confederation of Workers Unions

²² UIL: *Unione Italiana del Lavoro*, namely Italian Labour Union

certainly as a personal one” (Hobden, 2015: 2); secondly, this overall culture affects also the legal level, and domestic workers are not always defined as lawful workers. In the third place, logistical and practical barriers to organization play a crucial role, given the decentralization of the sector and workers’ isolation. Lastly, it is not a sector able to go on strike against a particular employer. All these factors have provoked delays and gaps in domestic work regulation and organization. As concerns Italy, the advancements obtained have been linked to the strong role of the ACLI-COLF²³ members since the 1950s, as they were the main promoters of the Special Law 339 of 1958 which, compensated for the absence of a national contract, and saw the Italian State’s direct intervention to regularize this working sector (Busi, 2020). The absence of a national collective contract in this sector was back then due to the legal ban on collective bargaining in domestic work, which reflected the common idea that domestic work should be not defined and regulated as “real” work. After the abolishment of ban on domestic work collective bargaining in 1969 through a sentence of the Italian Constitutional Court, time was ripe for a national collective contract, but once again ACLI members and especially its president, Clorinda Turri, had to struggle hard to change the cultural stereotypes preventing the recognition of domestic work as “real” work. The national ACLI-COLF Congress held in Siena in 1973 was a turning point: emphasis on the social benefits on domestic work led the way to the first national collective contract, signed in 1974 (Sarti,2020). It is interesting to see that, even if Italy saw in those years a decisive role of both unions and feminist movements, the issue of paid domestic work was left in dim light. If unionists, even women, focused more on the needs and necessities of working women, feminists concentrated especially on the issue of unpaid domestic work, while nobody focused on paid domestic workers, or the “worker-housewife,” as defined by Olga Turrini (Frisone, 2020). Both, unionists and feminists were of the idea that domestic work would have been overcome by technological developments and by the provision of public social services. Nevertheless, domestic work has remained essential in our society, and it has even increased its importance in parallel with the process of labour feminization. Since the assignment of the first national collective contract in 1974, things have gradually improved for domestic workers in Italy, but some challenges are still open. Moreover, as Borelli (2020) highlights, given the existence of 21 domestic work contracts, there is a great risk of contractual dumping and the issue of the effective representativeness of both unions and employers’ associations is crucial in determining this reality. Therefore, the national collective contract which I am going to analyze - the so-called CCNL Fidaldo - can be defined as a reference contract, but we should always keep in mind that a broad range of different contracts can be used, with substantial (negative) differences in terms of wages, working hours, probationary period and the payment of overtime. In addition, given that social cooperatives are not considered as temporary work agencies, they do not require authorization by the Ministry of Labour. Consequently, they are free to hire workers through continuous and coordinated contractual relationships, without needing to satisfy all the requirements of

²³ ACLI-COLF: *Associazioni Cristiane di Lavoratori Italiani-Collaboratori Familiari*, namely Italian Christian Workers Associations- Domestic Workers

CCNL Fidaldo: “collective agreements do not apply and the remuneration can be freely determined by the hiring entity” (Borelli, 2021: 7).

Returning to the last national collective domestic work contract of 2020, one of the innovations introduced in Art. 1 is certainly a single definition of the family assistant, valid name for the different professional figures involved in domestic work. The goal appears to restore uniformity and homogeneity in this sector, often overcoming the use of discriminatory or offensive definitions, such as that of “badante.”²⁴ In recent years, together with the growth of the phenomenon, the term caregiver has often been used in an almost offensive manner: it would suffice to say that the role of the so-called “badante” often involves a series of specific and delicate skills that are debased and minimized in the sole definition given above. The use of the term “family assistant” instead refers to a dimension of greater professionalism and, therefore, of greater social importance, and helps to shape a different social image of domestic workers. Art. 3 recalls that the contractual provisions represent the required minimum standards, but nothing excludes more favorable “ad personam” treatments, reminding us that this collective contract shall be intended as a minimum reference point. Art. 6, then defines the letter of employment structure and, together with a series of specifications on the starting date, working hours, cohabitation and other essential determinants. It also introduces the obligation to indicate the presence of audiovisual systems within the home. Such a measure, while seeming ancillary, is actually very important if we consider, above all, possible violations of the worker's privacy, as well as the fact that such recordings can be used by employers as a means of control and domination over the workers themselves. Art. 7 incorporates the most recent changes concerning temporary work, while Art. 8 provides for shared work, which must always be stipulated in written form.

On the other hand, one of the most significant changes is introduced in Art. 9 and consists of the new workers’ professional classification: the 12-month entry level is no longer valid, while 4 levels are identified, with corresponding “super” levels involving workers who deal with personal assistance:

Table 9- Workers’ classification profiles

| Level | Profile |
|---------|---|
| A | cleaner; laundry attendant; kitchen help; groom; pets assistant; people in charge of cleaning and watering green areas; common worker |
| A super | Personal assistant for self-sufficient people |

²⁴ Italian word for caregiver

| | |
|---------|---|
| B | Multipurpose generic family collaborator; custodian of a private house; ironing worker; waiter; gardener; qualified worker; driver; room tidying up and breakfast service also for guests of the employer |
| B super | Family assistant for self-sufficient people, including, if required, activities related to cooking and cleaning of the house where the assisted person lives; Children (babysitter), including, if required, activities related to cooking and cleaning of the house where the assisted persons live |
| C | Chef |
| C super | Family assistant (not trained) who assists not-self-sufficient people, including, if required, activities related to cooking and cleaning of the house where the assisted persons live |
| D | Administrator of family assets; butler; housekeeper; head cook; head gardener; tutor |
| D super | Family assistant (trained) who assists not-self-sufficient people, including, if required, activities related to cooking and cleaning of the house where the assisted persons live; house manager; trained family assistant educator |

Starting from the analysis of these new levels, we note the introduction of the new figure of the educator in the level D Super, functional to overcoming the difficulties deriving from cases in which a particularly trained type of assistant is required, as in the case of autistic people. Comparing with other educators, the difference is that in this case the employer is not a public or private institution, but a family unit, and yet the salary varies to the detriment of educators hired by the family. Furthermore, no reference is made to the staff hired for private tutoring (which remains largely included in undeclared work), while the difference between C Super and D Super depends on whether workers have a specific training, obviously certified (at least 500 hours): compared to the past, wherefore training seems to be formally recognized within the new contract.

Articles 10 and 11 leave unchanged the discontinuous night service and exclusively waiting service regulation, while recognizing contributory benefits in such cases. Art. 12 introduces some changes with respect to the trial period. If the previous contract recognized 30 days of probationary period for workers of the D and D super levels and 8 days for all the others, the current contract establishes a probationary period of 30 days for D and D Super workers and for cohabiting workers of any level, whereas for all the others the probationary period remains 8 days. As regards weekly rest, working hours, holidays and overtime, nothing changes: every live-in worker has the right to 36 hours of weekly rest, of which 24 on Sunday and 12 on another day, while live-out workers are entitled to 24 hours on Sunday. The work shift is 10 non-consecutive hours per day for live-in workers, therefore 54 per week; and 8 non-consecutive hours per day for live-out

workers, equal to 40 hours per week. Finally, in addition to a series of overtime periods which vary according to Art. 15, all workers are entitled to a holiday period of 26 working days. It is important to remember all these provisions, such as the exact calculation of rest, holidays and overtime, because it is precisely in their calculation that different forms of working irregularities often nestle. Art. 19, furthermore introduces an effective novelty as it extends the reasons for workers' individual permits, including not only medical examinations, but also the duties relating to the renewal of the residence permit. In this way, the article responds to a concrete and real need of many workers who, until now, had often seen themselves forced to sacrifice their regularization process due to very extensive and inflexible working hours. In accordance with the general aim to recognize and give more value to workers' training and the professionalization process, Art. 20 introduces special training permits for permanent workers with more than 6 months of seniority, while Art. 21 establishes that the worker inserted in gender-violence and the related special protection programs has the right to be absent for a maximum period of three months, maintaining the right to receive an indemnity paid by INPS. On the other hand, some critical issues on maternity remain open, given that the prohibition to dismiss during pregnancy and until the child is one year old is not yet envisaged. As Borelli highlights (2020), domestic workers, in fact, can benefit only from maternity leave, but not for parental leave, and the indemnity paid by INPS is recognized only if a certain number of contributions have been paid in the previous months (52 weekly contributions in the previous 25 months, or 26 monthly contributions in the previous 12 months). Nevertheless, a positive sign is that, unlike the previous contract, this time all the involved parts have included a joint declaration to promote all the initiatives necessary to extend the protection of working mothers. Furthermore, Art. 28 ends with a joint declaration in which the parties, recognizing that "*violence and harassment, including sexual harassment in the domestic workplace constitute an abuse and a violation of human rights,*" commit to promote initiatives in order to counter such conduct. This introduction appears very important and necessary if we consider the high rate of abuse and harassment in domestic work, obviously linked to the invisibility dimension characterizing this work, and which also emerged in the ILO Convention 190/2019, cited in the same Art. 28.

According to Art. 26, the sickness allowance regulation remains unchanged: the payment of the sickness allowance is up to the employer and not to INPS, and only for a limited period. Obviously, this is a factor of great vulnerability and blackmail for workers, who are often reluctant to declare their real health conditions to avoid any repercussion. The problems related to this point are even more evident if we consider that domestic workers are among the most exposed workers in this phase of the pandemic. If it is true that the case of the Covid-19 contagion is considered an occupational accident and therefore paid by INAIL (the National Institute for insurance against industrial injuries), as Art. 29 states, it is equally true that this would have been an opportunity to change the rules and introduce greater safeguards and guarantees for domestic workers on such a delicate issue. We need to reflect also on the fact that the desire to keep contributions

low in order not to burden families too much, can affect the INPS's resistance in paying domestic workers' sickness allowances.

The main innovations, however, can be found in Art. 35, which introduces various specific allowances, including that of 150 € per month for those workers looking after children up to 6 years, and 100 € per month for those working with more than one not-self-sufficient person. This last point puts an end to a very widespread practice, namely that of keeping the salary unchanged for the same worker who takes care of one or two not-self-sufficient persons. The article finally recognizes the existing difference in terms of effort and attention for the worker in caring for one or more people, contributing to enhance the formal recognition of domestic work value. The allowance recognized to workers employed in levels B, B Super, C Super and D Super and in possession of appropriate certificates, encourages domestic worker professionalization, which seems to be the general purpose of the innovations foreseen by the contract.

Lastly, Art..35 provides for an increase in the minimum contractual wages for all levels, thus increasing the economic value of this work:

Table 10- Minimum remuneration table from 1 January 2021

| Levels | Table A | Table B | Table C | Table D | Table E | Table F |
|---------|---|---|--|----------------------------------|--------------------------------|--------------------------------------|
| | Cohabiting workers Article 14, paragraph 1 | Workers Article 14, paragraph 2 (C, B, B super) | Non-cohabiting workers Article 14, paragraph 1, letter b) | Night assistance (Article 10) | Night presence (Article 11) | Workers (Article 14, paragraph 9) |
| | Monthly value in euro | Monthly value in euro | Hourly value in euro | Monthly value in euro | Monthly value in euro | Hourly value in euro |
| D super | 1,232.33* | - | 8.33 | 1,417.21 | | 8.98 |
| D | 1,173.65* | - | 7.99 | - | | |
| C super | 997.61 | - | 6.93 | 1,147.24 | | 7.45 |
| C | 938.94 | 680.71 | 6.57 | - | | |
| B super | 880.24 | 616,18 | 6.22 | 1,012.27 | | |
| B | 821.56 | 586.83 | 5.86 | - | | |
| A super | 762.88 | - | 5.53 | - | | |
| A | 645.50 | - | 4.69 | - | | |
| Unique | - | . | - | - | 677.78 | |

* For levels DS and D, in addition to the minimum table, an indemnity of € 173.55 is due.

If these are the most interesting novelties of the 2020 contractual renewal, it is important to also highlight the contradictions that remain unresolved, especially concerning maternity protection and sickness allowances. These are the main regulatory limits of the national process of reception and implementation of the ILO Convention 189/2011 on Domestic Work. Even if eight years have already passed since the Convention's formal ratification by Italy (in 2013), the national collective contract still appears inadequate, especially with regard to the principle of equal treatment. If issues such as those of maternity protection and sickness allowance represent an explicit example of the unaddressed challenges in the ongoing process of the recognition of domestic work as decent work, the other important innovations of the 2020 national collective contract only arrived eight years after the adoption of the ILO Convention. This legislative delay reflects the general opinion that Italians have of domestic work, namely that of a private issue regularized by a *sui generis* employment relationship. Without going too deeply into legal details, the main legislative limit is the derogatory approach to the regulation of this sector, due to the political desire to avoid burdening households representing the key actors of Italy's familistic welfare state.

Chapter 3. Research methodology

In the effort to define the role of the LMIs - being both agencies and cooperatives - in present-day domestic work organization, we had to deal with a tenuous amount of available literature and data on this topic. Especially with regard to the Italian context we had to overcome the absence of available data while deepening the theoretical framework on the role of the LMIs in the domestic sector. The ILO itself (2021) highlighted this still open issue with the statistical definition of domestic workers. *“Understanding domestic work as care work can result in some occupations landing at the intersections of person care/social care, healthcare and domestic work, particularly when they work for or through a service provider. This overlapping factor has implications for how they are accounted for in national statistics. For example, personal care workers who provide services for households through a service provider are likely to be counted, statistically speaking, as care workers in the health and social work sector, whereas if they provide the same services when employed directly by households, they may be counted as domestic workers”* (ILO, 2021:6). As clearly emerges from the theoretical and literature background, the increasing role of such actors in the field of domestic work is a quite recent phenomenon, appearing still residual in comparison with other different forms of domestic worker recruitment which certainly play a very important role. Considering the three main purposes of social research (Babbie, 2011), namely exploration, description and explanation, this study may simply be defined as an exploratory study: *“much of social research is conducted to explore a topic, that is, to start familiarizing a researcher with that topic. This approach typically occurs when a researcher examines a new interest or when the subject of study itself is relatively new”* (Babbie, 2011:95). This seems exactly the case of a research that aims to apply a set of theoretical interpretations to a pragmatic and contextual reality which has not been developed yet. This choice is not to be understood as a necessary categorization, but rather as evidence resulting from the fact that the topic is still little known and analyzed, at least in Italy. It therefore appears useful to explore the peculiar functioning of domestic and care employment agencies and cooperatives to shed light on some of the increasingly important LMIs (Autor, 2008) in this peculiar working sector. In doing so, this study appears not only exploratory (Stebbins, 2001; Babbie, 2011), but also descriptive (Thomas, Hodges, 2010; Khan, 2014): describing how intermediaries operate and how they concretely impact on domestic work organization seems to be the necessary starting point to better explore this peculiar issue, contributing to boost knowledge on this topic. The overall intent is to give a fairly in-depth description of the phenomenon, in order to facilitate subsequent analyzes which hopefully will take place starting from very different theoretical and methodological perspectives, thus enriching the general knowledge on the subject.

Starting from some very specific theoretical points taken from the previous literature review, I try here to articulate my overall research question into three more detailed research objectives. First, taking into account that the increasing role of LMIs is a general trend within the wider process of care marketization in

Europe (Farris, Marchetti, 2017; Simonazzi, 2008; Borelli, 2020) this research points to detect how these same actors may function within a context strongly marked by labour informality, such as the Italian one. Second, given the fact that these intermediaries always interact with employment regime, migration regime and gender regime -as I defined them in the previous chapter-, it appears very relevant to describe how these actors may impact on domestic work's structural invisibility directly resulting from the interaction among all these different regimes. Third, considering that domestic work is strongly marked by racial/ethnic and gendered stereotypes, this study intends to describe if and how intermediaries contribute to reduce the weight of these same stereotypes in making the match between labour demand and labour supply. In doing this, I focus especially on the meso level of analysis which helps to highlight the complex link between the macro level of economic and structural processes affecting and determining the studied phenomenon, and the micro level of actors and practices. Considering this, a crucial role is played by the pluralism of perspectives (Serpa, Ferreira, 2019) which, taking into account the subjective experiences and points of view of the main actors involved in domestic and work organization, concretely helps to shed light on the contextual and peculiar connections taking place between structural processes such as care marketization and privatization, and everyday life of domestic workers, employers and intermediaries (without forgetting the crucial testimonies of important key actors such as ILO members, unionists and National Labour Inspectorate members).

3.1 Research approach

The qualitative approach of this study is clear, given the high rates of labour informality characterizing domestic work in Italy, but also the lack of available data concerning more specifically domestic work intermediaries. This does not imply that quantitative data and statistics are useless in this case. It is rather the opposite. A statistical description of the Italian dimension of domestic work in terms of the informality rate, workers' main characteristics (nationality, age, gender, educational level, nationality), and the presence of LMIs nationwide, seem to be the necessary starting points in deepening the analysis and providing new insights through a more qualitative approach. Available data thus contributes to the elaboration of the necessary objective framework in which one can insert the subjective point of view of those actors representing the main voices of the employment triangulation that characterizes domestic work when mediated by an agency or a cooperative. In doing so, theory plays of course a crucial role, although it is conceived more as a guide to interpretation and description than as a set of hypotheses to be verified, at least in this case (Babbie, 2011).

We need to understand and describe how a particular phenomenon is lived and experienced by the subjects involved in it. If in this case it appears difficult to rely on a well-defined and easily countable reality,

a personal perspective and viewpoint may help to go deeper into the topic and obtain a more complex and less partial framework. As clearly defined by Cheu-Jey Lee (2012), this implies the highlighting of the social dimension of the definition and elaboration of facts affecting personal perspectives of the main social actors involved in this study. If I were, for instance, to rely exclusively on the perspective of LMIs or of domestic workers, my study would be ineffective, because it would define the phenomenon uniquely and fixedly, and result to be very distant from the real understanding of a complex social interaction (considering also that group interests involved in this employment relationship are of course antithetical). Nevertheless, we should always consider that these subjective or contextual realities derive from historical processes and structures wherein some social categories, such as that of race, gender, and ethnicity are really essential (Guba, Lincoln, 1994). Subjective and personal perceptions and points of view are not separate from the overall structure and reality in which the same subject evolves and grows; positionality and power count in determining one's life experience and elaboration of meanings (Asselin, 2003; Mullings, 1999). Being a woman or a man, being white or not, being rich or poor impacts on and helps to construct that personal and contextual form of knowledge which needs to be integrated, in this case, to obtain a complex idea of the studied phenomenon. The feminist standpoint approach (Olesen 2018, Campbell, Wasco, 2000; Oakeley, 2016) gives its essential contribution, recognizing the right importance of contextual and personal forms of knowledge elaboration. It does not suffice to avoid the gender bias in social research, especially if we consider that the production of knowledge itself reflects power relationships affecting society as a whole. The category of positionality (Yuval-Davis, 2006) reminds us that any universalization or monolithic definition of social groups (even that of women) is perpetuating some forms of domination and oppression, neglecting existent differences among group members, and structure different experiences of the same realities. Moreover, *"the location of oppressed groups vis-à-vis their oppressors creates the potential for critical social analysis, but such a standpoint only emerges through consciousness raising experiences"* (Campbell, Wasco, 2000: 782). In other words, inserting also marginalized and oppressed group perspectives, such as that of domestic workers in Italy, who are above all migrant women, helps to obtain a deeper and more complex image of the social phenomenon of domestic work, thanks to their double vision (Campbell, Wasco, 2000) as women and as migrant. This interesting perspective, besides helping to overcome difficulties deriving from lacking data and high labor informality rates, represents a legitimate and valid counter-narrative as opposed to that of intermediaries, and highlight hidden but relevant nodes, such as the perpetuation of racialized and gendered stereotypes. Considering personal experiences as definitely relevant when dealing with female workers and with a highly feminized working sector (both from a quantitative and a qualitative point of view) means opting for an intersectional methodological approach (Yuval-Davis, 2006), given that *"social divisions are about macro axes of social power but also involve actual, concrete people"* (Yuval-Davis, 2006: 198).

3.2 Construction of Interview and Sampling Strategies

The interview phase plays a crucial role in my study, and as Guba and Lincoln affirm, *“the variable and personal nature of social constructions suggest that individual constructions can be elicited and refined only through interaction between and among investigator and respondents”* (Guba, Lincoln, 1994: 111). The methodology of this research may thus be defined as dialectical and dialogical, leading to consider an interview as a real social relationship (Bourdieu, 1999; Mullings 1999; Babbie, 2011), as also feminist scholars have often argued (Campbell, Wasco, 2000; Oakeley, 2016). In social science, in fact, the same researcher is directly involved in the overall context of the interview: the interviewer and the interviewee are both parts of the same social body, although in different subjective positions. The interviewer may be in a position of power with respect to the interviewee or maybe he or she could be in a powerless position. Being a man or a woman, being white or not, being middle class or not also counts for the researcher if we consider the interview, especially a qualitative semi-structured one, as a social relation:

“If its objective of pure knowledge distinguishes the research relationship from most of the exchanges in everyday life, it remains, whatever one does, a social relationship. As such, it can have an effect on the results obtained (the effects varying according to the different parameters that can influence the relationship)” (Bourdieu, 1999: 608).

The necessary stress on the particular kind of power relations involved when performing an interview is highlighted also by some feminist scholars who *“have questioned claims to objective and value-free research and have sought to explore how relationships of power between researchers and their informants influence how knowledge is interpreted and represented”* (Mullings, 1999:338). The researcher himself/herself may be influenced by the particular social structures he or she is involved in when performing an interview. On the other hand, the interviewee in a powerless position may adopt some strategies in order to confirm what the researcher is expecting or the image that the same researcher has already in mind about the people being interviewed (Asselin, 2003; Mullings 1999; Bourdie,1999; Oakeley, 2016; Olesen, 2018). Paying attention to the two concepts of positionality and power (Mullings , 1999) it thus results to be essential to avoid the risk of falling into *“violent communication”* as described by Bourdieu (1999). The French sociologist refers also to another important tool that may help researchers to be aware of the social structures affecting their perceptions and interpretations, and which has been recognized as essential also from the standpoint of feminist research (Olesen, 2018):

“Only the reflexivity synonymous with method, but a reflex reflexivity based on a craft, on a sociological “feel” or “eye,” allows one to perceive and monitor on the spot, as the interview is actually taking place, the effects of the social structure within which it is occurring” (Bourdieu, 1999: 608).

Being aware of the peculiar position we assume as researchers in holding interviews through what Bourdieu calls reflexive reflexivity seems essential especially when, as in the case of this study, we are dealing with people coming from different backgrounds in terms of nationality, gender, race/ethnicity and class (Mullings, 1999; Asselin, 2003). As regards this research, I had the opportunity to deeply understand how interviewing is rooted in ongoing social structures determining both my position and that of people I interviewed. While asking domestic workers about their particular working condition or the racial and gendered stereotypes impacting on their everyday life, being a female white researcher should be taken into consideration. I noticed that there is a sort of reluctance to describe episodes of racism and discrimination perpetrated by people who are Italian like me, and sometimes the direct question: *“have you ever suffered some form of racism or discrimination?”* would be better formulated into a more indirect way to obtain a real answer (Rubin, Rubin, 2012; Babbie, 2011). Other times, being a woman helped me to talk about the intimacy, everyday life and expectations of domestic and care workers. This was the common foundation which allowed me to build an explicit form of communication. It can be easily defined through a traditionally feminist term: sisterhood (Oakeley, 2016). Nevertheless, my intersectional lens helped me to consider also the impact of other social categories, such as class and race, which define my experience of being a woman as differing from the experience of other non-white women in a different class position, such as domestic workers. As regards intermediaries, I experienced great difficulty in creating contact with them since they were often very reluctant to be involved in academic research. I was in the powerless position of a PhD student who would not have been able to guarantee any form of advantage or economic return – one agency even explicitly asked me for money for the interviews and I refused. Moreover, they often decided to participate in the study to promote in some way the role of their agency or cooperative, and were barely objective. I was literally amid these two counterparts and I strongly felt what Mullings describes: *“striking a balance between both groups became an issue of finding spaces where I could see the world from the viewpoint of both groups of respondents”* (1999:343). To find my peculiar positional space through my own process of self-representation was essential in building that necessary trust that constitutes the basis for fruitful communication, and required a real spiritual exercise, as defined by Bourdieu (1999).

As Mullings (1999) highlights, this qualitative approach may result to be useful also in economics and labour research, considering that standardized questionnaire-based surveys have sometimes *“been incapable of providing adequate explanations for the structures and processes that influence the strategies and behaviors of firms and industries”* (Mullings, 1999:338). Therefore, semi-structured or unstructured interviews may sometimes result to be very appropriate to detect the deeper motivations or decision processes leading also to economic or business strategies: even in this case, in fact, what is taken into consideration are the personal meanings underlying these same behaviors (Cheu-Jey Lee, 2012). Semi-structured interviews were used in this study to clarify the main explanations of the practices of domestic workers, intermediaries and employers. *“Qualitative interviewers listen to people as they describe how they*

understand the world in which they live and work" (Rubin, Rubin, 2012:3): starting from here, the interviewer is able to apply an inductive method to deepen or even build a theory (Babbie, 2011). In this research, we decided to opt for semi-structured interviews divided into two main groups, preliminary and cultural (Rubin, Rubin, 2012), to compensate for the lack of available data and literature and shed light on the motivations that lead main actors involved in domestic work to boost or not the role of employment agencies and cooperatives in this specific sector. I started conducting some preliminary interviews with unionists, members of the Italian National Labour Inspectorate and the International Labour Organization to describe the general context of domestic work in Italy and to have more detailed information needed to structure my subsequent interviews with agencies, cooperatives, domestic workers and employers' associations. Thanks to the preliminary interviews I was able to better define what I intended to ask the most important domestic work actors, thus creating and implementing the structure of my semi-structured interviews. Considering that *"a qualitative interview is essentially a conversation in which the interviewer establishes a general direction for the conversation and pursues specific topics raised by the respondent"* (Babbie, 2011: 340), I opted for semi-structured interviews in order to maintain that flexibility (Babbie 2011; Asselin, 2003; Rubin, Rubin, 2012) necessary to explore my field of study and better describe it, without losing a general structure based on the theoretical background supporting my whole research (Rubin, Rubin, 2012; Foddy, 1993).

To maintain a conceptual form for my interview and be guided by my theoretical assumptions, my semi-structured interviews centered on three major themes, thus making possible a subsequent fruitful and useful comparison and analysis of the content. Starting with a focus on my literature review, I concentrated on how to operationalize my research objectives, and elaborated three interviews on macro-themes which represent the core dimensions of my research. The first is the description of domestic work in terms of workers and family profiles, the main tasks, remuneration, working hours, and how work conditions change when mediated by an agency or a cooperative. The second is the role of the LMIs and their concrete functioning, namely, how these actors specifically make the match between domestic work supply and demand, why a worker or a family would be willing to turn to an agency or a cooperative, what the main advantages are when relying on agencies or cooperatives, and how this particular labour market is organized and regulated. The third block is about the covid-19 pandemic, its implications on everyday living and working conditions of domestic workers, its impact on this working sector, and also the indirect impact that a compression of the overall female employment and the spread of smart working and home working may have on domestic work demand. Later, I also had to insert questions related to some emerging themes, such as the introduction of the new collective contract for domestic workers (since October 2020), and the impact of the 2020 amnesty for domestic workers.

Table 11- Research objectives and related focus on interviews

| Research objective | Interviews focus |
|--|---|
| Investigate how private employment agencies and cooperatives impact on domestic work's structural invisibility | Description of Domestic work and differences that emerge when intermediaries mediate the employment relationship: families and workers profiles, average workers' wages, working hours, main performed tasks. |
| Understand whether private employment agencies and cooperatives contribute to reduce the weight of these stereotypes in making the match between labour supply and labour demand | |
| Detect how employment agencies and cooperatives function, considering also the high labour informality characterizing the Italian context | Description of the concrete functioning of agencies and cooperatives: matching labour demand with labour supply, essential advantages and disadvantages of LMI mediation for the involved actors, regulation and restriction of this particular market, competition of informal employment often boosted by cost containment concerns |
| | Covid-19 impact in the short-term and possible long-term scenarios as regards personal workers' experiences but also the effects on the domestic work sector in general |
| | Main advantages of the new domestic work collective contract and still open challenges |
| | 2020 amnesty impact on undocumented domestic workers |

Of course, the form of the questions differed according to the different subjects I interviewed, but this structure, though not being so rigid and binding, helped to maintain the focus on the core topics of my research. Through main questions directly centered on these preset themes, I guaranteed the coverage of the principal points of my study. Through probes and follow-up questions (Rubin, Rubin, 2012, Babbie 2011; Pandey, Patnaik, 2014)), I tried to reach that depth in the conversations summarizing the complex standpoint of the interviewee, and distinguish a qualitative interview from a common conversation (Rubin, Rubin, 2012). In doing so, I tried not to be too rigid and conventional, so I could leave room for the respondents to add more topics or new perspectives, and consequently let new topics emerge from the conversation: I think that this part was undoubtedly essential to deepen existing literature on my research subject. During this phase,

the attention to nonverbal communication, silences and emotional reactions to my questions was crucial to better grasp the whole perspective of the respondents, and also allowed me to better interpret the meanings of the answers I received (Babbie, 2011, Mullings, 1999).

As regards the sample of my interviews, the first objective was to identify the empirical subjects involved in the phenomenon studied. I decided to consider all the three actors engaged in the triangular employment relationship characterizing care and domestic work when mediated by agencies. I thus held interviews with intermediaries, domestic and care workers and employer associations. Of course, different subjects require different sampling strategies and entail different problems of access. With the agencies and cooperatives, I had to deal with a general reluctance to be interviewed, due to an overall lack of interest to take part in academic research, and overwhelming work responsibilities. Just to give an overall framework of agencies and cooperatives present in the Milan area, I carried out research on registered agencies and accredited cooperatives in this zone. As Borelli (2020) clearly states and as already mentioned in the juridical chapter, it is important to clearly distinguish between authorization and accreditation. While accreditation sets the minimum standards that any personal service provider shall accomplish if it wants to operate in this business to guarantee that the provided service can satisfy the social needs, it should address, accreditation - recognized by Regions and Municipalities – and is necessary to provide services on behalf of public institutions. In this context, since social cooperatives are quite different from employment agencies, they are not obliged to obtain the authorization of the Ministry of Labour – given that they do not provide employed workers - and can operate through continuous and coordinated employment relationships and with autonomous workers. Instead, they are obliged to be accredited only if they act on behalf of the public institutions (Borelli, 2020). On the other side, social cooperatives selected by Municipalities through public tenders, can still provide care services to clients and pay for the whole service themselves (Marchetti, Scrinzi, 2014). The emerging framework is one of great complexity and intersection between public and private actors, in which the authorization/accreditation system is not applied to all the effective actors involved in the provision of home-care services and in which illegal practices and informality are still very common.

As regards agencies, I relied on the ANPAL (National Agency for Active Employment Policies) national list. This list is made up of five sections: the first concerns general agency work, namely work agencies providing workers in different sectors and activities and for temporary or permanent jobs. The second is dedicated to specific agency work, namely agencies providing workers in specific sectors or activities and only for permanent jobs. The third section concerns brokering agencies and the fourth concerns agencies providing research and selection services. The fifth section is dedicated to professional relocation support agencies, but it is not considered in this study due to the substantial absence of this type of agencies in the field of domestic work²⁵. Of course, I have reported here only agencies having Milan as their registered office:

²⁵ Different agency types are better defined in chapter 3, dedicated to the legal and regulatory framework.

in the following table, I inserted the number of registered agencies for each section of the ANPAL national list. As concerns cooperatives, I analyzed the regional register of accredited social cooperatives: on the 522 social cooperatives legally accredited in the Milano area (which I selected from the accredited cooperatives at regional level), 83 have “home care” as the main definition of the kind of services they offer.

Table 12- Registered agencies and accredited social cooperatives in Milan

| Registered Agencies | | | | Accredited Social Cooperatives | |
|-----------------------------------|------------------------------------|--------------------|-------------------------------------|--------------------------------|---|
| Agencies focusing on general work | Agencies focusing on specific work | Brokerage agencies | Research and selection of personnel | Total | “Home care” as specific service offered |
| 13 | 1 | 3 | 5 | 522 | 83 |

What is important to detect here, is that these lists of registered agencies and accredited cooperatives are not a faithful representation of the reality. As clearly emerges from literature, agencies and especially cooperatives operating outside the legal framework without having any registration or accreditation are common. Among the same intermediaries I interviewed, many do not appear in any list. I started contacting them via mail or phone, but I finally decided to go directly to their offices to personally present my research and tried to arouse their interest and willingness to be interviewed. In doing so, I covered the area of Milan, which is the case study area, including cooperatives and large and small agencies so as to cover all the different social and class features of domestic work demand in this peculiar city.

Table 13- Classification of Cooperatives and Agencies involved in the research

| | Nature | Client status | Conditions of workers employment | Foundation date | Workers’ contract | Territorial scale |
|---|-------------|-----------------------|----------------------------------|-----------------|----------------------|-------------------|
| 1 | Cooperative | Middle-class families | Hired by cooperative | 2020 | Cooperative contract | Local |
| 2 | Cooperative | Middle-class families | Hired by cooperative | 2016 | Cooperative contract | Northern Italy |

| | | | | | | |
|----|-------------|-----------------------------|----------------------------|-----------|--------------------------------|----------------|
| 3 | Agency | Middle-class families | Hired by family/VAT number | 2002 | Collective contract/VAT number | National |
| 4 | Agency | Upper-middle class families | Hired by agency | 1994/2012 | Collective contract | National |
| 5 | Agency | Elite families | Hired by family | 2007 | Collective contract | International |
| 6 | Agency | Upper-middle class families | Hired by family | 1996 | Cooperative contract | Local |
| 7 | Cooperative | Middle-class families | Hired by cooperative | 2020 | Cooperative contract | Northern Italy |
| 8 | Agency | Elite families | Hired by family | 2008 | Collective contract | International |
| 9 | Cooperative | Middle-class families | Hired by family | 2017 | Collective contract | Local |
| 10 | Agency | Upper middle-class families | Hired by family | 2001 | Collective Contract | Local |

As regards domestic workers, the main challenge for me was to obtain the access to this invisible and difficult-to-reach social group. This social visibility issue led me to opt for a snowball sampling method, or a method that *“yields a study sample through referrals made among people who share or know of others who possess some characteristics that are of research interest”* (Biernacki, Waldorf, 1981: 141). The pandemic of course, worsened the situation. However, after obtaining my first contact through personal channels, I was able to access a broader network of domestic and care workers settled in Milan. I also tried to check their profiles, in order to have the opportunity to interview not only women, but also men, foreigners but also Italians, caregivers, housekeepers and babysitters, and workers who had or did not have working experiences

with agencies and cooperatives. The snowball sampling process thus helped to enlarge my domestic workers' network: the so-called "word of mouth" often offered a sort of guarantee for the usefulness and rigor of my research and helped to overcome that social barrier which emerges when dealing with people's intimate dimension of home and domestic arrangements.

Table 14- Classification of workers involved in the research

| | Gender | Legal status | Nationality | Role | Working experience with LMIs |
|----|---------------|---------------------------------------|--------------------|---------------------------|-------------------------------------|
| 1 | male | Italian citizenship | Egyptian | Housekeeper & caregiver | Yes |
| 2 | male | Residence permit for work | Philippines | Housekeeper & caregiver | No |
| 3 | Female | Residence permit for work | Philippines | Housekeeper | No |
| 4 | Female | Long-term permit | Peru | Caregiver/OSS | Yes |
| 5 | Female | Residence permit for work | Brazil | Housekeeper & baby sitter | No |
| 6 | Male | Asylum seeker | El Salvador | Caregiver | No |
| 7 | Female | Italian citizenship | Argentina/Italy | Babysitter | No |
| 8 | Female | Italian citizenship | Italy | Babysitter | No |
| 9 | Female | Italian citizenship | Italy | OSS | Yes |
| 10 | Female | Waiting for residence permit for work | Moldova | Caregiver | Yes |
| 11 | female | EU citizenship | Romania | Caregiver | Yes |
| 12 | female | Residence permit for work | Moldova | Caregiver | Yes |

After defining my groups of questions and performing vis-à-vis semi-structured interviews, I proceeded with the faithful transcription of my audio files, including also the interviewees' emotional reactions and even silences and hesitations, and continued with my directed content analysis. Content analysis, as a *"family of analytic approaches ranging from impressionistic, intuitive, interpretative analysis to systematic, strict textual analyses"* (Hsieh, Shannon, 2005: 1277) involves different techniques and methods. All share the main feature of flexibility (Assaroudi, Nabavi, Armat, Ebadi, Vaismoradi, 2018; Creswell, Miller, 2000) and aim to classify a large amount of textual data adopting a useful number of categories, accounting in this way for both the explicit and the inferred forms of communication (Hsieh, Shannon, 2005). Qualitative Content Analysis is *"a research method for the subjective interpretation of the content of text data through the systematic classification process of coding and identifying themes and categories"* (Hsieh, Shannon, 2005: 1278). The same authors define three main approaches to qualitative content analysis, distinguishing them through the procedure used to set themes and categories and the overall research purpose of the researcher. The first approach is the so-called conventional content analysis, mostly used to describe a phenomenon and based on the naturalistic idea that the researcher should avoid using preset categories, preferring to let them "naturally" emerge from the textual data. We could therefore describe this process as an inductive category development, but it often fails in detecting key categories, especially when the aim of the research is not to build a new theory but to better articulate an already existing theory or identify new grounds of applicability for it. The second approach is the so-called directed content analysis, which relies on a deductive use of theory, in order *"to validate or extend conceptually a theoretical framework or theory"* (Hsieh, Shannon, 2005: 1281). Theory in this case is not totally emerging from textual data, but it already exists and helps to set some predetermined categories to evaluate the same data through the specific lens of the chosen theoretical assumptions. The process is more structured. It relies on precise operational definitions of themes and categories that lead to the use of targeted questions strictly related to the same categories. Nevertheless, *"any text that could not be categorized with the initial coding scheme would be given a new code"* (Hsieh, Shannon, 2005:1281): in this way, this technique leaves room for the emergence of new codes and themes which can add more information and complexity to the already existing theoretical framework. The main challenge involved in this approach is to be attentive to the contextual aspects of the studied phenomenon and to be able to grasp and notice emerging themes, even if they may be quite distant from the researcher's previous knowledge. The third, and last, approach is the so-called summative content analysis, which *"starts with identifying and quantifying certain words or content in text with the purpose of understanding the contextual use of the words or content"* (2005: 1283). Its focus is essentially interpretative of the context in which words or codes are used and it risks to pay insufficient attention to the broader meaning of phrases and words. Considering my research aim, I opted for a directed content analysis which allowed me to interpret my textual data on the basis of my theoretical categories. Of course, the main categories I set were linked to my interview question form, but some new themes and codes emerged from the open and direct

conversations with the people I interviewed. This is an iterative and open process based on different stages of abstraction (Assaroudi, et al., 2018). The directed content analysis starts with a quite general and abstract first-level coding process (Rubin, Rubin, 2012; Babbie, 2011; Pandey, Patnaik, 2014), and proceeds with the subsequent and more detailed re-coding process. This created the path wherein codes could be analyzed and reanalyzed for a richer definition. They were then grouped in the right category, describing their interactions and latent meanings and, of course, also their links with emerging new codes. This is how we can test the applicability of a theory in a different context and also elaborate it in a more complex and detailed way.

To conclude, directed content analysis, as any other forms of qualitative methodology, poses some problems regarding issues of validity and reliability that are determinant in social research. Although this was questioned by researchers who consider these concepts essentially inherent to a quantitative research, and prefer to coin new terms or adopt different concepts like trustworthiness and confirmability (Guba, Lincoln, 1994), the issue of evaluating the credibility of research is core. *“By refusing to acknowledge the centrality of reliability and validity in qualitative methods, qualitative methodologists have inadvertently fostered the negative notion that qualitative research is therefore unreliable and invalid”* (Morse, Barrett, Mayan, Olson, Spiers, 2002:4). If it is true that qualitative research barely aims for that kind of generalization of theory, easily obtainable through statistical analysis, and focuses more on research depth (Pandey, Patnaik, 2014), *“qualitative researchers should reclaim the responsibility for reliability and validity by implementing integral and self-correcting verification strategies during the conduct of the inquiry itself.”* (Morse, Barrett, Mayan, Olson, Spiers, 2002:1). In qualitative research, validity and reliability are not verified at the end of the research, but should be a researcher’s central concern from the start of data analysis (Morse, Barrett, Mayan, Olson, Spiers, 2002; Creswell, Miller, 2000). There are different strategies that do this by looking for the saturation of themes, namely to call attention to the emerging themes until all the interviews have nothing more to add to the previous ones in terms of relevant concepts and categories. The triangulation of sources also appears fruitful to obtain different points of view, allowing other objective trends and paths to emerge, and necessarily involve that the sample should be appropriate in terms of representativeness (Taherdoost, 2016; Babbie, 2011; Creswell, Miller, 2000). The concept of crystalline validity, as defined by Lincoln, Lynham and Guba (2018), seems appropriate here: functioning like a prism, it aims to find the methods that allow us to discover hidden sociological assumptions, always keeping in mind that *“what we see depends upon our angle of response”* (Lincoln, Lynham, Guba, 2018: 243). Moreover, member-checked results are very useful, namely returning the recording transcript to the interviewee so that he or she can check if there are mistakes in transcript, verify if the information is correctly or wrongly interpreted by the researcher. All these different types of verification strategies (Morse, Barrett, Mayan, Olson, Spiers, 2002) guarantee the self-correcting development of the research, based on the iterative nature of this process. This necessarily involves the researcher’s constant and alert responsibility: *“The lack of responsiveness of the investigator at all stages of the research process is the greatest hidden threat to validity and one that is poorly detected using post hoc*

criteria of "trustworthiness." (Morse, Barrett, Mayan, Olson, Spiers 2002:11). Taking into account all these different methodological strategies and starting from the assumption that validity and reliability should not be evaluated only at the end of the data collection and analysis, I chose an iterative and open research design, in which data analysis and theory verification are not strictly separated and consequential, but sometimes overlap. After my first round of preliminary interviews, I went back to my literature and, taking both the theoretical and the first empirical parts together, modified my initial questions guide, to make it more suitable for my research aim. Then I started with my sample interviews, held with ten subjects, who were workers, agencies, cooperatives, and employers' associations, and later proceeded with a first and quite abstract coding process. I found this method very useful to organize my concepts map and categories and to better define and redefine my questions and codes. In this way, I was able to guarantee that macro-micro perspective (Morse, Barrett, Mayan, Olson, Spiers, 2002; Babbie, 2011) which could ensure the necessary methodological coherence with my research questions and objectives (Elliot, 2018; Assaroudi, Nabavi, Armat, Ebadi, Vaismoradi, 2018). This iterative development of the research, nevertheless, has not been the sole verification strategies: I also used the triangulation of sources and member checks. The latter helped me to overcome also cultural differences existing between me and the workers, agencies and cooperatives I interviewed. To conclude, looking for saturation was of course one of the most important tools for ensuring validity and clearly defined my sample size. Realizing that all the interviews focus on the same themes without new emerging codes signified, in fact, that the research effectively covered all the most relevant aspects of the phenomenon under study, ensuring at the same time that the interviewee needed no further questions, given that the sample size was adequate to obtain interesting and relevant results.

As the theory on directed content analysis states, one of the fundamental steps of this methodological approach is the coding process: *"Coding is a way, of essentially indexing or mapping data, to provide an overview of disparate data that allows the researcher to make sense of them in relation to their research questions."* (Elliot, 2018:2850). Basically, codes are labels that assign symbolic meanings to the textual data collected through interviews, and aim to grasp the conceptual categories needed to analyze and compare data in order to summarize the results of the research (Babbie, 2011; Hsieh, Shannon, 1277). According to Elliot (2018), the coding process is a decision-making process: there is no unique or standardized coding model, but it strictly depends on the research purposes. The coding process can be structured or unconstrained (Assaroudi, et al.,2018) and may depend on different levels of abstraction. I chose an iterative coding process and did not define all my codes at the beginning of the analyses, but started with a first level coding and then returned to my codes matrix to modify and implement it. I set some initial codes, strictly dependent on my research aims and later added emerging codes. Furthermore, I inserted other subcodes under my main preset codes and transformed them into categories to grasp the main themes emerging from the analysis. As an open process, it ends only when the researcher decides to stop interviewing, after having ensured that the topics have been fully explored. Consequently, also the code analysis is not given once and

for all but is done from the beginning, to conceptualize and sort the codes into categories and themes before the identification of the kinds of relationships or links existing among them. It is a very conceptual process led by the concern to find meaningful answers to my research questions. Codes often overlap and interact with one another, and they can be divided into descriptive, topic and analytical types (Elliott, 2018), going from a more general into a more specific level of understanding, making it clear that relationships among codes are required to highlight the patterns of association needed to test a theory or suggest new paths of analysis. In this case, a nested coding scheme that starts integrating the descriptive, topic and analytical codes was quite appropriate. In order to develop my coding analysis, I decided to use the NVivo coding software that helps to perform this job and simplify textual data analysis and the whole coding process, while visually elaborating codes of association, co-occurrences and relationships.

3.3 Introductory note to the empirical chapters

In the next four chapters, I will proceed with the analysis of the main results of the interviews I conducted with intermediaries' owners and managers, domestic workers, employers' associations, and key actors, focusing on both the preset and the emerging codes. In the first paragraphs of each empirical chapter, I report the main results of the preset code representing the core topic of each chapter and their related subcodes, to highlight the essential aspects of the LMIs' role of mediation and its impact on domestic work organization. In doing so, I followed my methodological approach based on directed content analysis as the main operational and analytical tool. After defining my main theoretical results, I inserted some peculiar graphs and concept maps in the last paragraph of each chapter, to better describe interactions and dynamics existing among preset and emerging codes at a theoretical and practical level. These maps should not be intended as empirical explanation, but rather as a graphic attempt to reduce the complexity of my empirical results, to be read as a sort of comment to these same results, as a simplification effort. This speculative approach appears useful to detect the schemes existing among codes, categories, and concepts that allow me to answer my three main research objectives. My final aim is to disclose a coherent empirical framework of the functioning of both for-profit agencies and not-for-profit social cooperatives in the Milan area, as compared with the already defined regulatory and legal structure, highlighting the main discrepancies and deviations between the abstract and the concrete levels of analysis. In the last section of each chapter, I have also included a comparison of the points of view of domestic workers and agencies, to emphasize the differences and affinities among the main actors involved in my research. In doing so, I tried to better detect the more controversial and debated aspects of the phenomenon under study.

I applied this same structure to all the empirical chapters of this thesis. Meanwhile I dealt with the main themes of my research: the definition of domestic work; the structural dimension of informal employment; the role of LMIs; the impact of the Covid-19 outbreak and the first effects of the 2020

extraordinary emergence procedure for irregular migrant workers; and policies suggested by the actors involved. If the first three themes have been set with the theoretical background in mind, the other three have automatically emerged from the interviews, thanks to their semi-structured nature.

Table 15- Codes description

| Name | Description |
|---------------------------------|--|
| Agency²⁶ role | What is the role of domestic work intermediaries in Italy? Description of this peculiar reality, their main positive and negative features of LMIs mediation according to workers, agencies, cooperatives, and employers' associations |
| Agency attitude | Why do people decide to open an agency or cooperative? How these intermediaries intend their role, how they judge this market sector, if they stress more on the social or the economic dimension |
| Business strategies | Strategies implemented to ensure a competitive position in the market, carrying on its operations, pleasing customers and achieving the desired ends of the business. |
| Costs for families | The costs for hiring a domestic worker through agency or cooperatives |
| Costs for workers | Does the agency or the cooperative forecast some costs for workers in order to be hired t or inserted in their database |
| Fake agency | Description of the reality of agencies operating without authorization, how they manage to survive in this market and how they compete with regular agencies |
| Functioning | Description of the ways agencies and cooperatives act in choosing the workers, selecting the clients, making the match between labour demand and labour supply |
| Offences | Description of the main offences perpetuated by agencies and cooperatives |
| Regulation and laws | Description of the rules and laws regulating the market of agencies and cooperatives involved in this sector |
| Workers' opinion | Description of the idea workers have about agencies and cooperatives active in the field of domestic work |

²⁶ I used just the word "agency" in my codes for both for-profit agencies and social cooperatives.

| Name | Description |
|----------------------------------|---|
| Workers' wages | How workers' wages are defined by agency or cooperative + Description of differences in wages that workers face when they turn to different types of cooperatives or agencies |
| Covid-19 impact | How the pandemic impacts on personal stories of domestic workers, but also on the sector in general |
| Domestic work description | The main features of domestic workers. The main tasks of caregivers, housekeepers and baby sitters. Their typical working day |
| Demands of families | What families look for when they decide to hire a domestic worker. Description of the typical hiring family |
| Harassment and violence | Workers' exposure to harassment or other kind of violence |
| Intimate relationships | Intimate dimension of domestic work and its impact on the employment relationship and everyday life of workers |
| Life plans | Workers' plans for their future |
| Migrant workers | Particular condition of migrant workers (residency permits, legal status, discrimination...) |
| Personal histories | Personal histories of domestic workers |
| Wages | How wages are defined, differences in wages among workers |
| Working hours | Definition of working hours for live-in, live-out, part-time, etc. |
| Ignorance | Ignorance of families regarding laws and bureaucracy/workers' ignorance of their rights and duties, the role of ignorance in fostering informal employment |
| Informal employment | Description of the main factors boosting informal employment in this working sector |
| Cost containment | Cost containment concerns of families and LMIs |
| Main irregularities | Main irregularities in this working sector, as regards wages, working times, contracts |
| Professional downgrading | Description of the professional downgrading impact on domestic work informality rate |

| Name | Description |
|--------------------------------|--|
| new collective contract | Main strengths of the new Collective contract + challenges still open |
| Policy suggestions | Strategies to improve domestic workers' conditions |
| Financial incentives | Strategies to address the families' need to reduce domestic work cost |
| Technical training | Improvement of workers' skills ad professionalization through specific courses |
| Professionalization | Formal or informal training, how to certificate and prove it, subjective or rather objective |
| Recruitment | How domestic workers recruitment functions |
| Informal recruitment | Recruitment based above all on word-of-mouth |
| 2020 amnesty | Impact of 2020 amnesty on domestic work |
| Stereotypes | Main stereotypes affecting domestic workers based on gender/race/nationality/class differences |
| Trade unionism | Main limits affecting domestic workers' unionization + useful strategies to overcome the problem |
| Workers' profiles | Most common nationalities, age, gender, work habits among domestic workers |

Table 16- Preset codes and emerging codes

| Preset codes | Emerging codes |
|--|--|
| <ul style="list-style-type: none"> - Agency role - Domestic work description - Informal employment - Stereotypes | <ul style="list-style-type: none"> - Covid-19 impact - Ignorance - Professionalization - New collective contract - 2020 amnesty - Professionalization - Policy suggestions - Recruitment - Workers' profile - Trade unionism |

Chapter 4. “I don’t want to spend all my time in their family”: domestic work as defined by workers and agencies

4.1 Domestic work as emotional and relational labour

As concerns my interview analysis, I started considering the main themes and concepts referring to both preset and emerging codes with the very definition of domestic work, to better detect the contextual impact of the intermediaries. Given the special attributes of domestic work (Triandafyllidou, 2013), the opinion of workers is essential to obtain a faithful description of the main positive and negative aspects of this work. What clearly emerges is that domestic work is very particular and complex, involving essential emotional factors such as kindness, patience, availability and trust. Emotional labour as defined by Hochschild (1983) still seems a synonym of domestic work, but also the category of relational labour appears appropriate in this context, because it *“asks instead how the complementary dialectics of personal relationships and professional labour play out in the ever-changing flux and flow of everyday interaction”* (Baym, 2015: 16). It is not only the effort to sell an image of the self in line with all the stereotypes affecting the whole of reproductive activities (Anderson 2001; Lutz, 2017; Rollins, 1985), and entailing the selling of one’s own feelings and emotions to suit the expectations of other. It also means dealing with the care recipient’s emotions, being aware that personal relationships play a core role also in boosting employment opportunities. This intimate relationship is an essential part of domestic work, and refers not only to the care recipient, but also to his or her family members, especially for live-in domestic workers. Workers often associate this intimate bond with a dimension of responsibility that burdens them at psychological level, especially when they care for fragile subjects (elderly people with Alzheimer and autistic children for instance):

“Caring was very difficult...because [it was] too much responsibility for me and I did not want to spend all my time in their family...because the child was violent, so I left them [the family] because she [the child] was violent...once she gave me a header and my nose bledso I decided to leave” (Int. 3- housekeeper).

The issue of responsibility, however, is a double-faced one: it is used by workers as a sort of technology of the self (Foucault, 1992) in defining their job as an important and essential one, and tries to counter the overall devaluation of domestic work (ILO, 2016). Workers find their own ways of expressing their agency’s role and resist the widespread invisibility of domestic work. As emerges from the workers’ statements, domestic work is both psychologically and physically heavy, something that is not often understood by families who usually tend to underestimate the worker’ efforts and look for multitasking workers who can do whatever the family needs for an affordable wage, in line with the focus on cost containment (Farris, 2020; Marchetti, Scrinzi, 2014). If the psychological burden affects above all live-in caregivers, the physical one is no less impacting for both caregivers and housekeepers. Cleaning and tidying

up the house may be very tiring and demanding, but also lifting up an elderly man demands a certain physical strength, considering that usually caregivers are also responsible for home cleaning and tidying. This physical and psychological burden may be powered or limited by the peculiar kind of relationship workers have with the employing family: if workers emphasize the families' trust on them as a positive aspect, they often complain of being viewed and perceived more as servants (or even "slaves") than workers. Workers often use words like "boss" or "master" to describe how they are treated by their employing family.

"We ... we are just a number, that's all: that's what I learned, what they told me and how I behave: just like a number" (Int. 4- caregiver).

As emerges from literature (Land, Himmelweit, 2010), the quality of care provided by workers is undoubtedly linked to the kind of relationship they establish not only with the care recipient, but with the whole employing family:

"I would define it [domestic work] as an important job because I like to help and be useful ... I say that we are part of the family, but it depends on how we cope with this job: you work well when the environment is good, so, first of all, respect for the person counts" (Int. 4- caregiver).

However, families often hesitate to recognize the combination of emotions, love and affection that workers - especially caregivers - put into their work. Even if these workers are hired precisely for their caring and emotional skills, families often focus more on the workers' monetary needs, reducing this complex mix of elements only to the economic dimension, without considering the very particular nature of care work, and contribute to diminishing the essential social value of this work:

"Many think: ok, the caregiver comes here to earn, she gets her salary and that's it. It's not true! Where I worked, I grew fond of the elderly person... it is not just a question of money. You don't work in a factory, with a machine: you work with a person, with a human being, you must give him what he lacks" (Int. 12- caregiver).

Another aspect which appears in some way linked to the intimate relationship characterizing domestic work and the private dimension of the workplace is physical violence (Catanzaro, Colombo, 2009; Parreñas, 2001; Rollins 1985). Often conceived as servants or "slaves" more than as workers, domestic workers may also have to deal with their employer's outbursts of anger and nervousness:

"I left when he did that thing ... besides the offensive words and insults ... he rubbed the plastic of the iron in my face ... even though I went to work with fever, I went to work anyway because he called me ... I went anyway.... And he also insulted me ..." (Int. 5- housekeeper and babysitter).

As different workers state, they often feel like the "escape valve" of their employers or care recipients: having a close and intimate relationship with other people living in the same house while

experiencing a strong power difference also totally exposes you to situations of wrath or psychological blackmail. It is interesting to note that in the previous case the employer's wife, despite being on the worker's side, tried to minimise what happened by specifically saying: *"you know, he is nervous."* Responsibilities in the field of reproduction may involve being the punchball of the male breadwinner entitled to that productive and public life which often produces stress, irritability and resentment. No matter if the male breadwinner is instead a female breadwinner within the dual-earners family model. Being a domestic worker may entail also the capability to deal with these outbreaks.

On the other hand, both -profit and not-for-profit intermediaries are quite aware of the particular nature of domestic work: they recognize the amount of patience workers need to do this job, dealing with care recipients - often infirm elderly - and their whole families. Moreover, they are perfectly aware of the importance of the close relationship existing between the worker and the family. After all, one of the main duties of agencies is to find "the perfect worker," so they often include worker substitutions among their services precisely because personal relationship is what really counts, at times more than the references and certificates of courses attended:

"Patience is something everyone must have! If you do not have patience, you cannot do this job, because elderly people are 'terrible' ... they are like children ... so they either do things as they want, especially the elderly, or they massacre you...they start bugging you from morning to night, and I had cases of this kind..." (Int. 2- social cooperative).

LMI recognize that families may treat these workers as servants, and as intermediaries they may have a positive impact on this habit trying to make families understand the objective - and sometimes even subjective - needs of the workers (Souralová, 2015; Marchetti, Scrinzi, 2014). Usually, smaller firms with a more direct contact with domestic workers are more aware of their workers' needs with respect to large firms operating at national or even international level: a closer connection with workers contributes to increased awareness of their needs. Nevertheless, agencies and cooperatives are paid by families to find the perfect domestic worker, nourishing and feeding family expectations. The attempt to have a positive impact on the preconceptions of families, is not always successful. Italian women are described by agencies as "family managers" and their families as "multitasking," thus spreading the idea that also domestic workers should be multitasking when dealing with the complex mix of tasks involved in domestic work: a great worker is one who can satisfy all the family's needs. These same needs are very diverse and absolutely subjective, given the intimate dimension of domestic work: employers look for competence, experience, availability, patience and personality, but the workers' personal features really count. Some families prefer more introvert people, others prefer more friendly and cheerful people. Stereotypes - as we will see - often play a crucial role in the recruitment process. We should consider that if middle and lower-middle class families generally look for workers able to do whatever they ask for a low pay, higher class families believe that

domestic workers should embody and represent the family's own social image. Therefore, a household's economic position has a direct effect in shaping different ideas on the most important qualities of domestic workers.

4.2 The working conditions of domestic workers

Another relevant dimension of domestic work is that of wages and working time: as the same ILO emphasizes (McCann, Murray, 2010) the particular nature of domestic work as work performed at home and based on specific household needs, differentiates it from the classical employment relationship also in the definition of working hours. Even if the national collective contract of this sector defines the profiles and related wages of all existing workers, we often witness deviations from these rules within the private dimension of the home where controls are difficult and where close personal ties between workers and employers lead both employers and workers to consider extra working tasks as personal favours (Hobden, 2015). Workers lament the endless working day they experience especially as live-in workers: even if the national collective agreement establishes a maximum of 54 hours weekly for live-in workers, with free weekends and two rest hours each day, it seems difficult to really rest when the home is also your workplace, as in the case of live-in caregivers. As regards live-out workers, they usually work eight hours per day, but are often asked not-to be paid always for overtime. The other important issue among caregivers is that of night shifts, which are distinguished between active - implying the effective presence and assistance of the worker - and passive - when the care recipient requires only the worker's presence, and not his or her active assistance (Hobden, 2015; McCann, Murray, 2010). Despite the clear contractual provisions, families tend to avoid hiring another worker for the night in the constant attempt to save money, often minimizing the effective amount of required night shifts. This is quite common even when the worker is hired through an intermediary that should guarantee a clear distinction between working hours and leisure time. This situation obviously increases the physical and mental burden of workers, as emerged from the following quote by a worker who still cannot work as live-in caregiver, given the physical consequences of her last working experience:

"Despite everything, I always had those two hours of "rest", and therefore I worked from 2.30 pm to 8.30 am the next morning, because the old lady did not sleep, so I would get up from the bed [the old lady's bed] at 8 when the other [another domestic worker] arrived at 8.30, and I didn't sleep night or day. I practically worked 19 months without being able to sleep ..." (Int. 9- caregiver).

Concerning live-in caregivers, families often think workers should, or at least could, work 24h round the clock. LMIs are aware of this, and try to change the family's' minds, reminding their customers that workers need to rest and relax, since it is essential for quality of care. Nevertheless, the private dimension of

the home makes it difficult to effectively monitor the respect of the established working hours, as LMIs themselves admit. The following quote is very useful in clarifying another relevant issue of the definition of working hours in live-in domestic work:

“It is true that when the work is live-in, the caregiver often spends much time sitting or waiting...the moments in which she really works are few” (Int. 4- agency).

As the ILO itself states (2021), one of the still open challenges for the achievement of equal treatment for domestic workers is that of addressing the difficult distinction between working hours, leisure time, and standby periods, namely the amount of time during which the worker, even if not directly engaged in specific practical activities, should be totally at the disposal of the care recipient should the need arise. This specific time should be formally recognized as working time in case of live-in work, but reality is still at odds with the ILO recommendations. The productive-related definition of work, in fact, enhances the social undervaluation of domestic work derived from its identification with “unproductive work” (Lutz, 2007; Sarti *et al.*, 2018) with negative consequences on the acknowledgment of standby time as working time.

The situation of housekeepers is quite different: they usually work on an hourly basis, unless they are part of the fixed staff of wealthier families, and often have to run from one house to another, working much more than the established time, and are affected by anxiety and stress:

“I went to them in the morning, I did 5 or 6 hours even if the contract said less! (laughs) then I went around Milan to do other jobs [...]. The contract said that I should have worked exactly 5 hours ... or rather 4 and a half hours ... and before I had to go to her [employer] mother, which was not written in the contract, and worked there for two hours. Then I went to their place [her employers] to cook, do the shopping ... run like crazy!” (Int. 5- housekeeper and babysitter).

Besides the difficulty in managing and combining different jobs on the same day and going from one side of the city to another, the main issue for live-out workers is the families’ late communication regarding delays, postponements or anticipations and which is perceived by workers as a real lack of respect for them and for their work. In these cases, labour intermediation is regarded as a limitation of their negotiating power: it is the agency that should establish where and when they have to work - focusing more on the needs of families rather than on those of the workers – leaving them with transportation costs. Furthermore, hourly housekeepers and baby-sitters experience a different kind of mental and physical burden with respect to caregivers, and which are not less stressful and heavy. This reality is leading some unionists to commit to formally recognizing domestic work as highly fatiguing work, considering the related physical and mental diseases. The psychological disease called “*Sindrome Italia*” (Italia Syndrome) is already quite known: it affects especially Eastern European women working in Italy as caregivers for years without holidays and without the possibility to see their children until they reach mental burnout (ILO, 2018, DOMINA, 2019).

Furthermore, it is very common to find workers lamenting backache, muscular pain, stiff neck and other physical problems they are often reluctant to admit to suffer, given that sickness allowances are paid by employers and unjustified dismissal is allowed:

“We domestic workers are the ones who work with the fear of getting sick: if we get hurt, we better not say so because ...being a domestic worker is a job that...requires your constant presence...” (Int. 4-caregiver).

Despite being quite well-known by households, social parties and public opinion, the high risk of physical and mental disorders is still one of the most problematic aspects of this sector. The theme of sickness allowances paid by the employer aggravates workers' conditions, as well as the widespread tendency to formally hire workers for less hours than those effectively worked. It is a practice sustained by both families and workers. As a rule, workers result as employed for 25 hours weekly to avoid problems with the residence permit renewal – and also the possibility to informally earn more money – and at the same time allows the family to pay lower taxes and contributions, as we will better explain later.

Another objective element of the definition of domestic work is remuneration. The first evidence regards differences between informal and formal employment, often linked to regular residence permits given the high number of migrant workers. Here I discuss the wages of domestic workers in general, not focusing on those employed through or by the LMIs. Defining this context appears important also to understand the definition of LMI wages, a point that will be addressed in the next chapters. To describe the wage calculation of domestic workers, we should necessarily face the complex issue of informal employment and its impact on wage definition. The emerging framework is quite contradictory: if recently arrived undocumented migrants - according to the respondents - may earn € 800 for 300 hours per month, or € 500 for a live-in job, things are very different for regular migrants working informally. Undocumented migrants who have recently arrived are not often aware of the working conditions in Italy and coming from countries with very different costs of living, accept any wage in order to count on some money for their survival. Obtaining a formal residency permit is a turning point to improve their working conditions also in economic terms: they may work with a regular contract, even accepting very low contractual wages. As several interviewed workers stated, they earn around 6-7 € hourly with regular work, whereas they can earn about 10 € hourly when working informally, and often prefer to keep on working informally in order to earn more. This choice however is based on several factors depending on whether they need to send remittances to their family in their country of origin, or sustain their own family here in Italy, or for other strictly personal factors:

“Before the contract they paid me 10 € ...how do you say it here? “Under the table” (undeclared cash in hand). But after getting this contract what I get is 7.50 € net... but they pay 10 ...” (Int. 3- housekeeper).

The worker's level of professionalism also counts in this choice: more professionalized workers, that can be hired as C Super or even D Super domestic workers, usually opt for regular contracts, while unskilled ones prefer informal employment. Very low contributions mean also very low pensions, but this does not seem to be an effective deterrent for informal employment even among workers who want to spend the rest of their lives here in Italy. Newly-arrived workers who accept any wage to start working usually realize their condition of exploitation and economic undervaluation only over time: making friends and personal contacts, and working with different employers are essential to understanding their personal condition of exploitation thanks to the comparison with other people's viewpoints and experiences. The time factor can thus be surely defined as an element of improvement of the working and living conditions for most migrant domestic workers, given also the Italian migration regime: *"The expectation of future regularization measures helps alleviate the burdens of the immigrant's life and work: as has happened in Spain and Greece, irregularity tends to be considered the first step in a career of settlement and 'citizenization'"* (Ambrosini, 2013: 5).

4.3 Life trajectories and personal experiences

As this section shows, time has a strong impact on workers' experiences: if career improvements are not so comforting, enhancement of living conditions and social integration represent the turning points in the lives of migrant domestic workers. Personal histories are illustrative of changes that workers experience since they decided to migrate, reaching the decision to work as domestic workers, in a constant re-definition of their personal life plans (Anderson, 2007; Marchetti, 2011; Parreñas, 2001). Migrants who already have some personal contacts on which they can rely upon their arrival in Italy are usually pushed by the desire to improve their living and working conditions and support their families in the country of origin. Living conditions before the journey has its strong determinant effect. If in some cases one can detect that contradictory factor of class mobility (Parreñas 2001) regards workers who leave a middle or even high-status job in their country to become domestic workers abroad and simultaneously increasing their income. In other cases, life in the country of origin may help to better afford domestic work upon arriving in Italy. Eastern European migrant women usually have a greater educational capital: one of the respondents worked as a secretary in a firm, while another was even a University professor. The economic pressure forced them to leave their country and move to Italy to find better sustainment for their family. Nevertheless, also other motivations lead these people to leave their country: it may be just to change their life or escape from a violent reality, sometimes also due to their personal sexual orientation – as in the case of two respondents. The idea of Europe as a land where each one can live freely, leaving apart concerns for safety and survival, profoundly shapes the expectations of migrants in making their choice, also thanks to the experience of other friends or relatives:

“My sister was already here in Italy, and had a residence permit, which she obtained in 2002 with the amnesty I arrived in 2004 ... leaving my son who was 11 and a half at home. As a single parent, I struggled a lot because we teachers have a very low salary in Moldova ...” (Int. 12- caregiver).

Among the workers I interviewed, some general trends can be detected: Eastern Europeans –the majority of the domestic workers in Italy - usually emigrate alone, leaving their families in their country of origin. They are usually more educated and more unionised, given the cultural heritage of working women inherited from the soviet period and the well-established and structured ethnic and community networks. Latin American women tend to emigrate with their families, or at least obtain family reunification after settling down in Italy; people from Asia usually emigrate alone, relying on remittances to maintain their families. Africans are increasing, but they still suffer a lot of stereotypes and prejudices limiting their working opportunities. As concerns Italians, they are present in limited numbers, even if they do exist and increase their presence especially during - and after - periods of economic crises, as in the 2008 crisis (DOMINA,2019). These empirical results, although referring to a limited number of interviews, seem in line with previous studies on different forms of domestic work’s racialization/ethnicization, also reflecting different trajectories of migration in which community-based networks are essential (Catanzaro, Colombo, 2009; Colombo, 2003; Marchetti, Scrinzi, 2014; Parreñas, 2001, Sayad, 2002):

Table 17- Different features of racial/ethnic domestic workers’ groups according to respondents.

| Origin | Features |
|-------------------|--|
| Eastern Europeans | <ul style="list-style-type: none"> -Mainly women -Emigrate alone and then often come back to their country of origin -Transnational families -Usually well educated -More used to work outside the home |
| Latin Americans | <ul style="list-style-type: none"> -Emigrate with their family, or the family reach them later -First time experience as workers (if women) -Quite educated |
| Asians | <ul style="list-style-type: none"> -Transnational families -Work to send remittances -Quite educated -More male workers |
| Africans | <ul style="list-style-type: none"> -Emigrate alone -Still limited in finding work as domestic workers due to racial prejudices -Islamophobia |

| | |
|----------|---|
| Italians | <ul style="list-style-type: none"> -Work as domestic workers if other employment opportunities are little -Strong polarization between high-skilled and low-skilled domestic workers -Domestic work as a temporary job |
|----------|---|

The emotions and feelings of these workers deeply change over time: initially they feel shy and more insecure, and accept any kind of work and wage. They often regard domestic work as an initial job, especially if male (. These workers frequently have school certificates and degrees which might be very useful to find other kinds of jobs, but since the validation of these certificates and titles in Italy are very complicated and expensive, domestic work is the easiest way to earn money once they get here (Sciortino, 2004). The workers' awareness of wages and working conditions is often impacted by the time factor. Over the years, these workers have obtained more information on their rights, on wages established by the national collective agreement and on trade unions. They could enhance their negotiating power once they have gained more knowledge on working mechanisms in Italy, even if this is not so true for people who regard domestic work only as a temporary job. Sometimes workers already know their destiny when they decide to move - especially if they know other people who are doing the same work in Italy but at times, they arrive with no idea of what their future will be. On the other hand, their growing self-confidence and pride over the years, reflect improvements in speaking Italian, the establishment of personal networks and above all, in obtaining the residence permit (Ambrosini, 2013; Catanzaro, Colombo, 2009; Mezzadra, Neilson, 2014). The experience of travelling alone often has an incredible impact on the self-representation of workers, especially for women who are now becoming the real breadwinners of the family. This may lead some of these women to opt for a divorce if their marriage is no longer satisfactory, something they realize only thanks to the increased self-confidence and courage deriving from their experience of work:

"I divorced in 2010 because I was still working with the lady, but I had left two children... their father had to take care of them, but one day my daughter told me that her father did not come home, so there I got angry. I said: I am working here from Sunday to Sunday and he is having his good time! So, I called him to find out more and he started saying offensive words to me, so I said: if you want me to return to Peru then I'll come back to solve this problem" (Int. 6-agency).

Different realities emerge with regard to the Italian domestic workers' life trajectories. Interviews show two tendencies: the first regards professional and qualified assistants, especially social and health workers (OSS) and babysitters, while the second involve domestic workers in general. If in the first case these workers represent the "élite" of domestic workers, aiming to regular contracts and higher wages also thanks to specific courses and training -although the overall social devaluation of domestic work impacts also on them-, the second group involves the people who regard domestic work as an "emergency job," and who are always hoping to find something better and more profitable. As highlighted by Pruna (2018), in fact, although

being less pronounced with respect to other -usually Southern- regions with lower occupational opportunities for the native female population, the Italian component of domestic workers has constantly increased in the last years exactly because of existing occupational dynamics: “*where work is scarce, educated women compete with less educated women for the same jobs*” (2018:3). So, thinking that all the Italian domestic workers are low educated and low-skilled is not correct: we can find both profiles in terms of educational levels and skills, given that domestic work represents “*an involuntary but necessary ‘piece’ of work*” (Pruna, 2018:11) for women living in more disadvantaged territories, or facing specific hardships in their life (DOMINA, 2019). The following quote appears very important to understanding the peculiar reality more educated Italian domestic workers:

“I was not born as an educator or babysitter ... I did classical studies, I finished high school which means having nothing in hand ... then slowly the passion came... I have always felt attracted towards childhood and children and this was my part of my character and predisposition... it matured after the birth of my children, and I was also quite advanced in age. Once they grew up, I started working in schools. Then I did a Montessori specialization course, and started a business with a friend who dealt with nutrition, cooking, workshops but not from a strictly educational point of view. Slowly, for purely economic needs I decided to find a job as a nanny of one or two children... it has been so since 2005 more or less ...” (Int. 8- babysitter).

The interviewed women decided to work as baby-sitters for economic reasons, but had an incredible number of experiences and certificates, which gave them the opportunity to work for wealthy families that focused on her very particular educational methods, confirming households’ trend to hire Italian qualified babysitters (Catanzaro, Colombo, 2009). They could choose where and whom to work for, being in a very different situation than this second type of Italian domestic worker:

“My personal experience started when my kids were very young ... I started with a part-time job since they were going to school and I had to go home to cook, and help them with their homework. Then I divorced and ... I am not saying that I ended in the middle of the road, but... I continued my little jobs, I had 4-5 years of standby ... then later, when my ex-husband threw me out on the streets, I carried on doggedly doing this work day and night. I started going to the various cooperatives ... before I used to work in my parents’ shop” (Int. 9- caregiver).

In the two cases mentioned, these women turn to domestic work when they decide to have children: family responsibility, and childcare in particular seems essential in taking this decision. Both previously did different jobs and, if the first worker used to have a cultural and experiential background more suitable for work as a qualified baby-sitter, the second one’s dramatic experience and economic situation forced her to find something to survive on and support her sons.

Besides nationality, gender also impacts on the experience of domestic workers, especially if we consider the position of male workers performing a job which is considered a strictly feminine one. A very common strategy is to identify domestic work like any other, when performed outside one's own house and as waged work, whereas it continues to be strictly identified as a feminine vocation when performed for free and within the family unit. Sometimes, being employed as a domestic worker may even be surprising or disconcerting for male workers, given the current and strongly gendered division between productive and reproductive work:

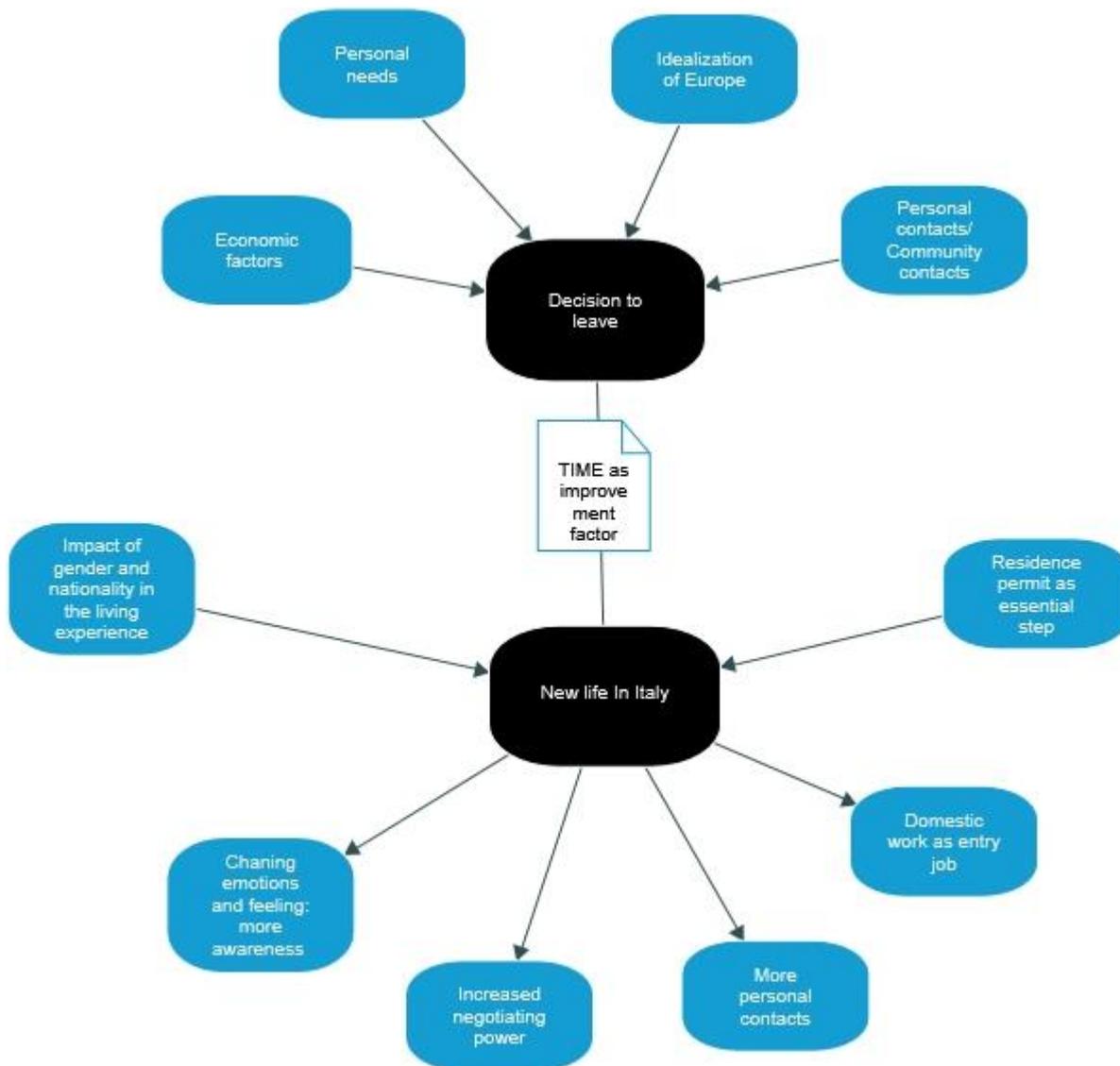
"I did not know... because in other countries they always hire women ... even in the Philippines I had never washed the dishes, cooked, or swept the floor ... when my mom said: 'Wash the dishes!' I would said: No, I'm not a woman mom, let my sister do it ... now I do all that I didn't do in the Philippines" (Int. 2-housekeeper),

Even if this reality changes according to people, these micro-strategies in dealing with the feminization and devaluation of domestic work are widespread among male workers. They all emphasize that domestic work is like any other because its waged dimension differentiates it from the unwaged domestic work which is still considered a natural feminine vocation.

Agencies and cooperatives are aware of the crucial role that personal histories and experiences have in shaping the "perfect domestic worker" and theme is also taken into consideration during the recruitment process, with details on the workers' personal and private lives. Understanding whether the worker lives alone or with the family, in which zone of the city, if he or she has children to care for, the relationships with the spouse, are all essential details during the recruitment. When working as domestic workers, especially as live-in but not only as such, it seems rather difficult to separate private life from working life, so the more a worker dedicates himself/herself to work instead of the family, the more he or she is viewed as a good and reliable worker.

To summarize the main results of this section on the migrant domestic workers' life trajectories, a concept map may be useful. If it is true that personal experiences and life trajectories clearly depend on each person's particular way of life, personal attributes and features, it also holds that some patterns emerge in the interviews with different workers. We can thus establish the links between the factors behind the decision to migrate and the new life experienced in Italy:

Figure 7- Concept map on life trajectories of migrant domestic workers



4.4 The migrant status of domestic workers.

Besides personal histories and experiences, what emerges from the previous quotes and reflections is the very peculiar condition of migrant workers. It is not only an issue of social and cultural capital that is brought into play when looking for a job, it often relates to the very particular condition of juridical invisibility produced by current migration regime that interact with the labour market's structure itself and that determines the position of these workers (Ambrosini, 2013; Mezzadra, Neilson, 2014; Williams, 2012). The most secure way to arrive in Italy for work is to have Italian citizenship, but this is easily obtained only by descendants of Italians, as emerges from the interviews with two Argentinian workers. In all the other cases, obtaining a regular working permit is extremely complicated and expensive, and these workers are resigned to their arrival in Italy as illegal migrants (or to becoming illegal after the expiry of the tourist permit), since they are also aware of the Italians' tolerant attitude towards undocumented migrants:

"[I came to Italy] because I had heard so many compatriots saying that Italy is peaceful, that they [Italians] do not make expulsions even when you don't have documents ... it is not like other countries, such as Europe, Germany, Sweden, where I was earlier ... if the visa expires you cannot stay, you have to go away ..." (Int. 2- housekeeper).

This condition of illegality and vulnerability make the workers totally invisible and dependent on the employing household (Ambrosini, 2013; Rollins, 1985). When the household decides to regularise workers, this also puts workers themselves in an even greater position of dependence:

"The man who gave me the document...he always reproached me for having to give me the documents! He sent me to work in other cities as if I were working at his house and didn't pay me... he paid me with my holidays! Then I also felt guilty, since he always reproached me for having to give me documents otherwise I would have been illegal, this thing made me feel guilty and therefore I did everything he asked ..." (Int. 5- housekeeper and babysitter).

Undocumented migrants are obliged to work informally, and the intimate dimension of the home reinforces their juridical invisibility through a spatial segregation in which families hold a powerful position (Ambrosini 2013; Anderson, 2007; Marchetti, 2011; Rollins, 1985). Being illegal migrants also means the impossibility to return to see their children in the country of origin: transnational families often have an essential role in helping workers to face all the difficulties deriving from being an undocumented migrant worker, knowing that only endurance and determination can improve things:

"Then I went to my room and called my son ... I told him I wanted to pack and go home, and he said to me: No mom, please! Wait for me...wait until the permit! Ahahahaha. When he told me that I had to come back, I explained to him that I had to wait, but then the opposite happened, and he told me to wait for the permit!" (Int. 12- caregiver).

Interviews testify that legal channels of entrance are not affordable for many workers. The "normal" way to obtain a working permit is the so-called "Decreto Flussì," a system of workers' quota for different working sectors, but the expected number of workers is always less than the affective number of migrants in the territory, and even less than the actual labour market demand for migrant workforce. Thus, extraordinary means of regularisation become the normal way to avoid illegality: out of all the workers I interviewed, five have been regularised in Italy through an extraordinary amnesty. Among the others, we can find two Argentinians with Italian citizenship, and a worker who arrived from Egypt in 1982 when there were less migrants and obtaining a working permit was still quite easy. One worker from Moldova was regularised through the quota system, and a worker from El Salvador is waiting for an asylum permit:

"It has always been with the amnesty ... that is ... they [government] do not give it does not even matter that you want to work, that you socially fit in, that you are capable ... what only counts is that you

have to wait [...] only the amnesties count! Instead, in my opinion, they should think of another way to get a permission, maybe enter, learn Italian and attend some courses ... because we are an important workforce, we are many and from many countries!" (Int. 4- caregiver).

Even workers who prefer working informally recognize that obtaining the first residence permit is a milestone necessary in order to be treated as a human being: when working without documents, these workers are forced and obliged to satisfy any request of their employers.

After the first working permit, the path towards long-term permit and even citizenship is very long: after five years of temporary residence, the permit renewal was founded on certain economic and working requirements; one may obtain an open permit, and after ten years even Italian citizenship, if the worker has always respected the necessary requirements. Asking a worker when she obtained the open permit often implies answers like the following one, which sheds light on the difficult path these workers have to follow:

"Let's say after about 15 years ... the first permit was every year, then they did it every 2 years, then 4 years once after 4 years they made an open permit which is updated every 10 years, but in the meantime I received my citizenship" (Int. 1- caregiver).

The road is not straight and easy: even when these workers have access to extraordinary regularizations, they must wait years before obtaining their effective permit, and continuing to be under the blackmailing of the employers. The overall Italian migration regime appears at odds with the real needs of the Italian labour market, as reported by the unionists and ILO officers I interviewed. If we consider the general tolerant behaviour towards illegal migrants, this reality may be defined as one in which, as Lutz (2017) states, the State itself turns a blind eye to irregular migrants working without contracts especially in less evaluated working sectors. These workers of course have no negotiating power and are often forced to accept any kind of wage, at least at the beginning of their career, while things change once a residence permit is obtained for employment.

Private providers of care services develop their business in this context. They are forced to hire only regular migrants, so having a residence permit is a strictly necessary requirement for workers who want to work with these LMIs. At times, intermediaries offer services to help migrant workers in managing permit renewals:

"As concerns non-EU people and the question of the residence permit, we help them... if you are working for us, we provide you with the appropriate documentation and then we tell you how to proceed ... people from the East do not need this support, once they have the identity card they can safely start²⁷. We do the initial control of the documents and then as they collaborate, we keep them monitored" (Int. 3- agency).

²⁷ Migrant from Eastern European countries which are part of the European Union.

LMI therefore might have a positive impact on the increased awareness of migrant domestic workers regarding their rights and duties, similarly to what ethnic and community networks do for many migrant workers (Ambrosini, 2013; Marchetti, 2011; Seiffarth, 2012). However, not all agencies and cooperatives act legally: two of the interviewed workers said that they worked for a for-profit agency and for a social cooperative when they were still undocumented. In both cases, the families did not know the truth at the beginning, and upon discovering it only later were forced to regularize the worker. These intermediaries are aware that workers are undocumented or that they only have the tourist permit:

“Because they [the agency] know that we can only stay for three months, they don't ask for anything. Because we know...oh well I don't know about the others ... but I know that these documents are only for a three-month vacation, so ...” (Int. 10- caregiver).

LMI can thus try to cheat also the families by providing workers without regular documents: as in the previous quote, workers tell the truth to the families that are not aware of hiring irregular migrants. This is more an exception than a common trend among agencies, even if it was more common until 10 years ago, as some workers said. Moreover, the fact that these LMIs recruit migrant workers may also expose them to different risks, such as being approached by “other” intermediaries - something similar to what we define as “*caporalato*” - who aim to send newly-arrived workers to work in these agencies:

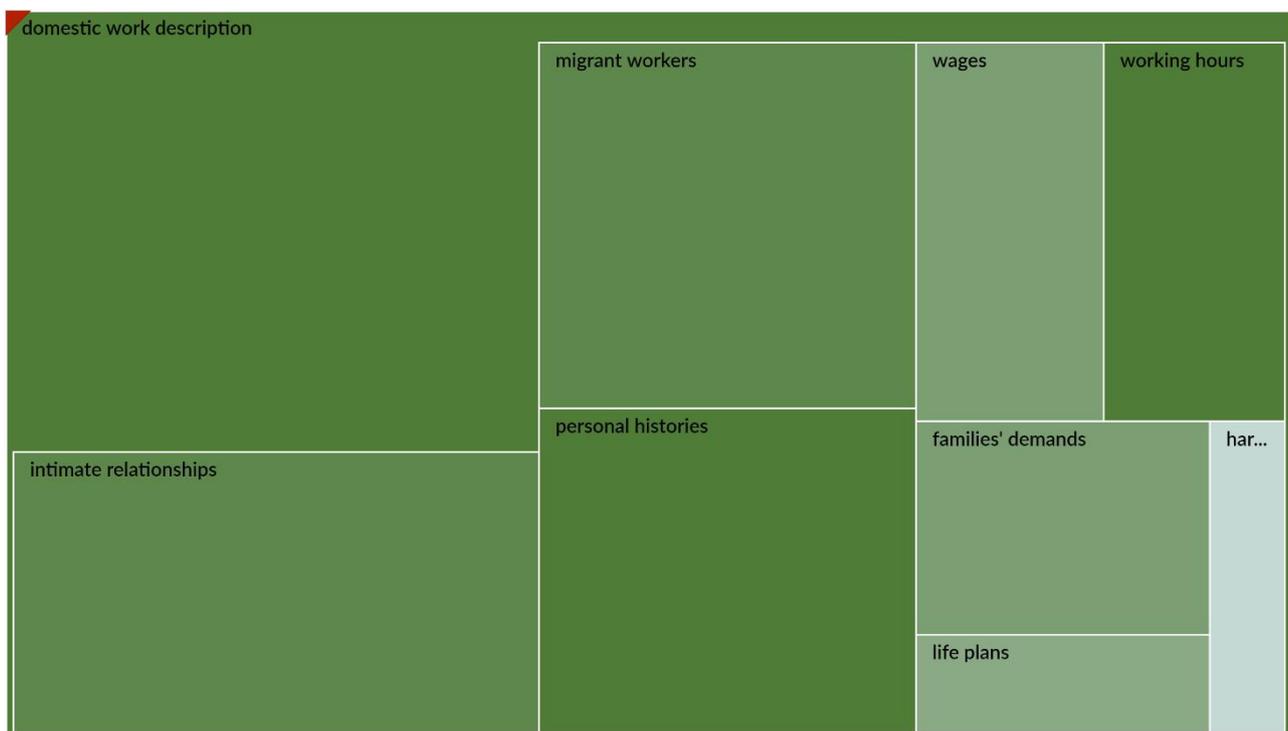
“It happened to me...when I started working. I was contacted by an organization saying that they could provide me with workers like the caregivers arriving here in boats ... I said: no, sorry ... firstly, I opened [the agency] here only recently, and I do not have this great need for staff. Anyway, I do not find it correct to keep them in these reception centers and then engage to be caregivers. Even on Facebook there are groups of caregivers and often those who are looking for workers--- they are figures ... and not professional. They deal with the sorting of these people when they see on the Facebook groups that a caregiver is looking for a job, someone contacts her, but it is a third person doing it as a profession and it is not even legal ... ”(Int. 1- cooperative).

If agencies and cooperatives may have a positive impact on migrant workers' conditions, hiring only regular people and helping them to deal with the complex procedure of working permit renewal, some of these actors may also exploit workers' condition of vulnerability, as well as the families' lack of awareness. As concerns the case reported in the previous quote, while the agency involved in this creepy situation refused the “offer,” we cannot be sure that others would do the same: the very fact that this agency was contacted immediately after its opening can suggest that this type of “business” might be quite widespread. As we will see in the section specifically dedicated to agencies and their role, in fact, fake agencies acting outside the law are very common in Italy: these actors do not have to respect any requirement and are totally illegal, and if inspections are not effective, they can continue to cheat families and exploit workers.

4.5 Summarizing actors' points of view and interactions among concepts

To conclude this first empirical chapter on the description of domestic work according to the perspective of both workers and agencies, it would be useful to summarize some emerging concepts and the first visible interactions among codes. Thanks to NVivo, I could use a hierarchical map of codes: the size of each area depends on the specific number of coding references - namely text percentages which have been coded into each specific code - the bigger the area, the more references are inserted into that specific code. Given the hierarchical nature of my coding system based on some main categories involving other more specific subcodes, the area's size of these general categories is bigger because it includes also the related subcodes. Moreover, different shades of the same colour indicate the number of items coded: a darker colour indicates more items coded under that code. Red triangles on the upper left side of each area define preset codes, while boxes without red triangles are emerging codes. We should keep in mind that this section on the description of domestic work in its general dimension – when not brokered by agencies - affects the workers more than the LMIs. This explains why coding references are undoubtedly more among workers than among intermediaries. Nevertheless, the compared differences existing among the same codes in the two different groups of respondents reveal some interesting aspects of the standpoints of both workers and agencies/cooperatives.

Table 18- Comparing by number of coding reference (workers)

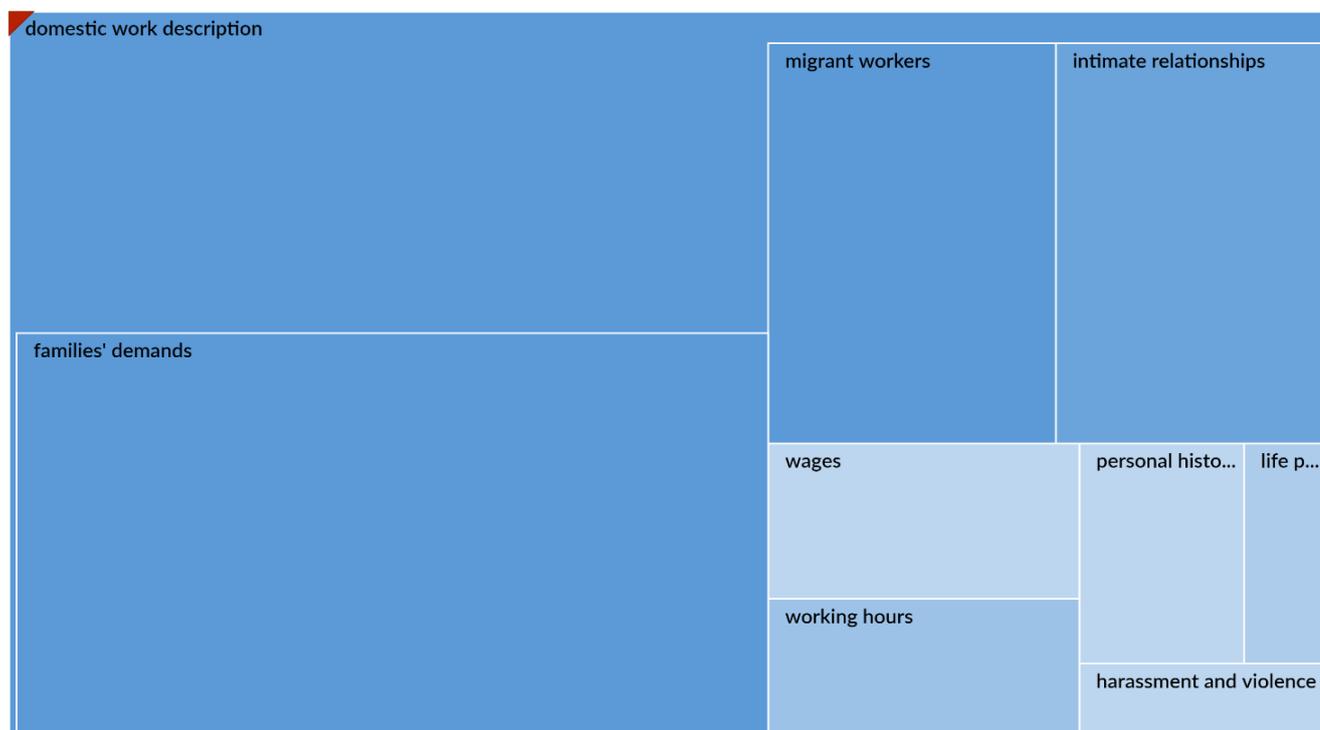


| Codes | Number of coding references | Aggregate number of coding references |
|---------------------------|-----------------------------|---------------------------------------|
| Domestic work description | 103 | 421 |
| Family demands | 30 | 30 |
| Harassment and violence | 11 | 11 |
| Intimate relationship | 71 | 71 |
| Life plans | 14 | 14 |
| Migrant workers | 66 | 66 |
| Personal histories | 59 | 59 |
| Wages | 34 | 34 |
| Working hours | 33 | 33 |

It is interesting to note that the main relevant code among workers is, of course, “domestic work description,” which registers 421 aggregate coding references (thus, including also references related to subcodes) and 103 direct coding references. When focusing on intermediaries, aggregate references for this same code are 150, 36 of which refer to domestic work description, as emerges in Table 2.

Even if my interviews are semi-structured to better compare with common topics and categories, the weight that different actors confer to these same categories is clearly different. The same description of what domestic work is strongly differs between groups of respondents. LMIs concentrate especially on “family demands” (with 50 coding references, representing the most important code in agency perspectives, even more coded than “domestic work description”); on the other hand, workers focus more on “intimate relationship” (71 coding references) and on “migrant workers” (66 coding references), given the major presence of migrant workers. As concerns LMIs, the “migrant workers” code counts 19 coding references, being the third code among agencies/cooperatives, given that migrant workers are the majority also among agency workers.

Table 19- Comparison by number of coding reference (agencies)



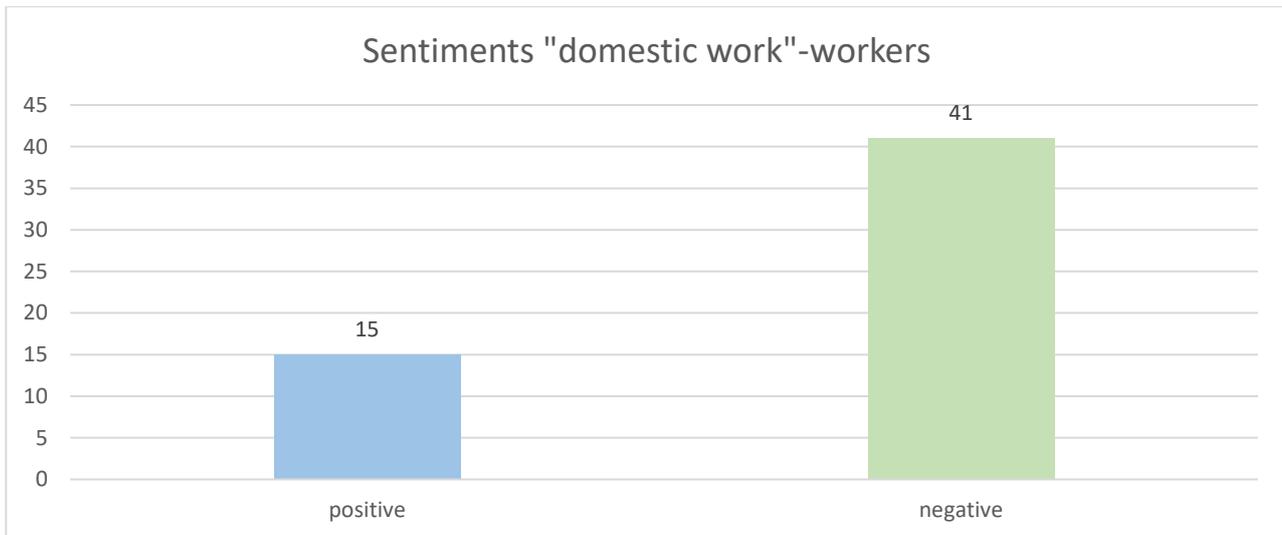
| Codes | Number of coding references | Aggregate number of coding references |
|---------------------------|-----------------------------|---------------------------------------|
| Domestic work description | 36 | 150 |
| | 50 | 50 |
| Harassment and violence | 3 | 3 |
| Intimate relationship | 18 | 18 |
| Life plans | 3 | 3 |
| Migrant workers | 19 | 19 |
| Personal histories | 6 | 6 |
| Wages | 8 | 8 |
| Working hours | 7 | 7 |

The intimate relationship affecting domestic work is a central issue for workers, while agencies and cooperatives, despite their awareness of this peculiar domestic work feature, give it less emphasis (18 coding references for “intimate relationship”). Although agencies often emphasize the positive effect of their intermediation in terms of increased social and economic values of domestic work, they give little emphasis to the description of wages and working time in overall domestic work: there are 8 coding references for “wages,” while there are 7 coding reference for “working hours.” On the workers’ side, on the other hand, there are 34 coding references for “wages,” whereas there are 33 coding references for “working hours,”

that do not represent a strongly relevant topic if compared with other codes. The category of “domestic work description” is conceived here as an overall context in which agencies concretely place themselves and do their business, and refer to wages and working hours as determined within the “classical” employment relationship between the domestic worker and the employing household. However, I expected to find a stronger emphasis on these two objective constitutive elements of domestic work on the side of the agencies, instead, they prefer to focus on particular family needs. The emerging picture is one in which the same definition of domestic work in its general dimension differs according to intermediaries and workers: when describing the overall context in which intermediaries live and act, respondents emphasize different features of domestic work. Workers usually focus on their particular experience of this work, in which personal trajectories - often related to the experience of migration - play a central role. Moreover, the description of the intimate relationship with the care recipient and his or her family appears to be the real distinctive feature of this work. Even the description of some objective elements of the employment relationship -such as wage and working time - is rarely separated from the personal experience, structured according to individual features such as race, gender, migration trajectory and, above all, intimate relationship with the employer. On the other hand, LMIs emphasize the theme of family demands while describing domestic work’s general attributes. As we have seen, workers’ personal histories and experience play a smaller role, and also the intimate relationship which, despite being recognized as an important feature of this work, appears less relevant since it could be directly experienced only by the workers themselves.

Another interesting tool provided by NVivo to better and deeply analyse the interviews is the Matrix Coding Query. Through this analytical tool I could cross-tabulate how a specific interview content is coded, having the opportunity to compare what different groups said about same issues, arguments, or experiences. I used this tool to highlight how respondents evaluate different subcodes structuring the category, “domestic work description,” based on 6 attributes preset by the same software: “negative,” “moderately negative,” “very negative,” “positive,” “moderately positive,” and “very positive.” For the sake of clarity, I opted for unifying NVivo preset six attributes into two wider categories, “positive” and “negative”, highlighting overall workers’ and LMIs’ points of view. In this first chapter, the workers’ points of view appear more relevant, having a direct experience of domestic work and its functioning without agency intermediation. Certainly, this is not an attempt to generalize the contextual results of my research, whose main aim as qualitative research is not that of generalization; nevertheless, these “sentiments” graphs seem useful to highlight different evaluations and judgements of workers and of intermediaries about the same phenomena. It seems an interesting way to synthesize main involved actors’ perspectives and experience-based ideas on some salient issues of this study.

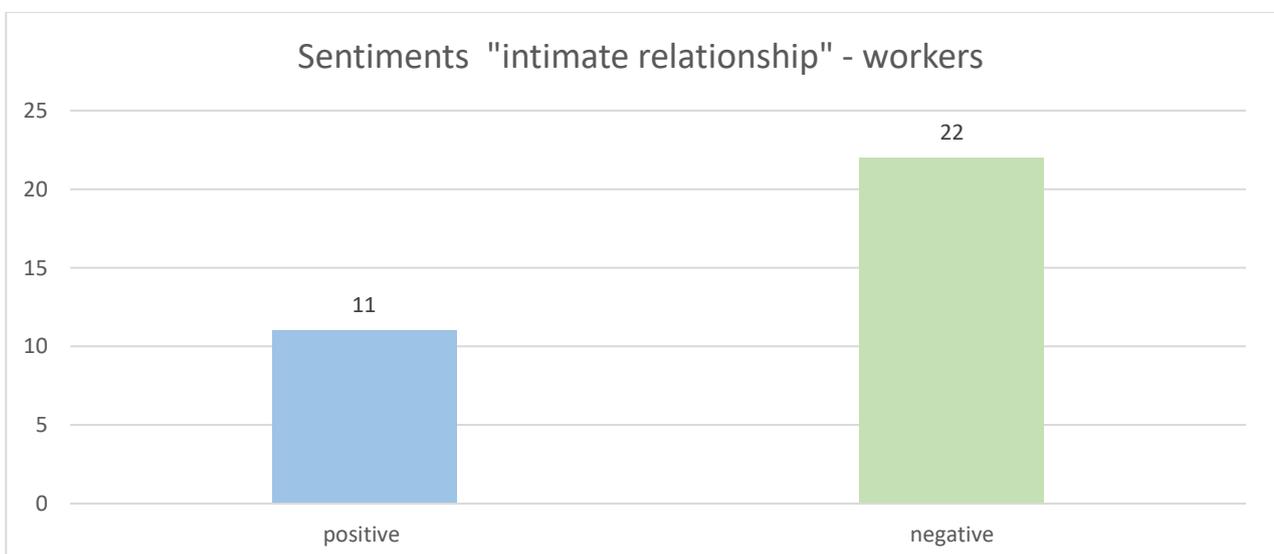
Figure 8- Workers' sentiments towards "domestic work description"



Starting with workers' points of view, it is quite evident that the prevalent sentiments towards domestic work are negative. There are overall 41 negative answers (28 coding references in the sentiment "negative" category, 7 in "moderately negative" and 6 in "very negative" categories) whereas there are only a5 positive references (10 coding references in the "positive" and 5 in "moderately positive" without "very positive" answers). The emerging framework is therefore one in which workers have an overall negative idea of domestic work.

Trying to go deeper into the evaluation of the different elements of "domestic work descriptions" in the workers' perspective, I inserted here the matrix query on the workers' sentiments towards the essential element of "intimate relationship" implied in domestic work.

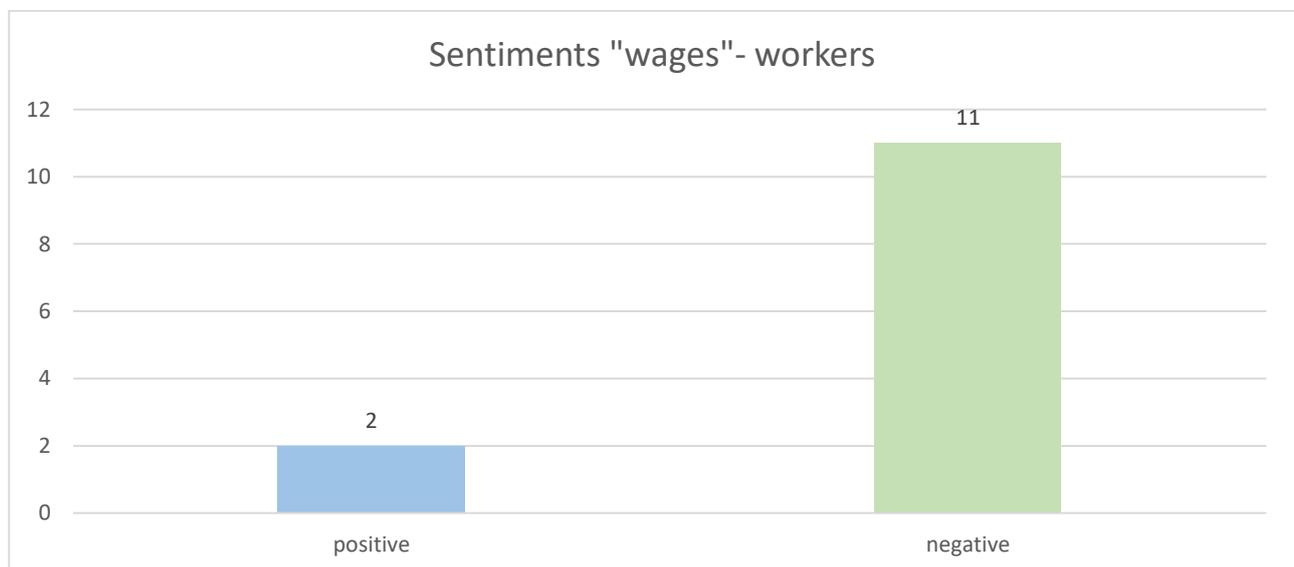
Figure 9- Workers' sentiments towards "intimate relationships"



Even if we can find 22 coding references within all the negatives attributes and 11 overall positive coding references: if negative sentiments are the most common among workers, the positive answers must not be underestimated. Intimate relationships, in fact, can imply very different – if not opposite- things: the closeness between employer and worker, the nature of domestic work as emotional labour (Hochschild, 1983) and the intimate dimension of the home as the workplace can leave room for both positive and negative experiences. It is interesting to highlight that the same single workers often report very different experiences they had with different households, classifying one as “very positive” and another as “very negative.” It is therefore hard to define the weight of the “intimate relationship” code in workers’ experiences in a given way. We have seen that it plays a crucial role, but whether it is positive or negative is contextual to the specific kind of relationship workers have with household members. Moreover, if some workers prefer having more formal and distant relationships with their employers, others prefer a more “familial” and informal relationship, contributing to differentiate the workers’ evaluation of this specific and characteristic element of domestic work.

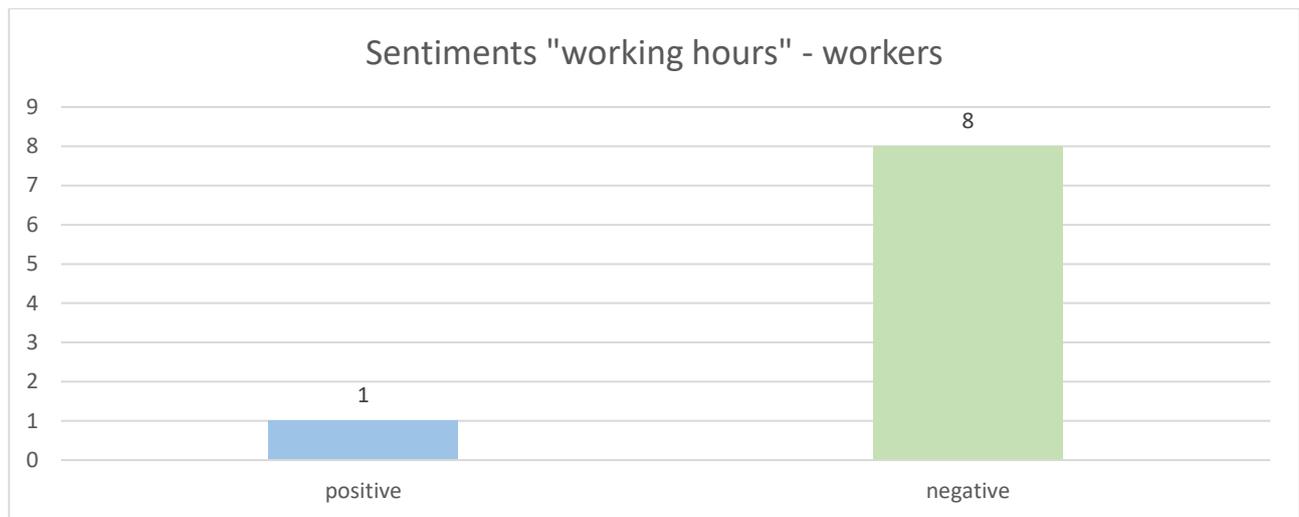
A different situation is the workers’ evaluation of “wages” and “working hours,” namely the two more objective elements of this work.

Figure 10- Workers’ sentiments towards “wages”



In this case, workers’ judgements are undoubtedly negative (11 references in total): we can find only 2 “positive” references compared to 8 “negative”, 1 “moderately negative” and 2 “very negative”. Remuneration is thus a critical issue for domestic workers, and often relates to their being underpaid or exploited, as seen also in the quotes of interviews in the first section of this chapter. As concerns “working hours,” the emerging picture is similar to that of the code “wages”:

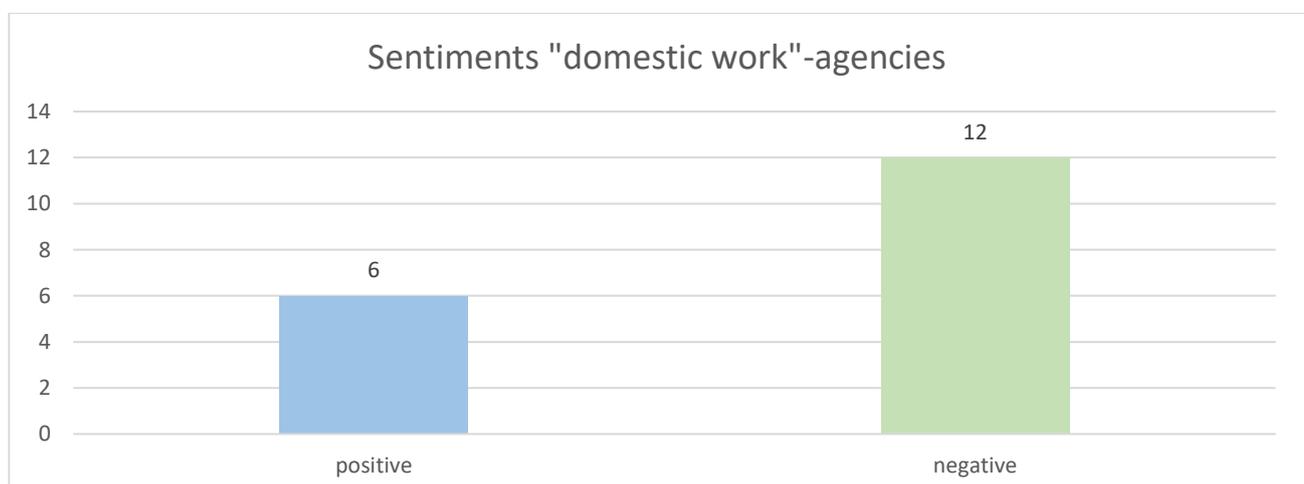
Figure 11- Workers' sentiments towards "working hours"



Also in this case, most coding references (8) are negative, while "positive" counts just one reference. As to the two objective dimensions of domestic work - wages and working hours - workers usually have a negative idea. Even if some flexible live-out working arrangement may be useful for peculiar personal needs, the general evaluation of working hours tells a story of exploitation and difficult distinction between working and leisure time. It may be also interesting to consider that among the workers interviewed, the words "slave" and "servant" emerge 9 times to describe what is the real condition of domestic workers, while even agencies use these same words 5 times.

As concerns intermediaries, we will focus here only on respondents' sentiments on domestic work in general: in this chapter we are analysing how domestic work is structured and defined in its "classical" dimension of employment between workers and households, without considering the role of intermediaries. However, it is engaging to see how these intermediaries evaluate and judge domestic work when organised without their intervention, considering both the subjective and the objective dimensions.

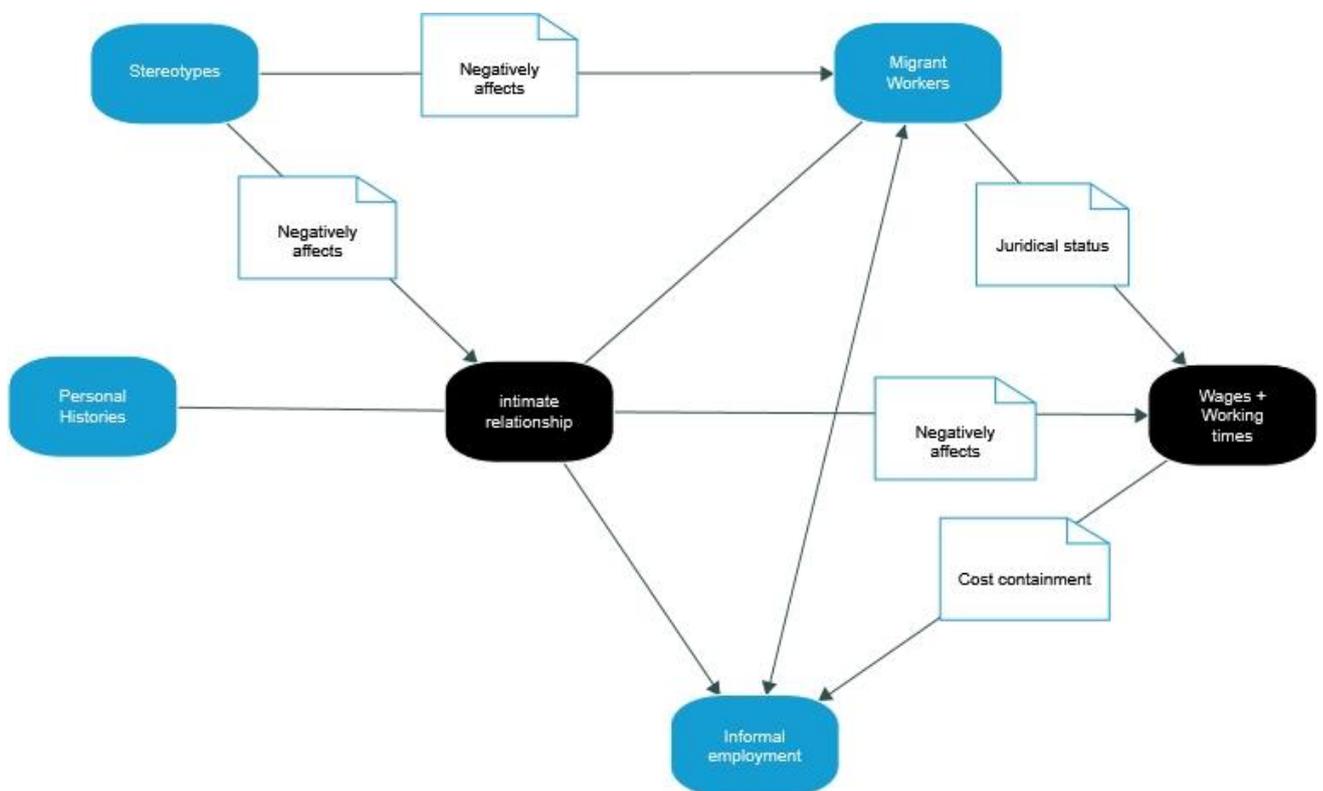
Figure 12- Agency sentiments towards "domestic work's description"



In the LMIs' perspective, the evaluation of domestic work is the same as that given by workers: overall 12 negative references and just 6 positive references, though no references are found in the extreme categories, namely "very positive" and "very negative." Maybe this is the most evident difference with the workers' answers, given that intermediaries, despite being aware of the complex dynamics structuring domestic work and the problematic definition of working time and wages, are usually more nuanced in expressing their idea.

To conclude, I inserted a conceptual map aiming to highlight interactions and links existing among the codes and subcodes involved in this first section on the general description of domestic work when organised without agencies/cooperatives brokering. It is a first attempt to detect existing paths, better defining the context in which intermediaries play their role.

Figure 13- Conceptual Map on domestic work description



Departing from the dynamics existing among codes involved in the broader category of "domestic work description," we should consider the two main dimensions of domestic work. This regards the subjective dimension of the intimate relationship existing between the worker and the household (including both the specific care recipient and her/his family), and the objective one revolving around the clear definition of working hours and decent wages. These two dimensions, as we have already mentioned in the first part of this chapter, are deeply interconnected: the subjective dimension constituted by intimate

relationships has a direct negative impact on the objective dimension of working hours and wages. The intimate connection which may exist between domestic workers and the employing families, the representation of workers as “family members” and the emotional burden of domestic work often contribute to the social and even economic undervaluation of domestic work. This theme revolves around the problematic definition of value in social reproduction activities (Sarti, Bellavitis, Martini, 2018; Folbre, Nelson, 2000): the historical minimisation of the core social and economic relevance of the whole activities involved in social reproduction and the consequent definition of domestic work as “not real work” still have their consequences. However, these two constitutive elements of domestic work are influenced – if not determined sometimes - by other factors which I identified with other specific codes.

Starting with the subjective dimension of intimate relationships, the particular personal histories and life trajectories of domestic workers certainly contribute to shape the type of intimate relationship they have with their employing families. Moreover, personal histories have a direct impact also on the objective definition of wages and working hours. As we have seen in the first section, the peculiar life experience of domestic workers may be a sort of “capital” workers can use in their working experience. Past experiences such as working as a nurse in the country of origin, having had other care jobs, knowing the language, living alone in Italy or rather with their family are all elements which contribute to making the worker feel more or less dependent on their employer. Due to this, they are more or less able to negotiate their own working conditions, and more or less able to speak out. Other experiences such as having different employers, creating personal networks, and increasing personal contacts may have an impact also on the objective dimension of wages and working hours. We have already mentioned that domestic workers often improve their working conditions over time, thanks to the people they meet - usually other domestic workers or ethnic community contacts –who share information and awareness.

Another factor that importantly influences the peculiar intimate relationship existing between domestic workers and their employers is that of stereotypes, even if this code is set apart from “domestic work description.” As we stated in the theoretical chapter, these stereotypes can be divided into 3 groups: one related to gender (Lutz, 2007; Anderson 2001; Tronto 2013), another related to the heritage of the image of “the servant” (Sarti *et al.* 2018; Marchetti 2011; Busi, 2020), and that relating to race/ethnicity (Ambrosini, 2013; Marchetti 2011; Rollins 1985, Mezzadra, Neilson, 2014). Being a man or a woman, being Italian or not, being black²⁸ or not, being asked to act as a “servant” or a “slave”: all these elements shape in a clearly

²⁸ I use the word “black” because it expresses what respondents are thinking: they do not refer to generally non-white workers, or workers having specific national identity. They explicitly refer to black workers, so I use this word to express respondents’ thoughts, using it instead of more discriminatory words as “coloured”. Moreover, thanks to postcolonial and black sociology, formerly negative and discriminatory words have been questioned, deconstructed and sometimes even re-signified, as in the case of black. I use the word black with no reference to any kind of biological difference but rather as a social category having its history as human creation and, thus, being subject to constant processes of re-signification.

negative way the experience of workers in their daily interaction with their employers. Existing intimate relationships could thus be often determined by stereotypes perspectives and points of view which hide the real and authentic nature of the workers. These stereotypes have a direct impact on migrant workers who represent the absolute majority of domestic workers in Italy. An intersectional approach (Olesen 2018; Yuval-Davis, 2006) helps us to detect the interaction among gendered and racialized stereotypes in determining the experience of female migrant domestic workers in our homes. Employers view and identify women from different national groups in different ways, especially during the recruitment process. The code “migrant workers” refers to the concrete working and living experience of this prominent group of domestic workers, negatively affected by the code “stereotypes,” whereas it may have a negative impact on the definition of wages and working hours. In this case, the problem is not represented by existing stereotypes, but by the more concrete and material dimension of the juridical status in which these workers find themselves. Being regular or irregular migrants determines the possibility to be formally hired or not, with a substantial difference in terms of wages and working hours. As we have shown, in fact, irregular migrants working as undeclared domestic workers are totally dependent on their employers’ will, and have no bargaining power and are forced to accept the lowest salaries possible while experiencing never-ending working days. Moreover, as some interviewed workers declare, wages are often lower for specific ethnic groups, such as North Africans and South East Asians, and are higher for Eastern European, for instance.

To conclude, the two main dimensions of domestic work - the subjective one of intimate relationship and the objective one of wages and working hours - have direct consequences on the structural problem of informal employment affecting this working sector. Of course, the historical definition of domestic work as “not real work” and the intimate and personal relations encompassing both workers and employers, as well as the greater evaluation of personal and character traits rather than objective skills and abilities contribute to sustain and even enhance the informality of this work. Cultural explanations however are not sufficient to explain the strength of informality. The family’s focus on cost containment, especially as concerns domestic workers’ wages, has a direct boosting effect on informal employment. On the workers’ side, low contractual salaries, and the determination to earn more, are further incentives that lead even workers to opt for informality. Another kind of link, this time symmetric, exists between the “migrant workers” and the “informal employment” codes. As indicated several times in my interviews, undocumented migrants are forced to work informally, thus without contracts; but on the other side, the widespread labour informality characterizing domestic work might increase the demand for informal migrant workers, this being one of the most common solutions to lower the cost of domestic work by lowering workers’ wages. The key point here is that of migration regime which makes it difficult to migrate legally into Italy which is simultaneously tolerant towards informal migrants (Ambrosini, 2013; Lutz, 2017; van Hooren, 2012, Sciortino, 2004). The normalization of extraordinary measures in dealing with migration issues will be addressed in one of the following chapters, along with a deeper and more detailed description of domestic work informality. What

counts here is to highlight the two main dimensions of domestic work, and shed light on their boosting factors, while tracing the links with other core themes. Until now we can state that the general description of domestic work is strongly impacted by various factors. Among these, the historical undervaluation of reproductive labour, the stereotypes impacting on labour demand, the strong role of the migration regime in determining migrant workers' inclusion in the labour force, and the concern of families for cost containment which, together with workers' greater advantage of being informally hired, often paves the way to informal employment. The starting point is the description of the context in which labour market intermediaries do their business.

Chapter 5. The elephant in the room: informal employment and domestic work

5.1 Economic and cultural factors of informal domestic work employment

One of the main problematic aspects of the definition of domestic work that already emerged in the first chapters of this research is the high rate of informal employment (DOMINA, 2020). This study necessarily focuses on this theme at theoretical and empirical levels: the emerging picture is an articulated one in which informal employment cannot be explained by a single factor, since it is conceived and perceived in different ways by workers and intermediaries. The attempt to better conceptualize this topic and connect it with actions and business strategies implemented by the LMIs, is essential in this study. Therefore, I will try to highlight the main perspectives on informal employment according to the two major groups of actors involved - workers and agencies/cooperatives – to detect their main motivations in countering or maintaining - sometimes even enhancing – the informality of work starting from the analysis of interviews. Of course, the statements of institutions and key actors - such as the National Labour Inspectorate and unionists are particularly relevant when dealing with this topic, their perspectives will also be considered. A deeper understanding of informal employment in the overall sector is unavoidable when dealing with agencies and cooperatives in the domestic work sector. One of the major strengths of these intermediaries, in fact, is that they should guarantee formal employability to workers directly hired by them and those hired by families through their brokering interventions. Therefore, agencies and cooperatives may constitute a concrete obstacle to informal employment that this study aims to verify. To do so, we need to further investigate the reasons for labour informality as a key-feature of domestic work.

The high rate of labour informality in the analysed sector can be explained by two main factors. The first concerns the historical process of devaluation and invisibilization of domestic work strictly affected by gender and care regimes, that leads to the conceptualization of domestic work as “not real work” (Lutz, 2017, Federici 2010, Sarti, *et al.*, 2018). The second relevant explanatory factor is the concern of families regarding cost containment, given both the familistic dimension of the Italian welfare state (Ferrera, 1996) - or its degeneration into DIY welfare (Borelli, 2020) - and the scarce public expenditure on Long Term Care (LTC) policies (DOMINA, 2020). Moreover, the private dimension of the household and the difficult process of checking and testing eventual offences contribute to preserving this equilibrium in which informal employment is seen as a quasi-automatic consequence of the domestic work organization. The economic explanation seems to have deep effects on the informal domestic labour employment. The discrepancy between the care needs of Italian families related to ongoing demographic changes, and the limited public expenditure on LTC, clearly emerges as a factor and forces families to seek cheap arrangements:

“The biggest problem for families is the economic aspect. Families look for help in their home environment, but they also have to deal with their family budget. The question is - if they can't pay regularly, why hire helpers? The question is legitimate, but it also finds an immediate answer: because they have no alternatives” (National Association of Employers).

Families feel quite abandoned by institutions. They are obliged to pay someone to take on their care burdens even if they cannot afford to regularly hire workers because the structure of the Italian welfare foresees no alternative in terms of public services. If it is true that especially local institutions help more disadvantaged families with home-based assistance provided through public financing, these services have limited coverage and duration, and so families need to look for supplementary private forms of assistance (Marchetti, Scrinzi, 2014; Borelli, 2020; Saraceno, 2016). This is especially true for caregivers²⁹, who are an extremely important resource in our society and a real need for families. The situation is quite different when it comes to housekeepers. Of course, local public institutions do not cover this service. Even if families - especially the younger ones - need some help in cleaning and tidying up the house, they can turn to live-out housekeepers, while live-in ones are a real luxury that only the wealthiest families can afford, and thus explains their constant decline over the years (Domina, 2020). Moreover, the wages for all family assistants established through collective agreements are considered very low even by unionists involved in the signature of the national collective contract. Considering the extreme difficulty in doing inspections within the household and the persistency of the historical lack of recognition of domestic work, informal employment is considered more attractive by both employers and workers. If the former can save some money in this way, the latter will find informal work more remunerative. The core point is that formal employment is not attractive enough. Another element to be considered in this context is that the concern for cost containment and the related families' attempts to lower workers' wages often result in downsizing and worsening the quality of care services, given the peculiar definition of domestic work as a fictitious commodity (Lutz, 2017; Land, Himmelweit, 2010, Polanyi, 2001). If economic factors are particularly important in explaining the widespread custom of informally hiring domestic workers, these interact with cultural factors in shaping the consideration of labour informality as a necessary, unavoidable trait of domestic work that affects society as a whole. It is for this reason that these two explanatory factors are considered together here. They surely relate to very different motivations and causes, but considering them in separate sections would reduce the complexity of the analysis. The fact that even the wealthiest families continue to underestimate the value of domestic work, and often resort to informal employment, testifies

²⁹ Even if I usually refer to both caregivers and housekeepers as “domestic workers” or “family assistants” (as defined in the renewed national collective contract of 2020), differences in terms of wages and social values of these two main tasks exist. Caregivers, on one hand, are often a real social need, given the Italian DIY welfare regime, while housekeepers are more a luxury. Caregivers thus represent most domestic workers, something which clearly affects also this analysis, especially if we consider that concerns for cost containment and related irregular practices are particularly significant when dealing with live-in caregivers.

to the close interconnection between cultural and economic explanations for the lack of social and economic recognition of domestic work:

“Families ... it's not true that they don't have money, they do: I am talking about the centre of Milan, I am talking about an Italy that has money, and people with pension ... but this money is not there for us: they complain they don't have money, but they do. Then, when you go to their house you observe, and experience helps you, you see that they have money, but they no longer want to pay you like this, they tell you: look, I'll give you something ... there is still this mentality” (Int. 4- caregiver).

Even if a detailed study of intermediaries' roles and functioning will follow in the next section, it is relevant to clarify here that the focus on savings to reduce costs of domestic work is essential also among agencies and cooperatives. The widespread households' concerns for cost containment reflect on the business strategies and actions of agencies and cooperatives. Middle-class families that turn to intermediaries are often looking for multitasking workers at the lowest price possible, and this element constitutes a real priority in the agencies' attempts to make the match between labour demand and supply:

“So families... come here and inquire, there are those who accept our conditions and those who do not. Often they get the information and then go to others. They come here, then they go to XXX and see their prices. In the end everything is played on prices, you don't look at the well-being of the person, but at the price. It may also occur that one does not have it [the money], but I always say: would you trust leaving your parents or grandparents in certain hands?” (Int. 1- cooperative).

The previous interview clearly sets the terms of the discourse: with families seeking the cheapest available form of employment, competition between LMIs increases at the expense of care quality, at least when clients are families that are unable - or not willing - to spend certain amounts of money (Picchi, 2016; Sciortino, 2004; van Hooren, 2012). It depends on the very peculiar type of intermediary's clientele, but the focus of the middle-class families on the economic aspects leads agencies to compete with each other to lower the costs of domestic work. This is certainly a problem for those LMIs that focus on care quality and compliance to all legal provisions and workers' rights, and often they are overwhelmed by competition with other actors. As we will better expose later, the importance of cost reduction for each agency or cooperative directly shapes its same business strategies and collocates it in a specific position in this wild and open market. Agencies or cooperatives deal with this issue in different ways: some try to “educate” families in recognizing domestic work as real work and highlighting the worsening of care quality when customers strictly focus on the economic aspect. Some of these LMIs, for instance, try to clarify the small economic difference existing when the domestic worker is hired directly by the family and by the same agencies or cooperatives:

“We have made an estimate ... not as concerns illegal work, but when the worker is formally hired by the family, i.e., without the third party intermediation, but with the family engaging an accountant, making the paycheck, etc .This avoids our rate of 200 €...” (Int. 2- social cooperative).

The same estimate is confirmed by other interviews: the difference between the direct hiring of a domestic worker by a family and the hiring through intermediaries is effectively small, but the comparison is made within a reality of complete employment regularity. In both cases, the worker should be hired using the national collective contract of domestic work as a reference, equalizing workers’ wages and adding only the costs for agency commissions. The problem however, is that the real competition is actually between formal and informal employment because informal employment is so widespread. Within this context, national associations of employers themselves tend to justify the behaviour of families. If the acknowledgment of still existing cultural barriers in recognizing domestic work as real work is something that is changing and improving over time- at least according to these associations. The economic aspect of the problem remains, as well as the lack of financial incentives for families which would make formal employment more competitive. Nevertheless, this perspective is challenged by the National Labour Inspectorate. Despite investing more in LTC and giving families more economic support that might enhance competitiveness of formal employment, the inspectors I interviewed clearly lament the typically Italian lack the culture of legality, especially as concerns labour issues. They say that families aiming to hire a domestic worker are usually able to do so, also in economic terms, but they always choose the cheapest and not the fairest solution. It is interesting to note that also a worker I interviewed emphasized this point, saying that *“whether or not you tend to your affairs first, but you don't have the money, then you shouldn't hire anyone and look after your father and mother alone!”* While employers’ associations generally attribute the resilience of informal employment in domestic work almost exclusively to economic factors, workers, labour inspectors and intermediaries emphasize the role of social devaluation of this work and the scarce compliance with labour laws. Economic and cultural factors are therefore difficult to isolate while determining the main reasons for the high rate of labour informality in domestic work: they act together, strengthen each other to make this work invisible and underestimated.

5.2. The advantages of informality for domestic workers

This reconstruction of informal employment in domestic work would be lacking and incomplete if we do not include a reference to the role that workers themselves have in keeping employment informality still a reality: informal employment is often more convenient even for workers. Firstly, informal employment is a real necessity for migrant workers given the nexus between employment contract and residence permit established within current Italian migration regime (Da Roit, Weicht 2013; Lutz, 2017; Sciortino, 2004; van

Hooren, 2012) leading Ambrosini to talk about “unlawfulness by necessity”: *“The practical solution of the regulatory conflict has come about through a spontaneous process of recodification of the rules on entry, stay, and work by immigrants”* (Ambrosini, 2013:6). Migrant domestic workers I interviewed confirmed the importance of this job for newly- arrived and still undocumented workers:

“In Italy is not difficult working without documents, but I worked once for week and it was difficult for me, so my employer gave me other jobs, but always without contract. Than, in 2012 the government of Italy launched this...Sanatoria and I get my documents! So beautiful!” (Int-3 – housekeeper)

The interview confirms the Italian tolerance towards undocumented migrants (Lutz, 2017) to be hired in the domestic work being a constitutive element of the invisible welfare defined by Ambrosini (2013). Domestic work is particularly interesting for undocumented migrants given both the spatial segregation ensuring invisibility, and the opportunity to have room and board if working in live-in. The certainty of a further “extraordinary” regularization ensures these migrants to finally exit from illegality, being able to find a regular and better job. Moreover, as we have already mentioned, contractual minimum wages for domestic workers are quite low and informal employment guarantees higher economic returns at least in the short term, as this worker highlighted while explaining why informality is so common in the sector:

“Because you earn more! To tell you the truth the minimum is 25 hours a week, let's say 6,000 € yearly. When a worker exceeds that threshold turns to informal employment, he or she doesn't look for another contract ... let's say 5 hours a day, the rest is under the table [undeclared] ... so you earn well and pay no taxes, because if you exceed that minimum you have to pay taxes ...” (Int. 2- housekeeper and caregiver).

We have already seen that migrant workers often rely on formal employment just to obtain their residence permit while opting for informal employment to earn more, but this interview introduces another important element of labour informality in the domestic worker perspective: the advantage of not paying taxes when the worker earns a maximum of 8,150 € a year. The practice of legally earning no more than this amount makes these workers save money, something very relevant especially for migrant workers focused on the maintenance of their families through remittances. This work is often a temporary one, and - especially for foreigners - paid contributions are not transferable to other countries for pension purposes. These are facts that boost the role of informal employment. What really counts therefore is the personal planning ability of the worker. It is all a matter of evaluating benefits and costs. Even if informal employment makes you earn more in the short term, in the long-term things change, considering that you have no right to severance pay or unemployment benefits and so on. Workers who can focus on this are those who plan to build their life in Italy as domestic workers, otherwise they would prefer focusing on the short term. Moreover, contractual benefits are not always so attractive; some open issues we have analysed also in the legal section discourage workers from choosing legality:

“Well... let's say that the difference [between formal and informal domestic work] is small, because ... I have never experienced unemployment or sickness benefits ... I don't know what it means to get sick ...” (Int.4.caregiver).

Considering some issues such as sick leave putting workers in a condition of dependence on and vulnerability with their employers, having a contract is not automatically synonym to more guarantees and protection, at least according to some workers who reported also the lack of respect of the same contractual provisions. Considering factors such as low contractual wages, tax benefits, and insufficient contractual guarantees, informality is often chosen by workers themselves. They have elaborated some extra strategies to maximize their profits over the years. A common practice, for instance, is to work informally and then turn to a union when the work is over to open a dispute and obtain more money through arbitration settlement:

“Let me give you the example of a Romanian who comes here, works for a year, and then is fired with some excuse. They never resign since they want to access unemployment benefits [...] While she gets the unemployment benefits she looks for another undeclared job. Unemployment periods last about 1.5 years and so, in the meantime she works illegally. When the unemployment period expires, what does she do? She goes to the trade union and sues the family where she was paid off the books [working informally], the family then opts for an extrajudicial [resolution], giving 5,000, 6,000, 7,000 €, or whatever, to end the dispute. Meanwhile, the lady collected those 5,000 or 6,000 €, the salary she took during the year, and unemployment benefits too. And what will she do then? Start all over again!” (Int. 4- agency).

Being informal may not automatically be a problem for domestic workers: they often want to be informal so as to earn more money in the short term, while having the opportunity to be later rewarded, with the opening a dispute. To think that labour informality is an advantage only for employers is far from being a reality. Also in this case, the workers' agency and their personal evaluation of their specific situation according to their aims and ambitions are essential to grasp this reality. Certainly, if domestic work had another social and economic value and if formal employment was more attractive, workers would probably prefer working and be fully guaranteed and protected by contractual provisions and simultaneously earn a decent amount of money.

5.3 A difficult unionization process

Despite what was reported in the previous quote, the relationship between unions and domestic workers is a complicated one, especially considering the private dimension in which domestic work takes place: isolation and fragmentation play a crucial role in determining the workers' distance from unions (Hobden, 2015; Lee, Taipa, 2021; Marchetti et al., 2021; Taipa, Alberti, 2018). Moreover, most domestic

workers are migrant workers coming from countries that differ greatly from Italy also in terms of social and economic conditions:

“It is one of the sectors in which it is more difficult to build a union relationship in the classic sense... where you can meet with workers and talk about their rights in a more abstract and detached way from what is the mere employment relationship. Their [workers] specific experiences and their cultural level count a lot” (unionist).

This particular feature of domestic work also characterized the interview I had with another member of the grassroots union: she argued that the very first aim of their action as a union is to increase workers' awareness of what a union is and what workers' rights are. Ignorance is one of the main limits for the increase of workers' participation in unions and is often strengthened by the difficulties unions themselves face in trying to reach domestic workers within the private dimension of the household. As Hobden clearly states (2015), domestic work has been always considered an unorganizable sector for several reasons. First, it was often considered as not-real work, given that the home is rarely conceived as a real workplace and the existing employment relationships are often interpreted and structured more as personal relationships. This idea of an intimate and private bond existing between the worker and the employer is a crucial limit to trade union organization, and often leads the workers to see any attempt of unionizing as a personal affront to their employers. Moreover, the still existing legal loopholes and exclusion of domestic workers from other types of legal protection given the *sui generis* dimension of this sector, intersect with logistical and concrete obstacles. These could consist in the isolation and decentralization of workers, their scarce knowledge of the Italian language and Italian norms and laws, the very extensive working time, the difficult management of private and working lives also for live-out workers, the obvious obstacle of high labour informality rates, and the impossibility to strike due to the individualised and intimate employment relationship. All these factors could explain the cause of low union participation rates and why worker fear the reaction of their employers even when they have decided to talk with unions just to gather more information:

“I tried [to contact a union], but when he [the employer] found out and said: ‘ah, now have you joined the unions? Well, I’ll deal with it’... he threatened me, he said: I’ll show you what happens when you contact a union [...]. So I gave up ... I was still thinking of the fact that he gave me a residence permit, and it has also happened to other people I talked to ... and so I thought: oh well, he did give me the permit ...” (Int.5-housekeeper and babysitter).

In the previous quote, the worker highlights a crucial point: the rabid and threatening reaction of her employer when he discovered that she turned to a union because of the employer's lack of respect for the minimum guarantees envisaged for domestic work. Besides the fear the worker felt when talking with her employer, another element contributed to make her give up without proceeding: the psychological

dependence and sense of gratitude she felt towards the employer who decided to regularise her, paving the way towards a regular residence permit. This fact should be an absolutely normal thing - namely, the regularisation of a migrant worker – but in reality it is seen as a rare and exceptional fact and, above all, as an act of the employer’s generosity, and therefore leads the worker to conceive the recognition of her rights as an employer’s gift, and in turn gives rise to feelings of gratitude.

Unionists have obviously tried to find different strategies to enhance the participation and mobilisation of domestic workers. The first obstacle to overcome, as the workers themselves state, is the linguistic one, especially considering that recently arrived migrant workers – women, above all - usually work as informal live-in domestic workers in a dimension of complete isolation and without speaking Italian. Generally, unions meet domestic workers only when the workers themselves decide to consult them for the opening of a dispute. It is even more difficult to meet the workers even when there are no problems to solve in relation to exploitation and abuses, but simply to share information about the contract and the envisaged rights and duties as migrant workers. Therefore, especially grassroots unions are trying to find alternative ways to have direct contact with these workers:

“Two years ago, in September, we launched a WhatsApp group to get closer to caregivers ... we were thinking of creating a territorial group because some thought that if we were more united we could address other people and integrate them better. In fact, during public demonstrations, people did not speak to each other. Instead these groups gather even if you have nothing to say, and on the other hand they are important to approach since people just can't leave the house. Within a month or two, once we had spread the word and shared it with everyone ... we met about 250 to 1,000-2,000 people, and now have reached a range of about 5,000 people. We have this surveillance network and intervene in the most vulnerable and urgent cases ... when needed, we give consultations via videoconference, and answer thematic questions and give information...” (unionist).

These WhatsApp groups are based on the language spoken by each group of workers: the Russian, Spanish and English-speaking groups that all contribute to an awareness and information campaign within single ethnic communities. The ethnic communities and personal contacts play an essential role in increasing workers’ awareness of their rights and their willingness to consult unions. According to the workers I interviewed, the idea of turning to a union usually arises from a talk with a friend or a member of the same ethnic community. Nevertheless, the ethnic dimension of this information sharing may also be a limitation to the workers’ opportunities to organise and join forces. As an Italian worker said, it is not easy to organise a united group, given the ethnic and cultural differences:

“In trade union struggles there has never been a common front [among domestic workers] ... I still wonder why! Even the riders are compacting, but this sector is not able to... even protect itself, not to say conquer or claim anything” (Int. 11- caregiver).

If unions are trying to find new ways to organize domestic workers, agencies and cooperatives deal with this theme, given the fear of families in hiring a too-unionized worker. LMIs often specifically consider Eastern European workers, who are usually more disposed towards unions due to their culture of work and their rooted and established ethnic communities that share information. LMIs have often been forced to adopt effective measures to give guarantees to their clients, as emerges in the following quote:

“Yes, of course, it is a phenomenon [domestic workers turning to unions] that we encounter every day: we had to make agreements with lawyers because it is so common! I [the employer] keep you for 5 years at 20 hours, after which in the fifth year I end the employment relationship and I open a big dispute over the 5,000 € of difference.” (Int.10-agency).

The agencies that have been “forced” to beef up their legal support services have understood that families turn to them specifically to avoid all management responsibilities related to the employment relationship. The existence of these services for legal support objectively reduces the workers’ desire to contact unions, constituting an important attractive factor for customers. The growing presence of these intermediaries is due also to the fact that Italian families feel more secure and guaranteed by the agencies’ offer of administrative and legal support. This is not only the case of temporary work agencies or cooperatives directly hiring their workers, but also that of brokering agencies who play a continuous and constant role of mediation and support through the extra services they offer. When hired by temporary work agencies or cooperatives, moreover, workers that are willing to contact unions face an even more complicated reality: they feel less free to do so. Direct employment through an agency or a cooperative is not automatically a synonym of good treatment: it may happen that the family does not respect contractual conditions, and asks the worker to work more than the established time or to do some extra tasks. Also in this case, the intimate dimension of the house exposes workers to specific vulnerabilities. In all the cases mentioned, the agencies’ intermediation is an effective guarantee for households, but also a strong deterrent for workers’ unionization:

“[when something happens] we face it with our legal service and everything ... and ... complaints from the caregiver have never happened in the 4 years that I have been here. There have been some disagreements followed by a settlement between the two parties, together with our lawyer... it usually ends in this way: I'll give you this, so just stop ...” (Int. 2- cooperative).

The LMIs’ legal services in this case operate a kind of arbitration settlement that is the most common way to solve labour disputes even when the worker engages a union. As three different unionists stated, in

fact, offences within the domestic environment are so difficult to prove that the workers' denunciations rarely get to court: through the union's mediation, the employer and the worker arrive at an economic agreement. Nevertheless, this is a strategy to ensure some economic compensation to the worker, while on the other hand, this procedure makes unions aware of the main common problems affecting domestic workers and, above all, unionists try to go to court if there are margins and if the offences can be proven. When the same procedure is carried out by the legal service of an agency, things are quite different: it is not so automatic that the worker's interest will be represented in the same way as a trade union would do. In other words, the growing lead role of agencies is enhanced also because in this case workers are less willing to consult a union, so families feel more secure and reassured even when offences and injustices have effectively occurred:

"I would advise our users not to consider the intervention of cooperatives or agencies to find a job, it is better by word of mouth ... also for this reason the network of housekeepers was created via WhatsApp, due to the difficulty of solving the problems these workers have" (unionist).

The previous quote testifies to the unions' threat that workers hired by or through a private provider may become even more invisible. Word of mouth and informal recruitment carried out directly by families is seen as a more favourable solution also because, as different unionists state, brokering agencies usually disappear when unionists try to contact them to obtain more information in case of an open dispute between households and workers.

To conclude, when dealing with informal employment in domestic work, it is interesting to enunciate the most common and widespread irregular practices implemented by families to reduce costs of domestic work, beyond the decision to hire without a formal contract. Among the most common irregularities of the formally hiring of a worker for less hours than those effectively worked is certainly the most widespread. It is very common to find workers who are hired for 25 hours/week, even if they work 50 hours/week. Up to this threshold, in fact, the contributions to pay are fixed, but even if they increase due to more working hours, the difference is so subtle that often families and workers agree in formally recognizing 25 hours and then paying extra hours informally:

"I want to clarify and say another thing. We must be honest: these INPS contributions are very low, because you pay 1 € per hour and what happens if you pay me for 50 hours or pay me for 25 hours for pension purposes? It doesn't change anything given the Fornero law³⁰, and then INPS calculates your pension, which remains below the minimum and so, an intelligent person would say: well, pay me the minimum then ... But then, if I go on maternity leave, if you pay me for 54 hours, I will obviously obtain a more substantial maternity allowance. If you pay me for 25 hours I will take less. This happens with maternity, accidents and

³⁰ Reform of the Italian pensions written by Elsa Fornero, former Ministry of Labour, in 2011.

unemployment benefits ... these are the dark points which... if I am a smart employer, I will say, oh well, I will hire you regularly for 25 hours, and then integrate the difference informally” (unionist).

Also, some of the interviewed workers agree with the previous statement despite having an advantage in being formally hired for less hours than the ones effectively worked because of the extra-taxes' earnings. In the long-term, they risk losing money if we consider maternity allowance, severance pay and unemployment benefits. Once again, at least from a worker's perspective, the difference depends on personal projects and future plans which lead them to focus on the short or long term. In this context, the issue of retirement contributions is crucial. Since contributions are very low and cannot be transferred to the country of the origin, domestic workers are not encouraged to demand fair payment of contributions. Workers should work 20 and more years to obtain a decent retirement pay and those who intend to go back to their country know that they will not enjoy their retirement benefits there.

Families however also find other strategies to reduce the cost of domestic work, often to the disadvantage of workers. Other well-rooted practices consist in not including extra-tasks in the contract; hiring the same worker to care for two not self-sufficient people without increasing their wages; hiring only for day assistance when the worker in reality also gives active night assistance; avoiding the payment of holidays, severance pays, sick leave and overtime, or exchange their payment with gifts:

“I have all the documentation: doing night and day shifts, even the meals had to be paid by the family and instead on the paycheck for these meals, board and lodging were deducted from my wage! Holidays, any type of holiday: Christmas, Easter, I never got paid for more than 10 hours and I worked 24 hours a day!” (Int. 9-caregiver).

In this context, intermediaries at times play an important role in educating families, making them more aware of the risks they take when hiring a domestic worker without respecting all the contractual provisions. This, of course, may represent an attempt to mitigate the competition of informal employment and spreading the image of agencies and cooperatives as professional providers. By emphasising the fact that workers can always turn to a union to report their situations of exploitation and making a comparison between the money saved through informal employment and the money a family should give to a worker in case of disputes, the LMIs have tried to downsize the effect of the informal employment competition. At times, they turn a blind eye on specific cases, such as extraordinary overtime work or short periods of substitution. Nevertheless, even if LMIs try to “educate” families, the appeal of the money-saving alternative is often unbeatable especially for middle and lower-class families, also considering the difficulties that workers face when they decide to denounce informal arrangements:

“What is certain is that in this work [...] the witness is missing. On the other hand, if you say that you have brought someone into the house, they will scold you and if you have not brought anyone you have no

witnesses. In short, it is a vicious circle ... then we educate the workers and say: please make sure that the employer gives you some written acknowledgement that can help us to claim that you were sleeping there ...” (unionist).

According to unionists, it is very difficult to prove irregular practices in domestic work. The dispute rarely ends in favour of the worker. This also explains why almost all open disputes end in conciliation, since families are threatened by the possible consequences of their irregular practices, and the use of the surprise factor affects them when a worker decides to report them to the authorities. The Labour Inspectorate also confirms this general situation:

“I do not deny that domestic work for us represents a very problematic matter, also from a procedural aspect: we cannot access the subject's home, if one does not want to open to us. We are not law enforcement agents (and in any case they also need a warrant!). So, we often resort to the institution of conciliation ...” (Labour Inspectorate of Milan).

Without any concrete attempt to reevaluate both the economic and social aspects of domestic work, it thus appears improbable that informal employment and irregular practices will significantly decrease: the deterrent effect of controls and sanctions, in fact, is very fragile due to the private dimension of this peculiar workplace. Even if LMIs themselves try to convince families to hire workers regularly, a mix of economic and cultural factors, together with insufficient controls and reporting difficulties continue to stoke the phenomenon of informal employment.

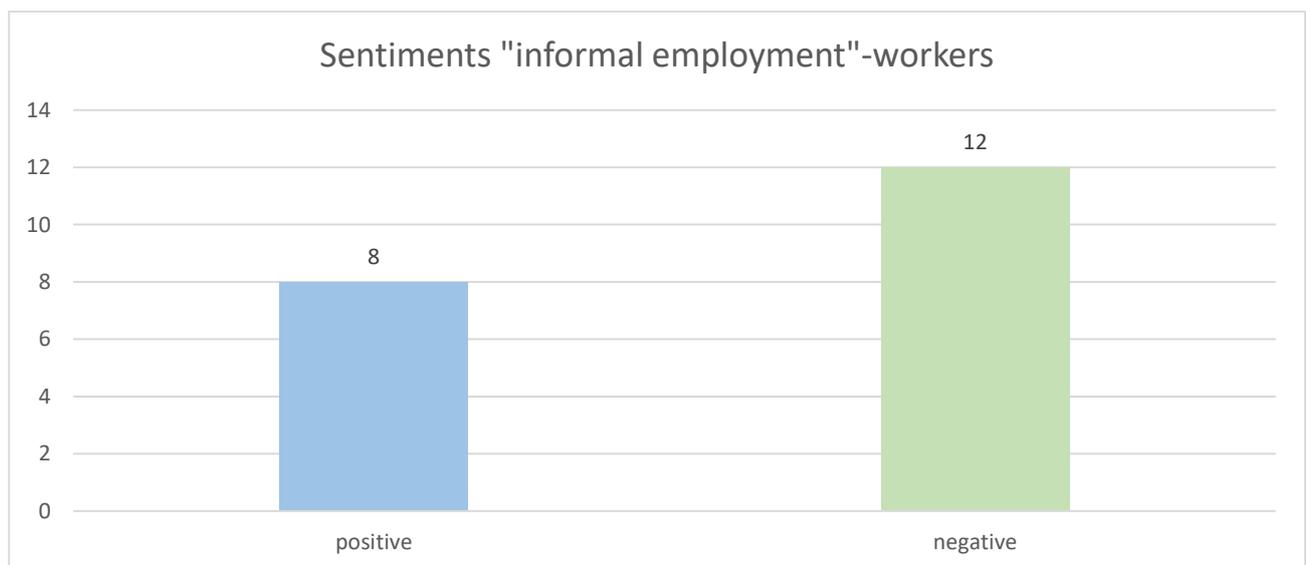
5.4. Summarizing the actors' standpoints and interactions between concepts

Analytical tools provided by the NVivo have been also useful in this section on informal employment and its impact on the definition of domestic work. As concerns hierarchical code maps, the results of this peculiar tool seem not particularly relevant in this case. In other words, no relevant differences emerge from the compared analysis of most relevant codes among workers and Labour Market Intermediaries. The compared analysis, in fact, reveals a common trend: both workers and intermediaries acknowledge the core role of economic factors in determining the high rate of informal employment in overall domestic work. On the other hand, both groups of respondents recognize the importance of cultural factors, and that socially and culturally conditioned points of view can boost the impact of informal employment. The number of coding references among the two groups of respondents is about the same, so we will not focus on this here: workers and intermediaries highlight the weight of the families' budget constraints of Italian welfare familialism and the consequent use of informal solutions to downsize the costs of domestic work. Only the answers of the two national associations of employers are recognized because of the main importance given to economic factors, which explain the employer associations' claim of fiscal measures to actively supporting families. An interesting aspect is that agencies and cooperatives may view informal employment competition

in different ways and according to their specific clientele. Top-level agencies that address wealthier households, in fact, usually suffer less in informal employment competition, despite the persistency of cultural factors in enhancing labour informality. Of course, workers emphasize slightly more that families want to avoid regular employment also when they could afford it. This is something which, on the other hand, intermediaries can “educate” their clients. If economic factors are the most evident explanations of informal employment in this working sector, cultural factors will not have an ancillary role and both workers and intermediaries agree on this.

Instead, the way workers evaluate informal employment appears more interesting. If both intermediaries and employer associations have an absolutely negative judgment on informality in domestic work – though recognizing that it is often unavoidable due to familialism in our care regime – the workers’ perspective seems more nuanced.

Figure 14. Worker’ sentiments towards informal employment



As we can see in the previous graph, workers do not have a strictly negative idea of informal employment. Of course, a negative judgement is more common than a positive one: there are overall 12 negative references and 8 positive ones, whereas no references are registered under the “very negative” label. This situation can be explained according to different factors. Firstly, as we mentioned also in the first section of this chapter, workers emphasize that the contractual working conditions are not so favourable to formal employment: working without a contract makes it possible to earn more and avoid paying taxes. Moreover, the low contractual contributions, together with the impossibility of being transferred to other countries, make the perspective of pension not so attractive for workers who often aim to return to their country of origin – especially as concerns middle-aged Eastern European female workers leaving their families

in their birthplace. This economic explanation is strengthened by the idea workers have of domestic work. Those who conceive it as a transitional job – namely, a job done to enter the Italian labour market and to be replaced by a more remunerative and socially valued job later - prefer to earn as much as possible in the shortest time, to later improve their working life because of access to different kinds of employment. Economic explanations are not sufficient: three interviewed workers emphasized the sense of freedom that informal employment gives them. Working without a formal contract makes them free to suddenly leave their family employer to work with another one or even change activity. This happens especially in two cases: when the worker already knows that she aims to change employment, or when she does not feel comfortable with the current employment. In the latter case, there are two essential reasons: the worker does not like the employing family, so she cannot be sure that the employment relationship could last, or the worker is working with particularly demanding people - such as autistic children or elderly with Alzheimer- and she feels unable to deal with these fragile subjects. If the first case testifies to the weight that intimate relationships with employers have in determining the domestic workers’ experience, the second highlights how cost reduction is impacting on the quality of care itself. Demanding people, in fact, should be assisted by professional and qualified personnel, and not by general domestic workers, but this certainly increases the labour cost. Households therefore often opt for cheaper solutions that worsen the quality of care services. In short, personal evaluation of costs and benefits is the real key point in all the previous cases. Workers who aim to stay in Italy or those willing to work as domestic workers for long periods usually prefer regular employment, and have a long-term perspective. Those focusing on the short term give more emphasis to the immediate economic return. Moreover, if these are workers’ personal evaluations, the possibility to work informally always depends on the employing family. If workers can reason in this way it is also because they do not meet any resistance from the families.

Another interesting aspect of this analysis relates to the existing link between informal employment and the Italian migration regime. As we have already stated in the previous chapter, in fact, migrations laws and especially the interconnection between the employment contract and residence permit can be a source of vulnerability and invisibility for domestic workers. This trend is confirmed also by the Text Search I carried out through NVivo. Using this command, in fact, I found occurrences of a word or phrase in selected documents. I tried to see how many times the expression “Permesso di soggiorno” - namely residence permit - is used in the text coded under the label “informal employment,” and the results seem quite interesting:

Table 20- Text Search for “permesso di soggiorno” under the “informal employment” code

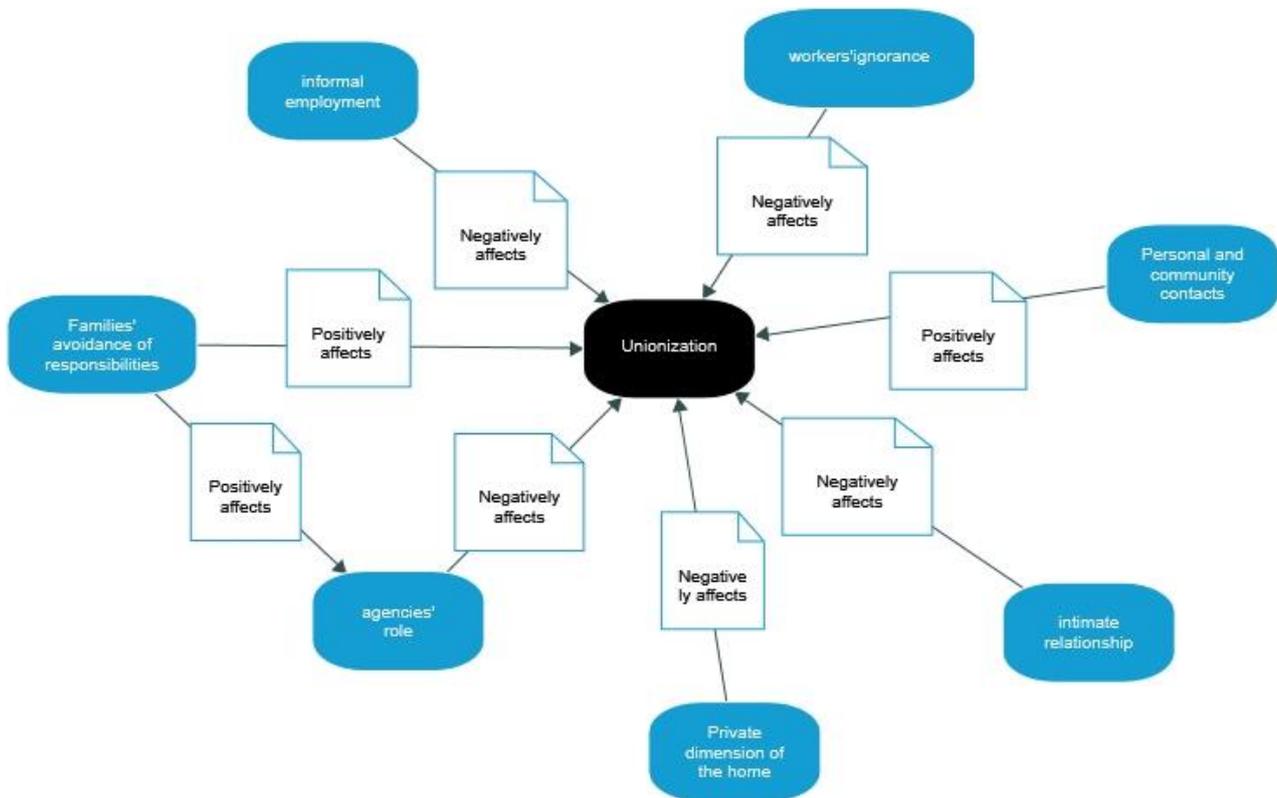
| Interview | Coding References |
|--------------------|-------------------|
| Int. 1 Cooperative | 2 |
| Int. 10 Agency | 3 |

| | |
|----------------------------------|---|
| Int. 2 Housekeeper and caregiver | 2 |
| Int.4 Caregiver | 4 |
| Int. 6 Caregiver | 3 |
| Int. 10-Caregiver | 2 |
| Unionist | 1 |
| Employers' Association | 2 |
| Unionist | 4 |
| Unionist | 4 |

The evidence of the interconnection between the migration regime and informal employment emerges especially from interviews with workers and unionists, but it is worth noting that the expression “permesso di soggiorno” emerges under the code “informal employment” also in interviews I had with intermediaries and employers’ associations. All these actors are aware that being an irregular migrant, as we have already seen, is always synonymous to informal employment given the intersection between juridical invisibility produced by migration laws and the spatial invisibility characterizing domestic work. Relating this theme to the previous one, it is important to highlight that even workers who choose informal employment to earn more or to be freer, usually have at least one or two regular employments in order to comply with all the residence permit requirements, without which informal employment for the workers would only mean their total exploitation and complete vulnerability.

Unionization is another issue worth analysing through NVivo tools. This topic is obviously strictly related to that of informal employment, the high rate of which is one of the main obstacles to workers’ unionization. But this is not the sole explanation and the idea of domestic work as a “difficult to unionize” sector depends on different factors involving the historical definition of domestic work as “not real work,” the production of workers’ invisibility via the migration regime, the distance between unions and domestic workers, and many others. All these factors together make unionization difficult to reach, with negative consequences in terms of workers’ awareness about their rights, households’ acknowledgment of their duties, and the overall battle against informal employment and exploitation. I therefore drew a concept map to summarise the main concept involved in the description of the difficult unionization process of domestic workers, a core theme when dealing with labour informality.

Figure 15- Conceptual Map of Unionization and Informal Employment.



We start by stating that one of the main limitations of domestic workers' unionization is certainly the high rate of informal employment representing the normal conditions of domestic workers. Working without contracts means ignoring workers' rights and the contractual conditions, and it often signifies dependence on the employers' wishes. Informal workers are difficult to reach for unions, and this reality is obviously worse when it comes to irregular migrants who are also informal workers. As already mentioned, the Italian migration regime and particularly the interconnection between working contracts and residence permits makes these workers even more unwilling to contact unions. Being irregular migrants within a state which criminalizes irregular migration, put such migrants at risk of arrest, so they avoid contact with unions. Workers' ignorance is then another factor that often interacts with informal employment and makes unionization even more difficult. The majority of domestic workers are, in fact, migrant women coming from countries with greatly different economic, social and cultural conditions, with the exception of eastern European women. It is not uncommon to find workers who do not even clearly know what a union is and what it concretely does, or that union rights do not exist for domestic workers. The pervasiveness of informal domestic work and workers' ignorance of their contractual rights and duties act together in making unionization a difficult aim to reach. Of course, the intimate and private dimension of the home is another worsening factor. Labour inspectors cannot enter a private house, so controls are rare and the only way to proceed against labour exploitation in domestic work is the worker's charges or complaints, something

unusual given the vulnerable condition of these workers and the difficulties faced in reporting and proving abuses and violations. It is exactly the private dimension of this work and the fact that employers are households, that make domestic work a *sui generis* kind of employment, with all the negative consequences in terms of workers' organization as described by Hobden (2015). But intimacy is not only related to the workplace: the peculiar kind of employment relationship that domestic workers have with their employers counts, as already stated in the previous chapter. When intimate relationships overcome professional ones, turning to unions seems inappropriate for workers even in case of clear abuses. The prisoner of a love dilemma has a strong deterring role in this case (Borelli, 2020). As we have mentioned before, when the employer is also the one in charge of proceeding with the regularisation of the domestic worker, things may be even worse, given the workers' feeling of deep gratitude which often leads to ignore or minimise the abuses. In this way, workers risk to be blackmailed by their employers and, of course, turning to unions is not their priority, also because they usually have to wait quite long until the process of regularisation is concluded.

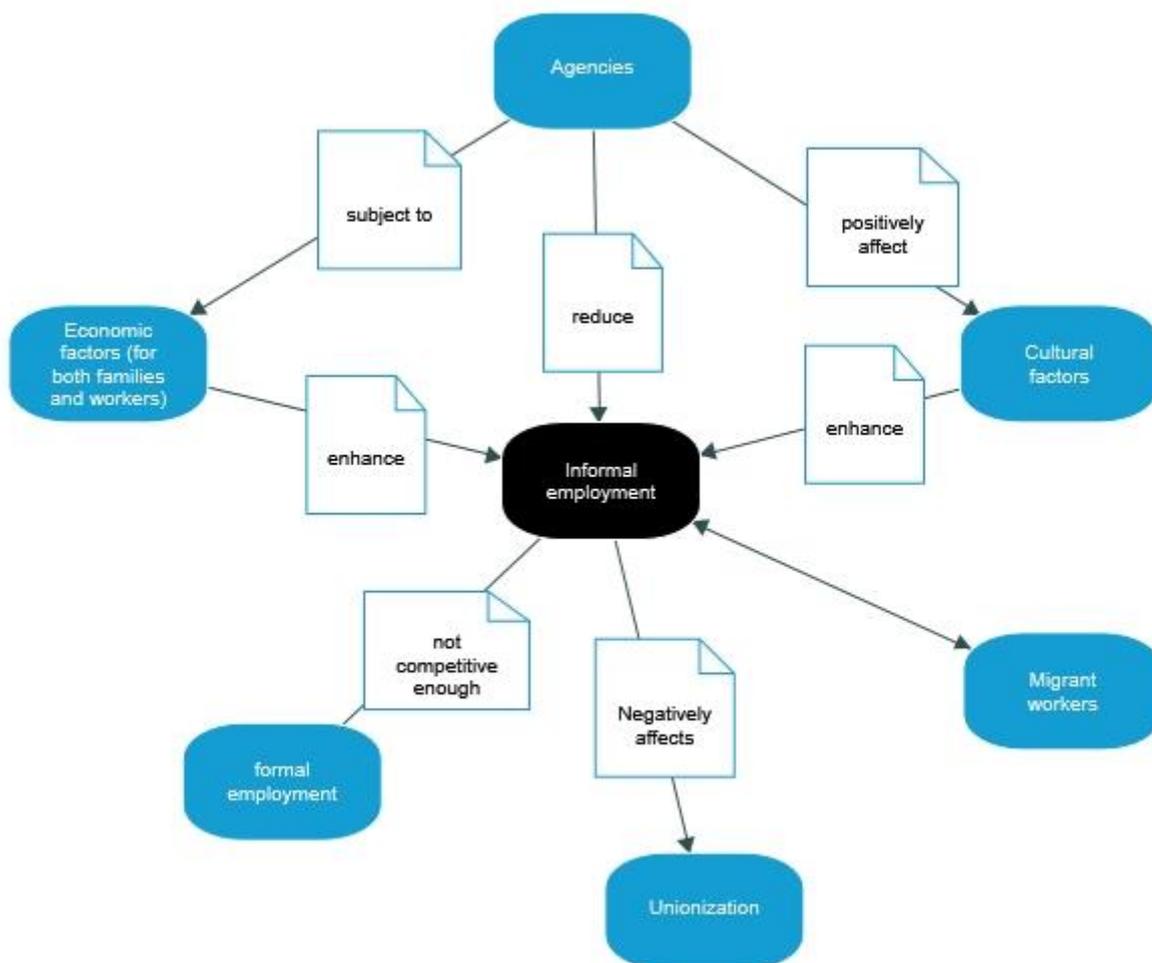
On the other hand, time is a factor in the improvement of conditions for migrant domestic workers, which could lead also to workers' unionization. Establishing more personal networks, meeting new people and other domestic workers, and learning Italian certainly increase the workers' negotiating power and their awareness of their rights and duties. A richer social life and the possibility to share experiences with other people doing the same job certainly have a positive effect on workers' unionization. At least unionization in this field serves above all, to make domestic workers aware of their rights as workers. This can be the starting point to enhance workers' participation in unions, and consequently increase the reports of abuses and illicit behaviors by households.

Another theme that has positive effects on workers' unionization is that families want to avoid responsibilities. When workers understand that their employers are not aware of their duties, they may opt to turn to unions: in other words, ignorance of employers may be exploited by workers to turn to unions and open a dispute that will end in a conciliation agreement. On the other hand, dealing with employers who are fully conscious of the contractual provisions creates an imbalanced situation to which workers may feel less willing to expose themselves. When workers realize that the employers themselves ignore their duties as employers, they may feel more comfortable in opening a dispute, knowing that it will end in conciliation. But the employers' avoidance of responsibilities is one of the reasons for the increasing presence of both agencies and cooperatives in this working sector. When a labour intermediary inserts the didactic relation between employer and domestic worker, the latter feels even more vulnerable and reluctant to join unions. LMIs' provision of legal and administrative services, in fact, addresses the families' wish to avoid responsibilities while simultaneously protecting them from the action of the workers' unions. The existence of these extra services lead to exploitation or lack of respect for contractual provisions within the same firm's structure. In

other words, if a domestic worker laments over some unpaid overtime for instance, and the employing household is sustained by an agency's legal services, the resolution of disputes is done via the same agency's legal personnel. This firm-based conciliation agreement, nevertheless, cannot be conceived as equal to that done by unions. In this case, in fact, households are customers of intermediaries that want to safeguard their interests and, on the other hand, the threat of going to the court is far from likely. As an interviewed unionist clearly states, working for an agency or through it, is one of the less favourable conditions for domestic workers' unionization.

To conclude, I proceeded with the analysis of another concept map to summarize the main concepts emerging from the analysis of informal domestic work employment, and simultaneously highlighted the interactions, ambivalences and contradictions among codes.

Figure 16- Conceptual Map of Informal Employment



Keeping informal employment as the key-concept of the analysis, we can sum up the relationships existing with other codes and subcodes. Firstly, two factors, namely the economic and cultural factors, appear

essential in determining the resilience of informal employment in this particular work sector. Among the latter, we can detect the popular notion that domestic work is not real work. With the weight of unpaid domestic works still weighing on women's shoulders, domestic work is defined as unskilled and socially devaluated, and that anyone could do it without particular professional training. Among economic factors, we find above all, the evaluation of costs and benefits for both workers and employers. Workers could opt for informal employment in order to earn more in less time, given also the low contractual wages, while especially lower-middle class households are driven by the main concern of cost containment. If housekeeping can be defined as a luxury, in fact, caregiving within an ageing society with increased female labour participation is a concrete social need. The actual definition of the Italian DIY welfare (Borelli, 2020) is totally at odds with the social need for care services: with families left alone, informal employment is often a solution to match care needs and budget constraints.

In this context, intermediaries play an ambivalent role. As concerns cultural factors, we can say that intermediaries may have a positive impact while "educating" households to respect domestic work. Given their image of professional providers, in fact, LMIs are interested in spreading the idea of domestic work as a professional, qualified job, at least when they themselves are the brokers. Of course, this attempt to "educate" families falls in line with their desire to overcome the informal employment competition, especially concerning providers that deal with the added suffering of middle and lower-middle class families in this kind of competition. On the other hand, economic factors can have a negative impact on agencies since some of the families' main concerns, cost containment and household evaluation of costs and benefits also affect the LMIs, as we will better define in the next chapter. To be competitive in the market, intermediaries are often forced to endorse lowered costs rather than care quality. They therefore attract more customers and offer more affordable solutions. This is not a common trend, and it strictly depends on the economic level of the usual clientele of each agency or cooperative. Nevertheless, if we can affirm that intermediaries acting legally contribute to the reduction of informal employment, we must keep in mind that marketization of care also means that providers are subject to the families' evaluation of costs, and they are forced to find different solutions to be more competitive. As we will see, this may pave the way to illicit solutions that, despite not being grouped in informal employment, could have other negative consequences on workers and at times on households themselves.

Another relevant topic in the discussion on informal employment, is its interaction with the migration regime: the difficult process of regularisation and, above all, the link between residence permits and working contracts could force many irregular migrants to work informally, taking advantage of the private dimension of the home as their workplace (Ambrosini, 2013; Lutz, 2017, van Hooren, 2012). But as we stated in the previous chapter, the relation between these two codes is more symmetrical, given that Italy's high tolerance

towards informal employment is also one of the factors that lead migrants to enter the country illegally, being aware that they would be useful as cheap workforces, willing to find some jobs to survive.

To conclude, the high rate of labour informality has certainly a negative effect on workers' unionization, while the contractual provisions and the *sui generis* definition of domestic work employment contracts make formal employment not so attractive. The emerging reality is that workers themselves often opt for informal employment while households, being aware of the workers' vulnerability and ignorance - especially if they are irregular migrants - take advantage of this situation and seek informal solutions also due to the limited controls. On the other hand, given Italy's characteristic DIY welfare system, many families often are not free to choose because of the increased costs of regular employment and the simultaneous scarcity of public services due to the State's withdrawal from its care responsibilities. Cultural factors such as the invisibilization of domestic work and its social devaluation, therefore go hand in hand with economic factors revolving around the core issue of the households' concern for cost containment within a familistic welfare state like Italy.

In this context, LMIs may have a positive impact in downgrading informal employment, even if it is subject to customers' decisions. They are often obliged to reduce the cost of domestic work. How they do it, the consequences of this process and the differences existing among providers are the key themes of the following chapter. As of now, it is essential to keep in mind that the context in which these intermediaries operate is strongly marked by informal employment and illegality. Understanding how LMIs deal with these factors is one of the main aims of this research.

Chapter 6. New actors in a wild market: the role of intermediaries in a changing context

6.1 “Agencies take over public welfare”: factors determining the increasing presence of LMIs

The description of the main characteristics and constitutive elements of domestic work, and the focus on the factors that enhance informal employment in this specific working sector are functional to have a clearer idea of the general context in which LMIs operate. The previous themes -domestic work description and the comprehension of the force of informal employment - contribute to the articulation of domestic work’s structural dimension of invisibility which labour intermediaries necessarily have to face. If it is true that a large amount of literature and data on domestic work has already highlighted the main criticalities of this sector, it would be useful to detect the general context of this research by starting from an empirical approach based on the standpoints of agencies and cooperatives themselves. Only after this overall overview will it be reasonable to go deeper into the LMI structure and functioning, highlighting the peculiar interaction between these new actors and the widespread tendency toward irregular and informal employment described in the previous chapters.

To have a clearer idea of the functions of intermediaries and their impact on the domestic work organization we need to start by highlighting how their peculiar role of mediation between labour demand and labour supply is conceived by the intermediaries and workers themselves. Considering the LMI perspective, one of their main strengths is the ability to address household needs, thus saving time in the recruitment process and the management of the employment relationship. These “*multitasking and modern families*” - as one agency owner defined them - may suffer from that time poverty (Rosińska, Cojocar, 2018) affecting numerous late-capitalism high-skilled professions, and therefore look for workers that can relieve them from their care responsibilities. LMIs greatly emphasize this incredible advantage for families, namely their total release from any kind of responsibility:

“[the main advantage] for the family it is the fact that we take care of everything, so that the family establishes a contract with us and can be concluded whenever they wish, with a 15-day notice for a 24-hour live-in job... in case of death [of the care recipient] of course not ... some families do it 15 days later. They ask the caregiver to stay 15 days to fix the house, etc., if there was a good relationship” (Int. 2 -cooperative).

As just mentioned in the precedent quote, these intermediaries “take care of everything,” while allowing households to save time, and keep costs low. The willingness of households to avoid responsibilities is at the core of the increasing role of agencies in our society and is strictly related to the overall welfare structure and its familistic dimension, at odds with the concrete and real needs of Italian households. The following quote helps to explain the growing presence of intermediaries in Italy:

“Yes! [the presence of agencies and cooperatives in Italy] is exponential! I mean...exponential! Especially because in recent years, the State has not protected the elderly, not like France or other States. If you are old, it's your problem. Since all families work anyway, they can't stay home 24 hours a day with their parents, perhaps in private nursing homes. Opinions differ, everyone thinks differently... so these agencies have to take over the public service. People, for problems of time management, or [because more is wanted] for protection they think: ok, I go to the agency, I pay and they do everything...” (Int.3- agency).

Avoiding responsibilities in finding a domestic worker and managing the related employment relationship is an essential element for Italian families, and this often downsizes the importance of domestic work especially when the focus is on finding a worker in the shortest time and with the least effort possible. Informal recruitment, in fact, requires the ability to choose the worker and a large amount of time spent in organizing appointments with candidates while checking their references. However, saving time is not the only motivation: families are often driven by the desire to avoid dealing with the difficult and complex contractual bureaucracy, besides the fear of being deceived or cheated by workers. LMIs are therefore trying to build up an image of great reliability and professionalism for their clients: even in the case of brokering agencies - when the employer is the household - these new actors often offer different services ranging from legal support to administrative procedures, taking upon themselves all the burdens related to the management of this employment relationship. Some important themes clearly emerge from interviews with intermediaries: Italian families, especially the younger ones, have no time or willingness to take on care responsibilities weighing on them according to Italian familialism. They thus delegate to the agencies and cooperatives the task of finding the perfect domestic worker, at the cheapest price and in the shortest time possible. Moreover, families are discouraged from facing their responsibilities as employers because of the complex bureaucracy related to the worker's pay packet and contributions and also their scarce awareness and understanding of all the norms and contractual duties related to domestic work. As the National Labour Inspectorate highlights, the domestic work relationship involves different obligations which are not so onerous in economic terms, but surely in procedural terms. Families do not often have the time or the will to accomplish these tasks, and thus turn to private intermediaries. Surely, the lack of time for and knowledge about procedures and contracts are decisive in the enhancement of agency intermediation. However, the historical process of undervaluation and scarce formal recognition of domestic work is also important. Even families who would have all the possibilities to manage and take care of the employment relationship often avoid it because they do not consider this work as important as others, and are reluctant to spend time on its management.

As concerns the effects of job intermediation for domestic workers, agencies ensure that they are undeniably positive and evident. The two most relevant strengths described by interviewed agencies reveal that they guarantee more protection and certainties to workers. Above all, they are assured of a long-term

employment, given that even when a specific job ends, these workers can always return to the agency or cooperative to find another one:

“As for the caregiver, we do everything to find continuity of work for those who work with us. I have collaborators who have been here since I joined 4 years ago, and I have done everything to find them a better and more continuous job. If the elderly they care for die, I do all I can not to leave them on the road” (Int.2-cooperative).

Work continuity is not a unique advantage for workers, at least according to respondents: for instance, intermediaries could have an important role in supporting migrant workers with their specific needs and concerns. These LMIs offer various services to their workers, ranging from support in managing their migratory status, to administrative support in the management of the employment relationship, also due to the workers’ unfamiliarity with their rights and duties as domestic workers. This seems totally in line with Autor’s idea (2008) of deviations from a theoretically perfect labour market that leads to the presence of LMIs: among these, we can also find costly information, namely that not all the labour market actors have the same information assets. Intermediaries are very protective and even maternal towards “their” workers. They “take care” of workers because they “love” them and help them to escape from unbearable situations and avoid being exploited. A very common narrative is, in fact, that of seeing each agency trying to differentiate itself from the others as being better in treating workers: all the interviewed intermediaries state they offer undoubtedly better conditions to their workers than those offered through private arrangements. If this is the agencies’ representation of their positive impact on workers, things change when workers are asked directly about this. They acknowledge that agencies and cooperatives take the responsibility of the whole employment relation and work organization, but according to them, this is not always good, and it can pave the way for various illicit actions. Usually, workers prefer agencies to cooperatives which may frequently lower workers’ wages in arbitrary ways to meet their costumers’ concern for cost containment or to increase their profits. Certainly, this choice is not so simple: existing differences among agencies clearly count, with workers aiming to work for top-level agencies ensuring better employment conditions as well as more relevant references given the status of their clients. The choice of the intermediaries to work with is commonly grounded on a careful evaluation of worker’s autonomy, economic return, and opportunity to grow in professional terms. Nevertheless, workers who can choose how and where to work usually prefer to find work in an autonomous way, being well rooted in the social fabric and having more personal contacts. Agencies and cooperatives are a target chosen by workers who are not well tapped into ethnic communities that often play an important role of mediation between labour supply and labour demand:

“In my experience with agencies... I have not yet seen an agency that says: look, I'm sending you to this family as a test, and then we will see [how it will go] and we will establish the price too ... to give the fair

value to a person. Sometimes even one euro more changes things [...] I worked in the agency for the first few years [...] It's a way to enter, isn't it? But now I don't know ... actually it's been a while since then ...but the offers of agencies are the same as before [...] maybe they [the agency] tell you: yes, okay, do you want to change? Or maybe not ... they prefer their clients, not us: since there are a lot of us around here..." (Int. 4-caregiver).

The above quote reflects workers' distrust towards agencies, which are often seen only as a useful way to enter the world of domestic work and later find their own independent choice of work. Jobs offered by these intermediaries seem not appealing to workers, given the low wages and the unfair treatment. Ethnic communities and personal networks therefore often replace these intermediaries while looking for a good job as domestic worker:

"I don't know, I haven't tried [to work with agencies] ... because we Filipinos don't go to the agency, we have the trust of Italians and there is a lot of work for uswe have a good reputation in Italy, so many Filipinos work in the homes of Italians" (Int. 2- housekeeper and caregiver).

With the exception of one worker having always had good experiences with agencies, the majority of interviewed workers do not have a positive idea of these intermediaries. First of all, they feel that they have less decision-making autonomy and less bargaining power whereas, on the other hand, they feel that agencies and cooperatives rarely act to protect their interests as workers, being usually focused on satisfying their clients. The maternal attitude emphasized by agencies is not confirmed by workers. A difference actually exists: even if we will describe different types of agencies and cooperatives in the following section, we can already affirm that workers are aware of the difference existing among these LMIs. Workers know that agencies doing business with wealthier families usually take good care of their workers. However, it is very difficult to join these agencies, given that the necessary requirement is to have important and excellent references and specific competences. In most of the cases, workers decide to turn to agencies and especially to cooperatives (which are seen as the worst solutions) only when they do not have any alternatives, or as a starting point. Word of mouth within communities plays a crucial role, often discouraging workers from turning to firms with bad reputations among their personal contacts:

"I thought that I could not find someone to make the contract for my residence permit... at least there [in the agency] I am sure that they can make the contract for me. But then they [some friends] told me: yes, they [agencies] make the contract but then you become a slave" (Int. 5- housekeeper & babysitter).

Although agencies and cooperatives do not have good reputations among workers, it is not difficult for them to hire people for two main reasons. Many do not have enough contacts and are not part of historically rooted ethnic communities and are more inclined to apply in these LMIs. Secondly, workers are now aware that families, especially in Northern Italy, are more and more satisfied with the agencies' ability

to take on all the responsibilities deriving from a domestic work employment contract. In other words, families take advantage of the LMIs' role, and are relieved from the weight of the management of an employment relationship based on a complex bureaucracy and normative framework; whereas, on the other hand, workers often have little freedom of choice in the context of increasing care marketization.

Table 21- Strengths of the LMI's role for households and workers

| Households | Workers |
|-------------------------------------|---|
| - Save time | - Overcome lack of personal contacts |
| - Avoid employers' responsibilities | - Ensure job continuity |
| - Find targeted solutions | - Work with wealthiest families (in case of top-level agencies) |
| - Overcome bureaucracy | - Have a contract |

The emerging reality is one in which these labour market intermediaries mediate between such different (if not opposite) interests. The type of mediation that agencies and cooperatives offer depends on their very nature and organization. As we have already explained in the juridical section, there are different types of agencies: temporary work agencies, brokering agencies, recruitment agencies. Cooperatives then add more complexity to this framework. However, it is quite rare to find agencies and cooperatives that limit their action to matching the demand and supply of domestic work. Also given the recent expansion of the market, these economic actors are trying to satisfy all the possible ranges of family needs and, above all, to concretely establish a total outsourcing of family responsibilities. Households, in fact, are changing, and also their needs: the ageing process of the population is increasing the need for long-term care, given that - especially in Northern Italy - there are more working women, and so the familialism of Italian welfare appears more and more outdated. The role of mediation played by intermediaries is therefore constant and continuous. It entails the management of the intimate relationships established between the caregiver and care recipient, but also of cultural differences:

"We have the same behaviour on both sides. Both parties can withdraw any time, we do not have prior notice ... if the caregiver is good, I set him or her aside. If you [worker] tell me: we do not get along, I take some time so that I do not leave the family uncovered and then I find you another job, I make the change ... also because by managing their relationship, the more they get along, the less they call us, the less they bother us! Instead, there are people who call us every day" (Int. 3- agency).

"We start by explaining that actually you [the family] want all these things from a single person who perhaps comes from another country and therefore may have never ironed a shirt here... [we try] to make the

family think. But then, we must also make the workers think, and understand that they need to be trained, that they do not know how to do everything as they often believe... Then when we put them together, an even more demanding consultancy job begins, because complaints come from both sides. What can the worker complain about? There is too much work, there is too much work here. At times it's true, at times not [...]. You know that for live-in workers there are two hours of rest or an hour if one works 8 hours a day, and you have to negotiate, you have to also consider the point of view of the other party...and rely a little on the intelligence of the two parties” (Int. 5- agency).

Both of the aforesaid quotes prove that when the mediation of a third party exists, it constitutes the relief valve for both employer and employee: misunderstandings originate from ethnical and cultural differences, and regards for instance, how to keep the house clean but also from the very peculiar intimate dimension of this work. What these agencies do is to make the perfect match between demand and supply that not only concerns the tasks and things to do, but also - and even mainly - concerns personal features required to build a solid human relationship. This is the inherent peculiarity of intermediaries in this sector: they do not ensure the limitation of specific tasks or duties, but they take the whole burden of the intimate and complex personal relationship existing between the employing household and the domestic worker. Moreover, this mediation is made even more difficult by the fact that on one side we have the domestic worker, but on the other we may have the care recipient and other family members who do not always agree on what they want. Mediation is often complicated by the complex interactions existing within each family, so agencies often ask for only one reference person for each family. In carrying out this constant process of mediation, these LMIs play another essential role: that of educating families, as we have already mentioned. Mediation consists also in making both parties aware of the specific needs and requirements of the other. It is true that according to the workers' perspective, agencies and cooperative are focused almost exclusively on the families' needs, since it is the client who pays; but from the perspective of intermediaries the worker is not left alone when she starts to work. Given the particular nature of domestic work, maintaining a healthy and good relationship between employer and employee is essential in making it last over time. LMIs are totally aware that families usually look for multitasking workers, without considering the burden of carrying on domestic work, even if they have experienced this same burden in their personal lives - especially the female component of the family. On the other end, these actors often try to convince workers that working through agencies and cooperatives guarantees and offers more work stability, something that is not so common among workers. These intermediaries attempt to make families aware of being employers, counterbalancing the very common idea that domestic work is not real work. I define it more as an attempt rather than a consolidated practice, because it is the family that pays and should thus be pleased. It is interesting to note that employers' associations have a different view on this topic:

“The fiduciary relationship is something subjective. Even if the agency ‘passes on’ the worker to me, the agency cannot guarantee that the lady does not steal, or put the packs of drugs under my grandmother's mattress, or that she cleans the dishes properly. You may have seen once, that she washes the dishes well, but one thing is to try it once, another thing is to do it every day” (National Association of Domestic Workers' Employers).

Trust is thus the core issue to be discussed: agencies and cooperatives rely on the fact that their intermediation may be a strong guarantee for families because of their ability to carefully select the workers, acting in this way as real trust intermediaries (Ambrosini, 2013) Nevertheless, employers' associations state that trust cannot be built on objective grounds, but only on subjective ones precisely because of the intimate dimension of domestic work. In other words, the accurate recruitment process performed by LMIs is not sufficient to ensure that the worker will satisfy the family's needs. It is exactly why both for-profit and not-for-profit intermediaries always offer a service of substitution for those workers who do not meet the family's expectations. Therefore, the associations of employers say that when families turn to agencies and cooperatives, it is more to save time in the recruitment process and in the management of the employment relationship, not a matter of trust. According to them, Italian families are more focused on saving money and energy rather than on the effective quality of care. However, this is not a universal condition, but strictly depends on specific economic conditions and the cultural capital of each household.

Besides “educating” both families and workers on their respective duties and rights, the LMIs in this field may play another important role in emphasizing the objective definition of trust based on workers' professionalism. What agencies and cooperatives always highlight is the higher professional level of their workers. They try to overcome resistance related to the idea that trust in domestic work can be built only on subjective relationships, and underline that workers hired through or by the LMIs must have a given number of references and courses certificates that in some way can prove their objective value as workers. We have already mentioned that also the renewal of the national collective contract has given more attention to the complex issue of the professionalization of domestic work, to increase the economic and social value of this work. Nevertheless, agencies and cooperatives are perfectly aware of the bidimensional definition of professionalism in domestic work. Formal and informal dimensions are both essential in defining a good and trustworthy domestic worker. If in the case of formal professionalism one can rely on references and courses, to ensure informal professionalism agencies must be very careful during the recruitment process and leave room for later substitution, given that informal professionalism is based on personal features that cannot be learned through any course. What counts here is how to stay in a home while providing for the family's needs:

“We call it the attitude of service, but not in the sense of ‘slavery’! that is, the aptitude to be always available. Above all avoid discussions, that is, you provide your service in the home of other people and if until yesterday - as a trivial example - you cooked pasta for 15 minutes in your home or where you worked, and

the lady where you now work wants hers to be cooked in 10 minutes, it is not something that can be questioned. The family is not happy to discuss about such things” (Int. 5- agency).

Workers are required to be compliant and helpful towards families, even when they could do things in their own way with the same results. They have to be helpful, polite, kind and patient. If these features can be proven and certified by references, workers may have different attitudes towards various employers. Being polite and kind with one employer does not automatically mean to be polite and kind with any other employer, given the peculiar intimate relationship characterizing domestic work. Having relational and emotional skills in this sector often signifies the ability to control one’s own feelings and emotions and always act in a kind, polite and helpful way, as in a constant performance without interruptions. This aptitude however has not been easily defined from the start, given that it usually emerges in the daily coexistence and after having better understood the employers’ nature and behaviours.

Until some years ago, the LMIs themselves organized professionalization courses for their workers, but this trend is now diminishing: some of them continue to organize these courses, but in most cases, intermediaries are now able to find already professionalised workers:

“I don't know [why we stopped organizing courses]! I think it became too difficult to organize them. Keep in mind that we have gone from 28 to almost 100 employees, so everything is evolving. Nowadays the workers who arrive may have already attended courses on their own. As you know, when we opened in Milan at the end of 2013 we also had to build our circle of collaborators. We had to train them, then as the word spread, with advertising and everything... you had more choices, more demands for the collaborators you have already trained...” (Int. 3-agency).

Workers’ professionalism is therefore a core theme for agencies and cooperatives and helps them find their niche within the large market of care services. But this gradual process of formal recognition of domestic work as professionalised work encounters some limitations:

“When they attend the courses, they lose their job! Trained staff will cost one and a half times as much as normal staff. So, if an old man comes here and the worker asks for 2,300 € a month, 7 days a week, 24 hours a day, all-inclusive... and if workers who attend the OSS course, get paid 3,000 to 4,000 € ... where can they find an old man with this money? They can go to the hospital, yes ... the state can afford to pay 3,000 or 4,000 €, but where do they find a family that has this money to spend? If you want to do the course, do it, but then it will be difficult to find you a job...” (Int.4- agency).

The main limit to formal professionalization is that it increases the cost of work, and this may be a problem in the familistic welfare system wherein families have to deal with caring responsibilities without the necessary support from the State. To change this reality, households should be willing to pay workers a wage that corresponds to their professional and experiential level, but this is not absolutely the case of Italian

families. It may work only for the few, richer households. The concern for cost containment is therefore the main obstacle to the domestic worker professionalization. Professional workers who are aware of the low profit margins of domestic work, usually prefer to try other ways, such as going into the public health system, and work with hospitals or private nursing homes.

Seeing how the definition of domestic workers' professionalism may be subtle and ambivalent, I tried to summarise the main pros and cons of both formal and informal professionalism. It is on this basis that the dialectic between these two different conceptualisations emerged, with the active role of intermediaries.

Table 22- Informal and Formal professionalism.

| Formal professionalism | Informal Professionalism |
|------------------------------------|----------------------------------|
| - Courses and references | - Personal features |
| - Guarantee of a third part | - Attitude towards service |
| - Standardised recruitment process | - Weight of stereotypes |
| - Increased labour cost | - More targeted on individuals |
| - Objective definition of trust | - Subjective definition of trust |

6.2 An uncontrolled market with flexible rules: the concrete functioning of LMIs

There are essentially three types of agencies in the field of domestic work: temporary work agencies, brokering and recruitment agencies, and social cooperatives that benefit from their peculiar legal and fiscal regimes. Nevertheless, the reality often departs from the perfect abstract definition of the general legal framework and becomes even more complex, as we will see through an empirical perspective. Starting from the interviews I collected, I will now explain how agencies and cooperatives function, focusing on the empirical differences among these LMIs, and on the way they contribute to changing domestic work organization.

As already summarized in the methodological chapter, my study involves six out of ten agencies and four out of ten cooperatives. Most of them are brokering and recruitment agencies, while only one is a temporary work agency specifically focused on domestic work - and is also the only one in Italy. The territorial dimensions of these LMIs have really changed, and have reinforced and strengthened the differences between intermediaries also in terms of business strategies. Cooperatives are generally locally or regionally based, and operate only within the context of Milan or in Northern Italy as consortiums, whereas a different discourse should be conducted on agencies. In my sample there are two locally based agencies, two of them

are spread nationwide, and two work also at international level. The first two, operating only in the area of Milan, are among the oldest agencies in the city, while those having a national dimension are more heterogeneous, greatly differing from each other and working with customers in diverse economic situations. International agencies usually work with the wealthiest households in different countries, and may have their legal residence in Italy or abroad – like one of the agencies I interviewed. Another important difference concerns the specific type of domestic work they offer. Cooperatives usually focus on home-based care services for the elderly, while agencies may offer also specific housekeeping services, both in general terms for middle-class families, and in more specific professional figures - such as chauffeurs, maids and gardeners - for the wealthiest families. Each of these LMIs finds its own place in this new and still uncontrolled market. For the sake of clarity, we distinguished them as top-level, middle-level and bottom-level agencies that structure a very heterogeneous market, while cooperatives seem to be quite a homogenous reality which rarely reaches the standards of top-level agencies, being more similar to middle and bottom-level agencies. If the distinction between temporary work, recruitment and brokering agencies can thus be defined as a normative differentiation, the distinction among top-level, middle-level and bottom-level agencies is more empirical. It is not only based on the quality of services provided, but also on their business scale and on the economic level of their customers.

Table 23- Different types of private employment agencies in domestic work.

| | Agencies | Cooperatives |
|--------------|--|---|
| Top-level | <ul style="list-style-type: none"> - International dimension - Brokering/recruitment - Addressing wealthiest families' needs - Usually more focused on qualified housekeepers | <ul style="list-style-type: none"> - Local or regional dimension - Focus on cost containment - Providing especially elderly care services. |
| Middle-level | <ul style="list-style-type: none"> - Local or national dimension - Temporary work agencies /Brokering - All-inclusive solutions for different needs - General domestic work and elderly care | |
| Bottom-level | <ul style="list-style-type: none"> - Local dimension - Brokering/recruitment | |

| | | |
|--|---|--|
| | <ul style="list-style-type: none"> - Elderly care services or general domestic work - Focus on cost containment | |
|--|---|--|

One of the first aspects to highlight is the way these intermediaries select their workers. Both agencies and cooperatives look for professional workers. Some of them still organize professional courses for unemployed jobseekers, but it is usually because they are obliged to do so. This is the case of temporary work agencies that invest a given amount of money each year in professionalizing courses (170,000 € as concerns the temporary work agency I interviewed). Workers who decide to turn to agencies or cooperatives have to meet some specific requirements: they must be regular migrants, have at least an intermediate knowledge of the Italian language, and possess specific certificates or a given number of references. References have a different importance, considering that some agencies reject workers without certificates while others attribute more value to references and concrete experience:

“[They don't take anyone], so they organize the regional course [for domestic workers]. You must attend the course or already have a certificate to work with them ...” (Int. 1- caregiver).

“In my opinion what you feel and give to the person counts much more [than certificates], it is not what you have in hand, because I spit on the qualification and throw it away ... it is the work I have done that counts!” (Int. 9- caregiver).

References and courses are not the only things to consider when a worker enters into an agency or cooperative: he or she should fill out an information sheet on previous jobs, experience, skills, contacts, and references. These can be written or verified through direct calls to families, and are particularly valuable since they allow to evaluate not only the objective qualification of workers, but also their emotional assets, namely that informal professionalism made up of emotional, moral and relational skills that make up the central dimension of domestic work.

“We try to make the interview as colloquial as possible, but very often the emotions also emerge with gestures...the person at times has a formal curriculum and at times not. I don't stick to work and professional experiences or to education: I delve into their private life, that is, where they live, with whom, how long they have been unemployed... I immediately move from a formal to an informal attitude, to be more direct [...] I realized that if I kept a formal stance the person felt more and more uncomfortable [...] How does the interview take place? I ask questions like: who do you live with? Is the house yours? How much does the mortgage cost you? Are you planning to change your home? Very often the distance and travel time are very important to maintain punctual schedules, so if they change homes often and do not have a fixed abode it is

a problem. Therefore, we ask more and more pertinent questions since we are looking for more and more customized service” (Int. 6- agency).

The kind of approach an agency or a cooperative uses with a jobseeker can vary according to the peculiar attitude of each intermediary. Some are willing to create a more familiar environment, while others focus more on formal distance. However, going into the more personal shades of each worker’s life is essential in this work. It is interesting to notice that middle-level agencies or cooperatives try to have different kinds of workers to satisfy the various needs of their clients. In the same agency we can find very professional workers of a higher economic value, as well as multitasking workers without specific qualifications but with a cheaper cost. Care marketization and the idea of care as a commodity to be purchased according to different economic conditions of customers, in fact, contribute to boost this tendency especially in those intermediaries that are not focused on customers of specific class levels, but try to vary their offer as much as possible.

Once the worker has filled the information sheet and the screening has taken place, his or her profile is inserted into the agency or cooperative database, waiting to meet the needs of a family for a maximum of 12 months during which the worker is, of course, free to look for other jobs. However, the differences among agencies and cooperatives also impact on the workers’ selection process, wherein top-level agencies adopt a very complex procedure to ensure the highest level of professionalism and attention to their clients:

“Let’s start with the candidates... our procedures consist of employer-branding strategies, so we publish articles and ads that can be real or just exploratory to find out how things are going and what kind of people are available. We work a lot through word of mouth among candidates. The candidates who have passed our selections introduce us to other people. [...] From that moment on, the selection group evaluates what is written on paper. If the profile is interesting, and has more than 5 years of experience and also references, then the first telephone interview is scheduled [...] Then we move on to the first interview: we talk about their experience, what they [jobseekers] did, why they got into this business, what they like and don’t like, etc. After this first interview, if the recruiter believes that these people are suitable to our customers, we move on to the second phase. They are asked to schedule a video call of 40 minutes [with the family] and deepen the professional part. If this second interview is successful, we request a criminal record certificate and pending charges, if any. At the third interview, we focus on the workers’ expectations for the future: what wage they want, where they would like to work, what they would like to do, if they have hobbies...if all is satisfactory, the person is entered in the database and is selected to be proposed to our customers” (Int.8- agency).

The process of these agencies’ selection of workers is much more complex and detailed, and two of these top-level intermediaries asserted that if a jobseeker is presented by one of the agencies’ workers, he

or she is in an advantageous position. As one interviewee said, it functions “like a sort of Rotary Club”: the exclusiveness of these agencies is maintained also in this way, with a sort of workers’ inner circle each one guaranteeing for the other.

Table 24- Different recruitment processes.

| Agencies | | Cooperatives |
|--------------|--|--|
| Top-level | <ul style="list-style-type: none"> - References count more than courses - Professionalising courses paid by families - Formal environment - Difficult process of selection through different steps | <ul style="list-style-type: none"> - Organise professionalising courses subsidised by public authorities - Familial environment for workers - Easy process of selection |
| Middle-level | <ul style="list-style-type: none"> - Temp agencies organizing professionalising courses - Formal environment for workers - Different workers addressing different household needs and economic capacity | |
| Bottom-level | <ul style="list-style-type: none"> - Focus on references and experience more than on courses - Familial environment for workers - Easy selection process | |

As concerns the moment in which families turn to agencies, a difference exists between temp work agencies and LMIs directly hiring their workers, and other intermediaries limited to matching labour demand and supply. One of the agencies of my sample having a national dimension and operating all over Italy offers both possibilities: it is the family that chooses to directly hire the worker or not, even if in 90% of the cases

customers prefer not to be the direct employer. In both cases, the first step for a family is to enter into an agency or cooperative, and clearly expose its needs and doubts: also the family is required to fill an information sheet with all the necessary data to facilitate the selection process. In this phase, LMIs may contribute to the increase of the family's awareness of their needs, and help them to deeply understand and realize what kind of worker they need. LMIs are therefore usually present during the first meeting between the family and the worker, namely the moment of mutual acquaintance, after which the family can confirm its interest or not. Then the trial period starts for the worker. It should be established in reference to the national collective contract for domestic work, even if in some cases it is the family that establishes the length of this period, especially when the worker is hired through different contracts, such as the cooperative contract for instance.

Differences among intermediaries emerge especially in relation to the workers' employment conditions, wages and extra services offered to families. As regards temporary work agencies, the client pays a certain amount depending on the type of assistance she or he needs, while the worker is hired by the agency through the national collective domestic work contract. Cooperatives, for their part, are not forced to apply the national collective contract to the category: not being temporary work agencies, they may also use different kinds of contracts for workers - such as cooperative contracts and continuous and coordinated collaboration contract- while signing a service contract with the family:

"We have our own contract... it is a contract that establishes everything the caregiver can do and what the family can and can't do...it is written down and there is a non-competition agreement: the family cannot become the employer after a month, because the family, by signing our contract, cannot take any of our resources. It is a very flexible contract, and as I always say, in the contract there are many items. you have to call, send the registered letter. I respect all the requirements, but it's very flexible[..]. The duration is until the end of the year, otherwise every month I would have the family here to sign the new contract and waste paper, etc . What I always say, which is the truth, is that the contract can be terminated whenever the clients wish...[it can be] suspended, modified ... apart from when I already know the start and end date, in the replacements for example ... otherwise I write "until there is continual interest. " Then at every first day of the year we make a new contract ..." (Int 2- cooperative).

Clients that contact brokering and recruitment agencies have to follow a similar procedure: signing a contract and paying the intermediary for its role in matching the "perfect" worker. In these cases, the employment relationship is the classical one, and established between the worker and one family member as employer, based on the national collective contract for domestic work. The agency has the responsibility to count the worked hours and prepare the paychecks with all the required contributions, but it is the employer who concretely pays the pay slip received from the intermediary. The client signs a service contract for one year and pays the agency for its services.

Meanwhile, another trend is emerging. It is quite common, in fact, to find domestic workers working as autonomous workers and who possess their own VAT number. In this way workers should theoretically be freer to work also in private nursing homes or with other intermediaries, but usually it is the same agency that offers this service to workers, and helps them to open and manage the procedure:

“I understood from Facebook that it [the use of VAT number] is widespread, many write that they have received proposals to work with a VAT number, which has never happened to me. But if you do this job, what is the VAT number for? You work for a family and you have a cooperative or an agency behind... I realized that many workers actually don't know how it works ... with the VAT number you have to pay everything! They don't know that in the end they have to pay for everything ...” (Int.12- caregiver).

This worker points out a reality confirmed by many other interviewees: it is very common to find workers who have been deceived and persuaded to open a VAT number without knowing all the related duties. Moreover, as the same worker affirms, it seems difficult to identify a domestic worker as an autonomous worker, also given the peculiarity of the relationship established firstly with the household and, eventually, with the agency or cooperative. In this case, in fact, the worker should work with different employers to be autonomous, and she should be able to clearly set the working hours, something which appears at odds with caregiving time requirements. Even if some points remain open and I will return to this later. It is important to note that this tendency is increasing.

According to the workers' perspectives, differences in the functioning and organization of intermediaries can influence workers when deciding to work with one or another. Workers usually prefer to be directly hired by the family, because they feel more respected and guaranteed thanks to the national collective contract for domestic work. When working with cooperatives, on the other hand, workers lament to be hired with less guaranteed contracts and, above all, that these cooperatives often establish the wages in a totally arbitrary way without considering the holidays, contributions, and overtime:

“I think so too: if the family has turned to the intermediary to find the caregiver, the family pays a percentage ... I don't know how much, but then, if I work with the family, should I have a contract with the agency? If I go on vacation after a year of work why don't I have paid vacation? You go home, a month's vacation ... you can go, but you are not paid! If you are paid hourly, if the agency pays you 5.50 € an hour, you don't do 10, but 20 hours... but 20-hours jobs are heavy! Sometimes you have to... it happened to me, you do it because you know that afterwards the cooperative does not pay anything more. Not that they force you, they don't tell you: spend 6 hours there and 10 here, no. But it is you who are forced to earn more because you know that in the end you are not paid for holidays or overtime ...” (Int. 12- caregiver).

Workers struggle to understand why, if they work within a private home with a family, their employer is the agency or the cooperative, when both are absolutely distant from the workplace. This is even more

problematic if we consider that these intermediaries may establish workers' wages without considering the requirements of the domestic work national collective agreement, often based on other contracts. This means that if even holidays risk to be unpaid, and workers try to earn as much as possible knowing that they can rely only on the wage calculated on an hourly or monthly basis. Moreover, wages are often so low that workers are forced to increase working hours to obtain a decent wage, even if this means extremely stressful shifts and schedules.

On the other hand, brokering and recruitment agencies are clearly distinguished for another feature, namely the multitude of extra administrative or legal support they offer to families, which often change their intrinsic legal nature. These actors, while only ensuring the match between demand and supply of domestic work, are becoming more similar to cooperatives and temporary work agencies. If the latter, being direct employers of domestic workers, have the necessity and responsibility to take care also of the administrative and legal aspects of the contract, the former offer this kind of support as an extra service to customers. In both cases, intermediaries often rely on other cooperatives or offices specifically dealing with legal and administrative management of workers' contracts, creating a sort of Chinese boxes in which the management of the employment relationship is unpacked and assigned to different professional figures.

"We had to sign agreements with different law firms! Yes! Because more and more workers are now aware of their labour rights, so we now offer also legal assistance to families" (Int. 9- cooperative)

"It is a separate service ... let's say that the first service is administrative and accounting, because we have many foreign customers who have to juggle what the legislation is. [...] We take care of the hiring report to INPS,³¹ handle the monthly pay checks, quarterly MAV,³² but it is a separate office and a support for those who ask for it, because generally an Italian family at the level of our customers has its own accountant" (Int. 8- agency)

Legal and administrative assistance is the most common extra-service offered by brokering agencies, making households more willing to outsource their employers' responsibilities also due to the appearance of higher professionalism of these LMIs. Nevertheless, these services are not provided by the intermediary itself through its own workers, but they are often the result of specific agreements and conventions made with other actors specifically dealing with administrative or rather legal issues. This is also since extra-services of this kind are voluntary, depending on each household's will, while they are not provided by default for every client. In this context workers are often not aware of who is the effective responsible of the calculation of their wages and contributions, since these extra-service providers often remain in the background, having direct contact only with LMIs' managers, not with workers or households.

³¹ INPS: Istituto Nazionale per la Previdenza Sociale, namely the National Social Security Institute.

³² MAV: bollettino bancario mediante avviso, a specific pre-printed payslip.

Sometimes, even the owner of a cooperative or agency ignores the duties related to the legal and administrative management of domestic work, being those totally delegated to other cooperatives or offices. In this context, families feel more guaranteed because workers are more hesitant if they think of opening a dispute when the intermediation of an agency or cooperative exists; but on the other hand, there is the concrete risk that employing households lose the overall clear idea on how the contract effectively works:

“We have the cooperative managing these things, which is called XXX, which is the specific cooperative... They take care of the administrative part and [solve] any problems ... if there are disputes. They would intervene, it never happened to me luckily. This is an extra incentive for families, because opening a dispute with us is different eh! ...” (Int. 1- cooperative).

This multiplication of services, the progressive alienation of households from their duties and responsibilities as employers of domestic workers, and the different nature and functioning of these intermediaries are disclosing also another problem, that of the effective control on workers. Strong competition is growing, for instance, between regular temporary work agencies and cooperatives hiring workers with contracts different from the national ones for domestic work. The former, in fact, lament about having more duties to fulfil and taxes to pay in order to be recognized as real employers of domestic workers:

“These [cooperatives] can use all the cooperative and service provision contracts, but you cannot place a worker under the control of another person, otherwise it is called gang-mastering (caporalato), unless you are authorized by the Ministry of Labour ...[they say they have the effective control] but...try to figure out: the old man shits on himself (sorry!) and what does the domestic worker do: sorry, president of the cooperative, can I change it? Or if the son comes home and says to him or her: look, my mother must go to bed at 10, it's the son who gives the order, not the president of the cooperative, am I wrong? We do not take the piss: you are doing temporary work and you can't do it, stop” (Int. 4- agency).

If temporary work agencies are authorised to place their workers under the control of another person, this is not the case of these cooperatives. They should always maintain effective control on their workers, but it is almost impossible when the workplace coincides with a private home of someone else. The core issue here seems to be related to the effective control on workers: these cooperatives are not temporary work agencies - the only ones authorised to put the worker under the effective control of someone else, thus they are not obliged to fulfil the duties required from these economic actors, but they effectively operate as temporary work agencies. This action is absolutely legal, given that, as Borelli highlights (2020), the overall juridical opinion is that since cooperatives differ from temp work agencies – essentially because they do not deal with pure dependent employment - are not obliged to accomplish the same requirements of temporary work agencies.

Brokering agencies, on the other hand, interact differently with the theme of the effective control of domestic workers. As we have already mentioned, the supply of different extra services may have a strong impact on the very nature of these LMIs. In this case, the employment relationship is established between the private employer and the domestic worker, but most of the time these agencies offer services going far beyond the simple brokering or recruitment, contributing to the creation of another form of complete but less explicit outsourcing of domestic work. This is a striking example of “fictitious brokering” as defined by Borelli (2020).

“However, many Italians also realize that the accountant is good at managing the financial part of the family, but the domestic work contract is not trivial. It seems simple, but it is not [so they turn to our extra-services]. Another thing we do is the pre-employment investigation or investigations on existing personnel...” (Int. 8-agency).

As it emerges from the previous interviews, these agencies almost always provide extra services as well, going from legal aid to administrative support: they draw pay checks, and calculate contributions in a way that totally relieves the family of all responsibilities. The previous respondent states that even families who can rely on personal accountants prefer to delegate the management of the domestic worker’s employment relationships to the agency itself. Invisibility of domestic work and its constant devaluation also means this: even accountants do not have adequate knowledge of contracts for domestic work, which are certainly particularly complex and detailed. In this way doubts arise regarding the real legal nature of these agencies. Through their extra services, in fact, these agencies seem to maintain control of the workers even if the contract is theoretically signed with a private employer:

“The widespread model is that of an all-around offer to families, not only with the sending of the subject who will proceed with the care of the person, but also with the administrative management of this activity, and this is the most interesting aspect. You know that the domestic work relationship involves a whole series of obligations, not so onerous from a contributory, but from a procedural point of view. [...] The family does not have the material time to follow all procedures in a slavish manner, so instead of turning to the professionals, these companies also provide this type of service, obviously obtaining a surplus of profit. This would not be allowed because these activities, let's say, of management consultancy are carried out by professionals and certainly not by service companies. From an empirical point of view [...] we tried to highlight that there is a really subordinate employment relationship among the subjects who are sent to work with families and companies” (Labour Inspectorate of Milan).

According to the Labour Inspectorate of Milan, providing extra services that completely exempt families from all the responsibilities concerning the management of the employment relationship and makes the intermediation role of these agencies a constant and continuous, going beyond the mere matching of

labour demand and supply. Concrete practices of agencies and cooperatives contribute to the increase of the confusion related to the definition of LMIs' precise tasks and, above all, on the clear identification of who the real employer is, the one having the effective control on workers. On the other hand, these concrete practices legitimate the idea that the family is not a real employer – maybe reflecting that domestic work is not real work, boosting the ignorance of Italian households regarding their existing duties and responsibilities as employers of domestic workers.

Table 25. Different type of extra-services provided by different LMIs

| | Agencies | Cooperatives |
|--------------|--|--|
| Top-level | <ul style="list-style-type: none"> - Workers' substitution - Accounting and administrative support (if required) - Legal Assistance - Private Investigation on workers - Specific professionalising courses for already hired workers | <ul style="list-style-type: none"> - Workers' substitution - Accounting and administrative support - Legal assistance |
| Middle-level | <ul style="list-style-type: none"> - Workers' substitution - Accounting and administrative support (if required) - Legal assistance (if required) | |
| Bottom-level | <ul style="list-style-type: none"> - Workers' substitution | |

What emerges is that both agencies and cooperatives are multiplying strategies to find their own space in the new market of outsourced domestic work. Heterogeneity seems to be the real feature of this process: even if a national collective contract exists, it is not the exclusive way to hire domestic workers. Other service and cooperative contracts exist and even VAT numbers are increasing, although their effective functioning is often little known by workers themselves. Moreover, the normative definition of temporary work agencies, brokering agencies, and cooperatives is not so clearly transposed into reality. As we have seen, one of the most important open issues is the clear determination of who has the effective control on domestic workers: existing confusing practices and strategies implemented by LMIs, contribute to making the context even more blurred. The constant attempts of families to avoid their responsibilities as employers contribute to the downsizing of the economic and social recognition of domestic workers, thus boosting illegal practices. If on the one hand families are reluctant to recognize themselves as employers, on the other, they tend to find the cheapest, even if it is not the fairest solution. The economic dimension is another crucial

factor: within a more marketwise care system, in fact, the idea that care is a commodity to be purchased, leads the LMIs to target their clients in specific ways. We can find top-level agencies turning to the wealthiest families offering specific extra services, and middle and bottom level agencies -and cooperatives- turning to middle and lower-middle class families offering the cheapest solutions. Existing differences increase the agencies' heterogeneity and contribute to the multiplication of strategies and plans to find a specific place within this market.

Tab. 26- Different forms of employment for domestic workers.

| Agencies | | Cooperatives |
|----------------|---|--|
| - Top level | <ul style="list-style-type: none"> - Workers hired by households via national collective contract of domestic work - Administrative and legal support as extra-services paid by families | <ul style="list-style-type: none"> - National collective contract of domestic work - Cooperative contract - Working members |
| - Middle level | <ul style="list-style-type: none"> - Workers hired by households via national collective contract of domestic work - Workers hired by agencies (temp work agencies relying on the national collective contract of domestic work / VAT number/ continuous and coordinated collaboration contract) - Administrative and Legal support through all-inclusive formulas - VAT number | <ul style="list-style-type: none"> - VAT number/ continuous and coordinated collaboration contract |
| - Bottom level | <ul style="list-style-type: none"> - Workers hired by households via national collective contract of domestic work - Extra-services are not so common | |

6.3 Looking for “the perfect worker”: recruitment process and stereotypes among LMIs

We have already mentioned how the recruitment process takes place when mediated by agencies or cooperatives: defining professionalism does not seem to be so easy, and despite the continuous attempts to formally recognize some objective core tasks of domestic work, informal professionalism centred on personal

features still has a considerable importance. Workers usually turn to agencies and cooperatives if they do not have other personal contacts, or because they prefer work continuity over other things, such as economic aspects and respect for their autonomy. In all other cases, workers tend to prefer informal recruitment through personal networks, but they are also experiencing new strategies to find work, often using new technologies and social media:

“I found the job very fast ... yes, in two months, one month ... Do you know the TOP TATA app? Here you can choose ... it is very affordable, the basic version is free... I wrote a CV, a presentation, a photo, the document ... you must have permission to register here ... then I found another page on Facebook, a page where both the family and the babysitter can write...” (Int.7- baby sitter).

Finding a domestic worker via social media or a specific app is an increasingly common tendency, which should be interesting to deepen and better analyse with further studies. These tools, in fact, allow the easy match between labour demand and supply, offering more guarantees of autonomy and independence to workers, but less guarantees to families who remain in charge of the selection of domestic personnel. Besides the apps, it is equally true that a lot of different subjects can act as intermediaries in domestic work, contributing to increasing confusion over the peculiar role played by each different actor:

“There are cooperatives, employment agencies, ACLIs³³, trade unions which, in any case, can recruit caregivers and assistants, not to mention all the associations that provide this service, rather than those that make severance pay, 730 model³⁴, ... they too can hire carers, so there are many realities ...” (Int. 1-cooperative).

Within this broad and heterogeneous group of subjects somehow entitled to match labour demand and supply, cooperatives and agencies have found their own ways to distinguish from the others. The ongoing process of care marketization strongly affects also on the recruitment process now mediated by other actors. The LMIs are perfectly aware that families who usually want to find the cheapest solution possible, turn to them when long-term assistance is needed while saving both time and energy. Given this constant attempt to satisfy particular and different customers' needs, the recruitment process is affected by the weight of the still persistent gendered and racialized stereotypes: as the literature (Lutz, 2017; Bakan, Stasiulis, 1995; Anderson, 2012) has clearly shown, in fact, stereotypes are essential in the definition of domestic work. But what might be interesting to detect is if LMIs may somehow reduce or contain the resilience of these stereotypes thanks to their constant role of mediation between the two parties involved in this work.

The first groups of stereotypes strictly bound to domestic and care work is the one revolving around gender and femininity. We should recognize the fact that domestic work is a historically feminized work,

³³ ACLI: Associazioni Cristiane Lavoratori Italiani, namely Christian Associations of Italian Workers

³⁴ 730 model is a model for individual tax return.

given the rigid separation between the public and private sphere and the identification of the first one with masculinity and of the second with femininity. LMIs themselves are aware of this and they state that this automatic identification of domestic work with the feminine world emerges in their daily activity: they clearly assert that families prefer women for several reasons. On the one hand, domestic work deals with activities related to personal assistance, such as cooking, cleaning, dressing people, etc., and women as mothers often “have a greater knack for.” Women are more used to taking care of the home, and they are able to clean, and know how to tidy up, something that even female agency or cooperative owners may experience in their daily life as wives and mothers.

Also given the Italian welfare state and its familialism heritage, domestic duties are a female issue: it is interesting to note how the same idea of a now lost higher professionalism of domestic work is defined by the owner of a top agency, as a kind of “*female know-how*,” once passed down from generation to generation:

The landladies were the ones who taught them [the workers] how and what to do, because they could do everything. They knew how to iron better than their maids, and could embroider, sew, set the table, cook, receive guests, and had an enormous range of skills that were transmitted to them both by their mothers and schools[...] Domestic economy was a subject of study and even their own mothers did everything. It was thus unthinkable not to know how to make a bed perfectly! These women then arrived at their husbands’ house already having all these skills and were able to train their maids in turn. Today this does not happen anymore, and landladies have no domestic skills” (Int. 5-agency).

This automatic representation of domestic work as a natural feminine vocation has an obviously important impact on the male component of domestic workers. We have already highlighted how male workers deal with these stereotypes, tending to confine their involvement in domestic - and thus feminine - activities exclusively in the field of paid work, whereas they usually do not perform unpaid domestic duties in their own homes. Now, it is important to denote the idea families have of male workers and how the LMIs may affect it. Men are an absolute minority of domestic workers and, even if sometimes they are explicitly required to take care of male elderly, they are considered less likely to perform these feminized activities. This trend emerges in all the interviews I had with agencies and cooperatives. The results show (even if these LMIs often try to make the families understand that being a man is not automatically synonymous to scarce ability in domestic work) that there is little demand for male domestic workers. The phenomenon is strictly related to specific circumstances, such as the necessity for a strong worker who can lift and physically manage an old man. Thus, stereotypes affect the demand more than the offer. In fact, on the male workers’ side, domestic work is like any other type of work and usually does not suffer the weight of current stereotypes. Gender however also plays another role: describing domestic work as a natural feminine vocation contributes to limiting the social recognition of its importance, thus downsizing its value:

“This [condition] clashes with a totally schizophrenic reality because carers [are viewed as] the angel of the home, figures of unproblematic immigrants, because they are locked in the house all day long. Generally, they are women, and are not associated with crime issues. We entrust them with the care of our children and our parents ... they always talk about them in a very positive way, as if they were family members and not workers who should be recognized for the work they do” (ILO functionary).

Workers are negatively impacted by this widespread idea of domestic work as an unskilled job with no social value, and carried out free of charge by the majority of women worldwide. Despite the commonly shared feminine condition, in fact, these workers rarely find support or understanding in their female employers:

“The most absurd thing in my experience of lawsuits and disputes is that the same woman who offers the job and, going back a hundred years, should have been the one to do it, today does not realize its value. The cursed phrase that women say: “for what she [the worker] does ... I have to pay her for what she does” is disconcerting when said by us, women. For as long as it said by a man I would understand since a man doesn't know these things. But a woman manager of so many employees saying: “for what she does” ... everyone, managers, even trade union women... this phrase pops up at certain moments and I always ask myself: why should we make a career if we do not even re-evaluate our role as women....” (unionist).

Female solidarity cannot be built only on the gender basis: class differences and power differences count, as well as racial ones (Rollins, 1985; Marchetti, 2011). All of them create different experiences of womanhood and when a woman delegates her own domestic responsibility to a domestic worker, she usually pretends that the worker does whatever she wants or needs. Intersectional approach seems to be the unique useful tool to help us deeply understand the complex relationships existing between Italian female employers and foreign female domestic workers who often brunt even of their good looks and cause insecurity and jealousy among their Italian female employers.

This emerging and consolidated difference established along lines of class and race, and directly impacting on gender solidarity, is frequently reinforced by another historically rooted stereotype, the one that conceives domestic work as a “dirty job” (Anderson, 2001), or even as “not-real-work” (Sarti, Bellavitis, Martini, 2018). The social and economic devaluation of domestic work is still affected by the historical heritage of the image of “the servant” which directly clashes with recent attempts to increase domestic workers’ professionalism. As we have already noted, the ultimate renewal of the national collective contract of domestic work has substituted the different definitions with the sole label of “family assistant,” and tries to recognize more dignity for all the different professional figures grouped under this category. It is not easy to change culture and it often requires a large amount of time, within a process where also agencies and cooperatives may play their role:

"I call them assistants because I don't like to use the term "badante" [caregiver], it's old fashioned and depreciative so I prefer to use correct terms for them [workers] here ..." (Int. 1- cooperative).

"They [families] have prejudices, but they don't want to do this work! They still have their prejudices, and they don't realize they need this thing; If you are in trouble, and need that person to help you, why are you exploiting this worker? Why do you despise her?" (Int. 11- caregiver).

Agencies and cooperatives are usually aware of the weight these stereotypes may have in the very definition of domestic work, and they continuously attempt to reduce their impact, given also their desire to increase the domestic workers' levels of professionalism and counter the automatic identification between domestic work and servitude. As another agency owner said: *"Service" personnel, "service" woman, but etymologically the root is always the same. This relationship of subjection is strongly felt by live-in workers.*" The still open issue is undoubtedly to overcome that rooted cultural approach which sees domestic work as deeply different from other "normal," namely productive, jobs (Sarti, Bellavitis, Martini, 2018). This is reflected in employers' reluctance to define themselves as real employers who accept all the related duties. This implies the continuous shift from a formal employment relationship to a personal one, based on a subjective perspective:

"Domestic work is an ancient job, it was illustrated in the Bible, and we should make it clear that it is a very ancient profession. Until a few years back, it was considered a form of slavery, and not a job. Until the 1970s, until the first CCNL³⁵, these people were not called workers, although the civil code took note of it. The first law on domestic work dates back to 1958, and these people were called servants. So partly because they were called servants, partly because in many cases these were people under the age of 18, i.e., girls coming from the countryside working in the houses of noblewomen in the city... these female domestic workers and their domestic work obviously had never been given fair value in terms of dignity and finances when they entered the house. Their work was thus considered in many cases as not worthy of recognition simply due to a cultural problem, equivalent to, let's say, ignorance." (National Association of Employers of Domestic Workers).

The above quote clearly establishes the terms of this still open challenge, that of a total and complete recognition of domestic work as real and decent work. This process of constant undervaluation often intersects with the increasing cultural and ethnic heterogeneity of domestic workers themselves: the idea that domestic workers are ignorant, often unable to read and write is even reinforced by racial/ethnic stereotypes of migrant workers represented as savages who have never seen a television set in their life, as

³⁵ National Collective Contract

one interviewee lamented. It is of no matter that these workers often have university degrees and working experiences in different sectors. Their extra-UE certificates and diplomas do not have any value in Italy.

The minimisation of the importance of domestic work goes hand in hand with a simultaneous devaluation of the domestic workers themselves: if this is not real work, and if it is constantly associated with a dirty job requiring no peculiar skills or competences, the workers performing it are thus commonly viewed as unskilled, ignorant and culturally backward. Differences in terms of class and race thus constitute the basis that builds up this constant process of degradation of “the other,” without considering the personal and concrete experiences which differentiate each worker, and that often testify that workers have their own educational and professional trajectories. Domestic workers appear to be subject to that “contradictory class mobility” as defined by Parreñas (2001), namely, when the new job allows bigger earnings, with a consequent personal improvement in terms of class. This same new job however has a low social value and thus leads to a worse status. It is sufficient to think about Eastern European women who come to work in Italy as caregivers. They often have academic degrees and are of a high level but in their home country these professions are not so remunerative. The paradox is that being a caregiver in Italy often allows them to earn more than a university professor in Ukraine or Moldova.

Agencies and cooperatives at the least, try to change the idea families have of domestic work, often aiming a better and deeper legitimisation of their own presence in this new market. The case of top-level agencies working with the wealthiest customers is nevertheless particularly interesting. In this very limited and elitist context, in fact, domestic workers are often considered as the embodiment of the family’s status in society: this means they have to totally comply with the family’s requirements, even in terms of clothing and ways of moving and behaving. What counts in this case is the workers “attitude towards service” more than their ability to perform the assigned tasks. Under such circumstances, workers have more possibilities to earn higher wages, but this means to act and be treated as servants more than as workers, since they are used to being completely assertive and do not debate with or recriminate their family employers. This does not imply that professionalism is not important: on the contrary, the idea of professionalism promoted by these top agencies is a more elitist one, in which domestic work is strongly associated with the work once carried out by high-level service personnel, and where personal behaviour and ability to satisfy each client’s needs were essential. If this is the peculiar case of top agencies, we should remember that also middle and bottom-level intermediaries are finally obliged to satisfy the needs and requirements of their clients despite their attempts to emphasize the objective definition of the professionalism of their workers, in open contrast with this idea of domestic work as not real work.

Moreover, the lack of recognition of the value of domestic work and the related definition of domestic workers as second-class workers, have both a direct impact on their stigmatisation based on ethnic/racial differences. The high number of migrant domestic workers, in fact, leads us to necessarily

consider the migration regime, as well as racial/ethnic stereotypes defining the “perfect domestic worker.” After identifying other prejudices which often contribute to consider domestic work as not work, starting from gender differences, sexual division of labour, and also class and status differences, I will now introduce the social category of race (Mezzadra 2008; Sayad 2002; Curcio, Mellino, 2012) with the aim of considering the contextual interaction of these different lines of oppression and discrimination according to a necessary intersectional perspective. This is a concrete reality that affects the structure and definition of domestic work demands, and leads the LMIs to necessarily deal with the matter. It is interesting to note that this is quite a problematic issue to discuss, especially among workers who are often reluctant to admit to being treated in a racist or at least discriminatory way when speaking with a white researcher who could be the daughter or granddaughter of their employers.

The first thing to note is that racial/ethnic stereotypes concern all nationalities. It is undoubtedly true that non-white persons usually suffer more negative prejudices, but this does not relieve other groups from being defined and identified through highly stereotyped categories. Of course, intersectionality helps us to define a specific form of racial discrimination towards migrant women who are never described as dangerous or threatening as occurs with male migrants. According to an ILO officer I interviewed, these are unproblematic immigrants, given that they are not associated with criminality, and also because they perform a necessary devalued job Italians refuse to do:

“I must say that those from Peru are the sweetest people because ... I don't want to put a label right now ... but in these four years I have seen that those from the East [Europe] think a lot about work, money, sending money to the family: this is their concept, and they know how to do their job very well. Those from South America also know how to do their job well and they too want money, but they also put something humane in their work, they transmit warmth to the elderly: they joke, smile ... Instead, those from the East are just a little more concerned about work, money, sending money to the family. They are human too, but a bit tougher” (Int. 2- cooperative).

This differentiation according to cultural differences is incredibly strong, and emerges from all the interviews I carried out: Latin American women are generally considered sweeter and more helpful, even if sometimes lazier, while on the other hand women from Eastern Europe are conceived as hard-working and tireless but certainly less sweet, focused on money and more unionised. Italian women often see them as a threat because of their beauty and the deeply rooted stereotype of “Eastern European caregivers coming into Italy to steal our men”, which emerged often in my interviews. If these are the common stereotypes related to the two major nationalities of migrant domestic workers in Milan, other less relevant groups are not excluded. Asian workers are commonly perceived as being more submissive and obedient, because “*they work like donkeys,*” as an agency owner stated, and they represent the status symbol of their employers, to the extent that some employers continue to say “*I need a Filipino,*” rather than “*I need a domestic worker.*”

Women from Muslim countries are usually perceived as submissive and less reliable, besides suffering from the strong Islamophobia of families, as some agency owners confessed; Romani women are often considered potential thieves and are watched more carefully even by managers of agencies and cooperatives. The general picture emerging from the interviews is one in which each group has its own character and behavioural features, so that race and ethnicity are important in matching labour demand and labour supply:

“There are some families who want a sweet person, one who is able to pamper the elderly with words, keeping them company ... on the other hand there are families that say: I need a person who is firm and would not be fooled by my mother who is good with words, and doesn't do what she is told. And when they ask for a smart person, they always ask for a person from the East” (Int. 2- cooperative).

These kinds of “soft-stereotypes” - not always implying explicit discrimination - are absolutely internalized and recalled also by the LMIs that often select their workers according to these common stereotypes. Character and personal features constituting that informal professionalism distinguishing domestic work, thus frequently overlap with racial/ethnic prejudices, with a complete shift from personal definition to group essentialism. Workers are aware of the weight that these stereotypes have, and they use them in their personal strategies to easily find work and maintain it: if Eastern European women highlight their physical and moral resistance, Latin American domestic workers focus on their ability to care, love and communicate especially with elderly and children. Moreover, these assumptions often define the specific tasks that a worker can or is able to perform:

“Yes [there is a certain correspondence between a given nationality and a specific job]... the Philippines for ironing! Because they say they are good at ironing ... the Indians are the least paid...they say 5 € hourly without a contract and they accept because they don't even know how to speak Italian, they don't know, and don't understand ...” (Int. 5 housekeeper and babysitter).

Racialization³⁶ of domestic work thus means that specific groups of workers are associated to specific tasks and they are often hierarchically ordered according to stereotyped categories, but also according to the ongoing migration regimes and the juridical production of specific documents-related vulnerabilities (Mezzadra, Neilson, 2012; Chignola, Sacchetto, 2017). It is impressive to note that even wage differences among domestic workers often follow distinctions based on racial/ethnic differentiations, reflecting specific group trajectories of migration. In other words, if the Filipino community is now deep-rooted within the Italian context and may even help recently arrived compatriots, and Eastern European women are often more

³⁶ With the term racialization I mean the strong link between the racialized production of subjectivities and the simultaneous production – and hierarchical organization- of workforce (Mezzadra, 2014). In Grosfoguel's words: *“Racialization is the process through which groups (frequently the dominant ones) use cultural and/or biological features/criteria to construct a hierarchy of superiority and inferiority among collective social actors.”* (2004: 327-328)

facilitated to work because of their strong community in Italy and as white women are thus distant from the image of the “dangerous migrant,” this is not so for the Muslims and Africans.

Indeed, a separate discourse should be made on not-white workers: if agencies and cooperatives tend to accommodate the differentiation among workers guided by stereotyped assumptions, these LMIs clearly point out some forms of discrimination and open racism that negatively affect black domestic workers:

“Instead, Africans... many are graduates and have studied ... unfortunately they have the problem of their race, the colour of the skin that penalizes them so much ... when customers come here, many families, but I say really many, still idealize the assistant with the classic light-coloured woman ... black women don't really have any chances” (Int1- cooperative).

All the cooperatives and agencies I interviewed reaffirm the constant and continuous discrimination of not-white workers, which they clearly identified as something negative: this trend appears due to racial prejudices affecting especially elderly people. In fact, elderly people are more reluctant to trust a non-white caregiver or housekeeper, and this of course penalizes black workers. However, it is not so rare to find explicitly racist young families who do not want black workers for very trivial reasons:

“Why not the black nanny? The first thing, bad to say, but definitely felt, is the smell of the skin: a person who works 8 hours a day, with a black skin, has sweat with a particular smell so much so that it cannot be tolerated in a closed environment.” (Int. 6- agency).

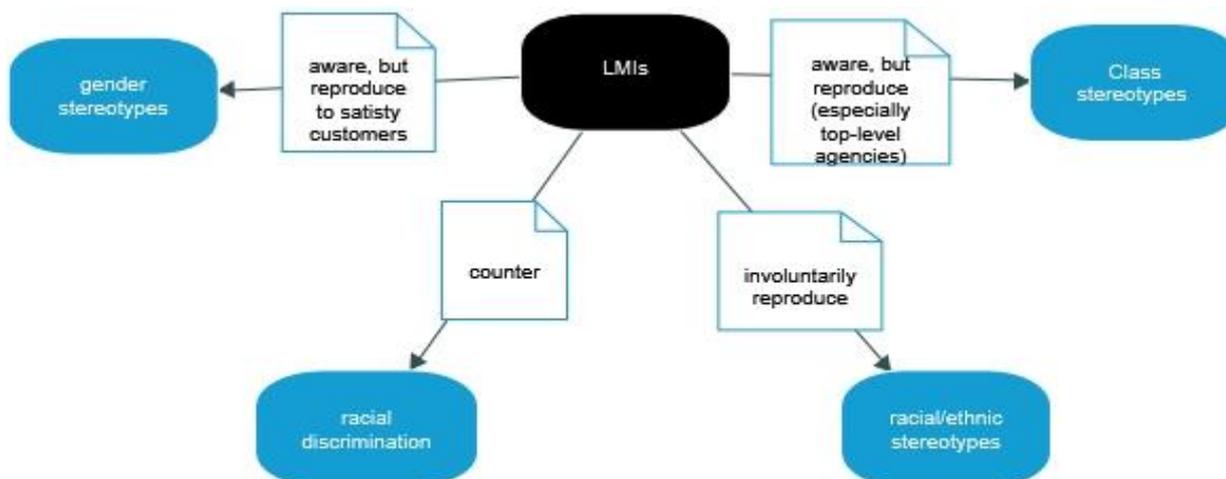
Thus, it is not only the implicit racism of elderly people, but also the explicit racism of young families who do not tolerate even the smell of a black nanny; and agencies are totally aware of the absurdity of these stereotypes, trying often to reduce their weight in different ways. They may try to convince the families showing them all the good references the worker has, or may say that they have no other available workers, and so encourage customers to organise a trial period:

“To give you an example, this lady, a high-ranking lady from Milan with a very precise mindset, did not want black people. I was in an emergency because it was August and I had no other workers, so I opted for a black person ... after a month the lady called me and said: don't you dare send her away because I'm fond of her!” (Int. 2- cooperative).

Almost all the interviewed agencies and cooperatives seem to have a positive impact on the reduction of these racial stereotypes against black women: of course, it is also a matter of business, given that in this way they have more workers to place. They clearly identify their action as an attack on the still common forms of racism. They are glad and proud that families who “try out” not-white workers then change their idea and spread the word: in this way more families may decide to hire a black domestic worker, considering also that word of mouth is an essential component of this work. Although we can still detect a

general tendency to reproduce racial/ethnic stereotypes even with the intermediation of agencies and cooperatives, this does not mean that the LMIs act in an openly racist way while, on the contrary, they attempt to counter it. We can now draw a concept map on the LMIs' effect on all stereotypes determining the definition of domestic work, which is one of the main aims of this research:

Figure 17- Concept Map on LMIs and stereotypes



As we can note, intermediaries on the whole, are aware of the negative role still played by gender, racial/ethnic and class stereotypes in the definition of domestic work, but they are often obliged to bring it into play in the recruitment process, due to the specific needs of families. A different reality is racial discrimination: in this case, intermediaries openly try to “educate” families and concretely counter their racist behaviours. On the other hand, intermediaries are perfectly aware of the class stereotypes related to the definition of domestic work as unskilled and poor-valued work performed by low-class workers. They therefore emphasize the professional values of these workers, while top-level agencies highlight how their workers are perfect in embodying the social status of households. Racial/ethnic stereotypes automatically associating certain nationality groups with given personal features are involuntarily reproduced by intermediaries which are usually not aware of the groundlessness of their assumptions.

To conclude this section, it is interesting to also note the role of Italians in domestic work organized through the LMIs. Agencies and cooperatives affirm that they would be happy and glad to hire Italians, but it is very uncommon for different reasons:

“Italians come here, but unfortunately they do not have the right spirit ... the Italian who wants to be a caregiver [...] wants it only because unfortunately she doesn’t have alternatives. I’m sorry, because I’d like to make Italians work...we tried it a few years ago, but after a week of work they immediately got sick! So ... we are giving more resources to foreign people, because this is our concept and they are the 99% of domestic

workers... then if a good, wonderful Italian worker, who works very well and without creating problems comes here ... we do not refuse them because we have problems! Sometimes I can't even make appointments with Italians because they don't have references, they've never worked as caregivers, it is different from caring for one's dying mother, that for me is not a reference. The Italian worker may be the best person in the world, but I also have to respect the parameters they have given me since I've been here ..." (Int.2 - cooperative).

Domestic work is usually considered a dirty job, and it is under-evaluated and low-paid, so Italians tend to avoid it, or choose to work in this sector only in periods of crisis and just for temporary periods. They continue to look for better jobs in order to leave domestic work as soon as possible. The other even bigger problem is that Italians conceive this type of work as an informal one, in which courses and references seem useless: they rarely have built any kind of career in the sector, and opt for waged domestic work only after some period of informal care with some family members. The other limitation is that Italians are more aware of their labour rights and less likely to satisfy any family's claim, and so families often prefer more submissive workers. All these reasons contribute to the reduced presence of Italians in the sector, and especially in the LMIs' lists of jobseekers, but there are some exceptions:

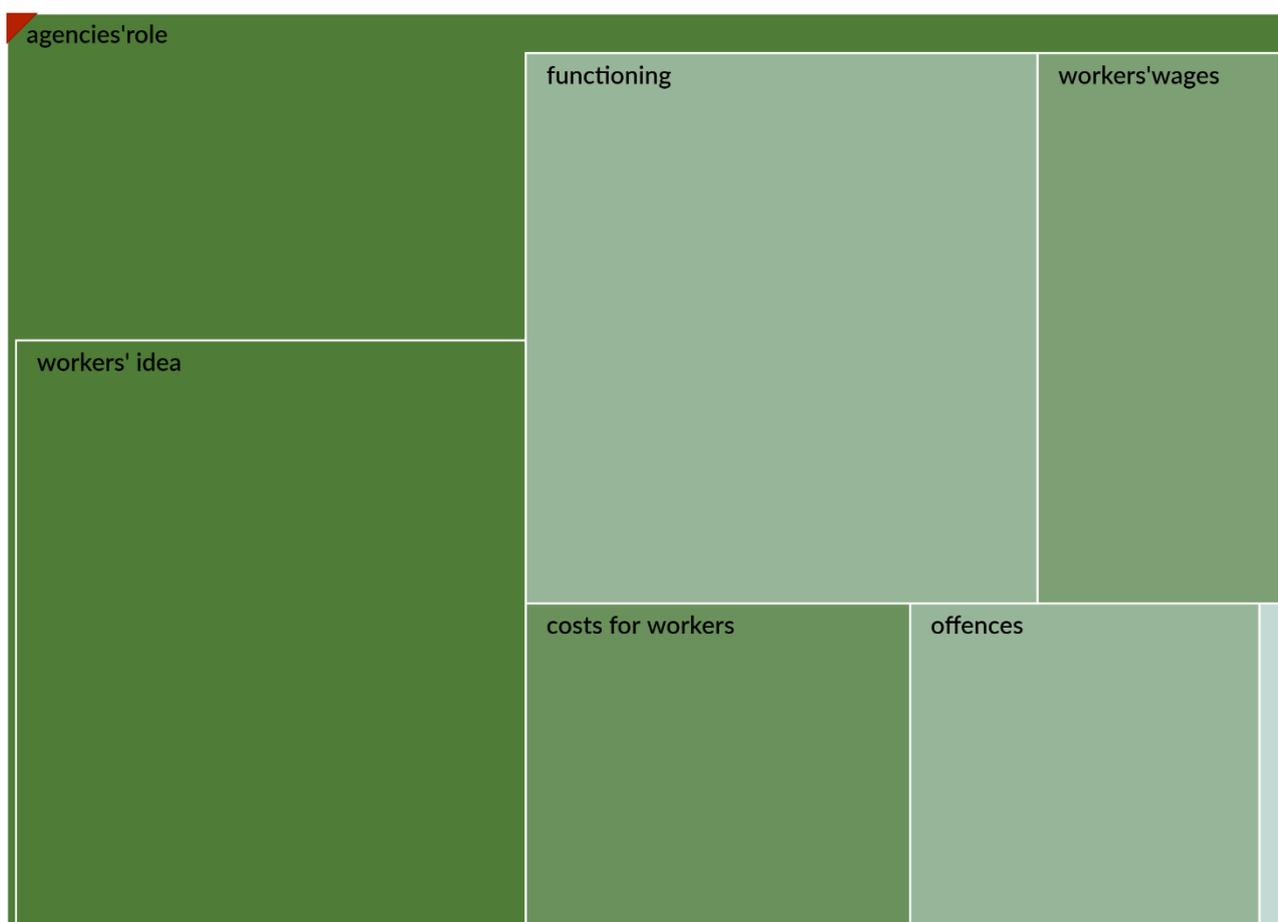
"It is difficult to find Italians to take care of the elderly, while for babysitters yes, it is different, there is also a greater and wider demand for Italians especially for the care of younger children ... yes, the fact of being Italian and having a certain professionalism to offer makes a difference, especially in terms of wages" (Int. 8- babysitter).

Italian babysitters and maids therefore seem to be more guaranteed, protected and well paid because they are required to be more professional and skilled, given that child-care relies on very different criteria with respect to elderly-care and housekeeping. Parents, in fact, look for quality when they decide to hire a babysitter or even a maid, focusing less on cost containment: they want these babysitters not only to spend time with their children, take care of them, but also teach their children in some way. Of course, we are talking of particularly referenced people with qualifications and even a classical diploma, as in the case of the previous interview.

6.4 Summarizing actors' viewpoints and interactions among concepts

We will now proceed with a deeper analysis of the main results of this chapter on the role and functioning of intermediaries. To start I will again present the Hierarchical Maps provided by NVivo by highlighting the main subcodes that compose the main "agency roles" code, in the perspectives of intermediaries and workers.

Table 27- Comparison by number of coding references (workers)



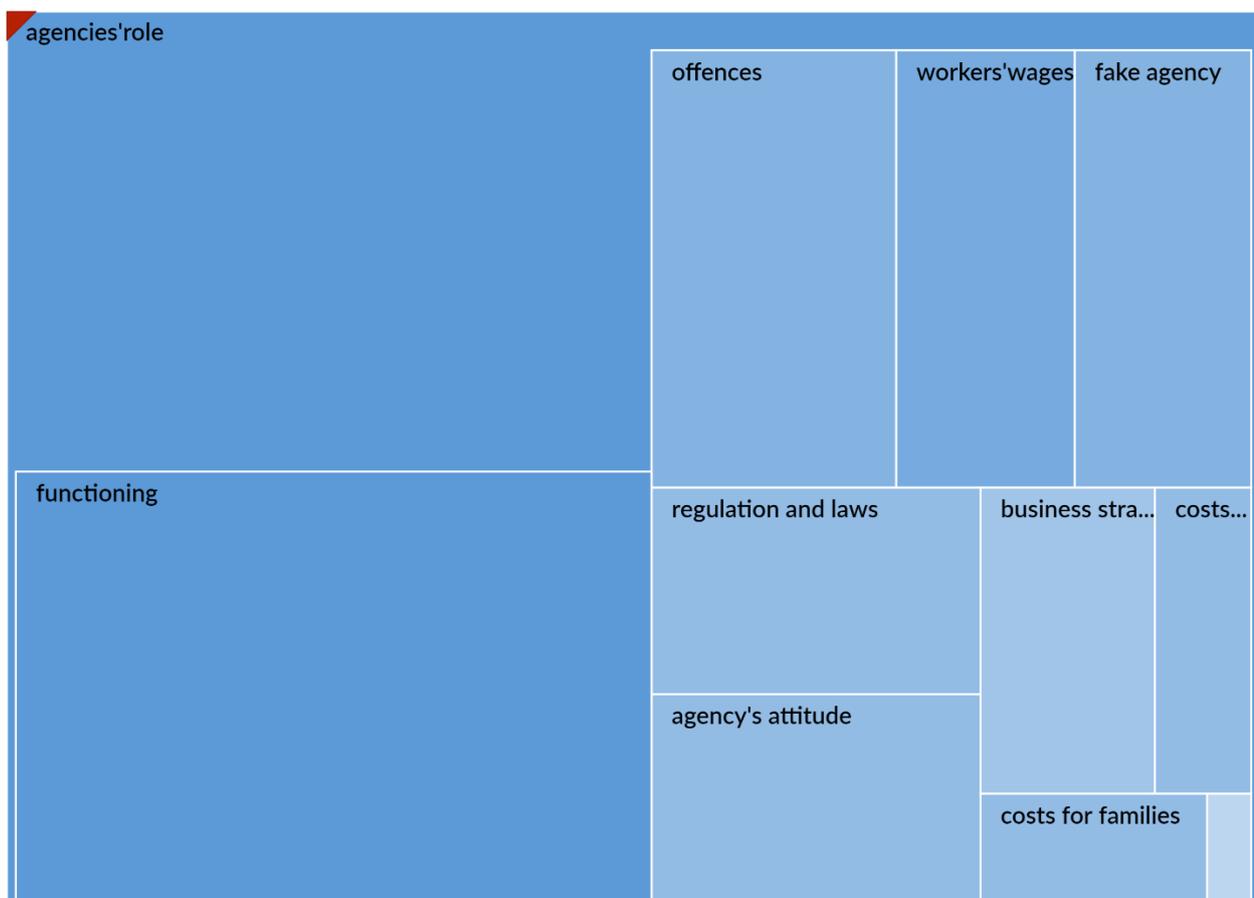
| Codes | Number of coding references | Aggregated number of coding references |
|---------------------|-----------------------------|--|
| Agencies' role | 26 | 196 |
| Costs for workers | 22 | 22 |
| Functioning | 50 | 50 |
| Offences | 20 | 20 |
| Regulation and laws | 1 | 1 |
| Workers' idea | 53 | 53 |
| Workers' wages | 24 | 24 |

Considering the points of view of domestic workers, the general description of the agencies' role is obviously the most important code, including the description of factors explaining the increasing presence of these intermediaries, definition of the brokering activity of the specific intermediary, and all the other interesting aspects coded into specific subcodes. This code counts 26 direct coding references and 196 aggregated ones, including the coding references of the other subcodes. Even more important than the first

order code, “agency role,” are the two subcodes of “functioning” and “workers’ idea” respectively counting 50 and 53 coding references. The first code refers to the concrete functioning of LMIs in a worker’s perspective – thus including the type of contract they have with the intermediary or the household, how the recruitment process is carried out by the LMIs, what the effective requirements for workers are and so on. The second one instead refers to the negative idea that workers have about intermediaries due to the lower wages and the reduced bargaining power. It is interesting to note that also the subcode, “costs for workers,” does not have a negligible dimension - as we will see in the next chapter - given its 22 coding references collected from all the interviewed workers, which testify to the centrality of this issue in shaping workers’ judgments on LMIs.

When focusing on intermediaries, quite obviously the picture changes:

Table 28- Comparison of the number of coding references (intermediaries).



| Codes | Number of coding references | Aggregate number of coding reference |
|--------------------|-----------------------------|--------------------------------------|
| Agencies’ role | 54 | 216 |
| Agencies’ attitude | 14 | 14 |

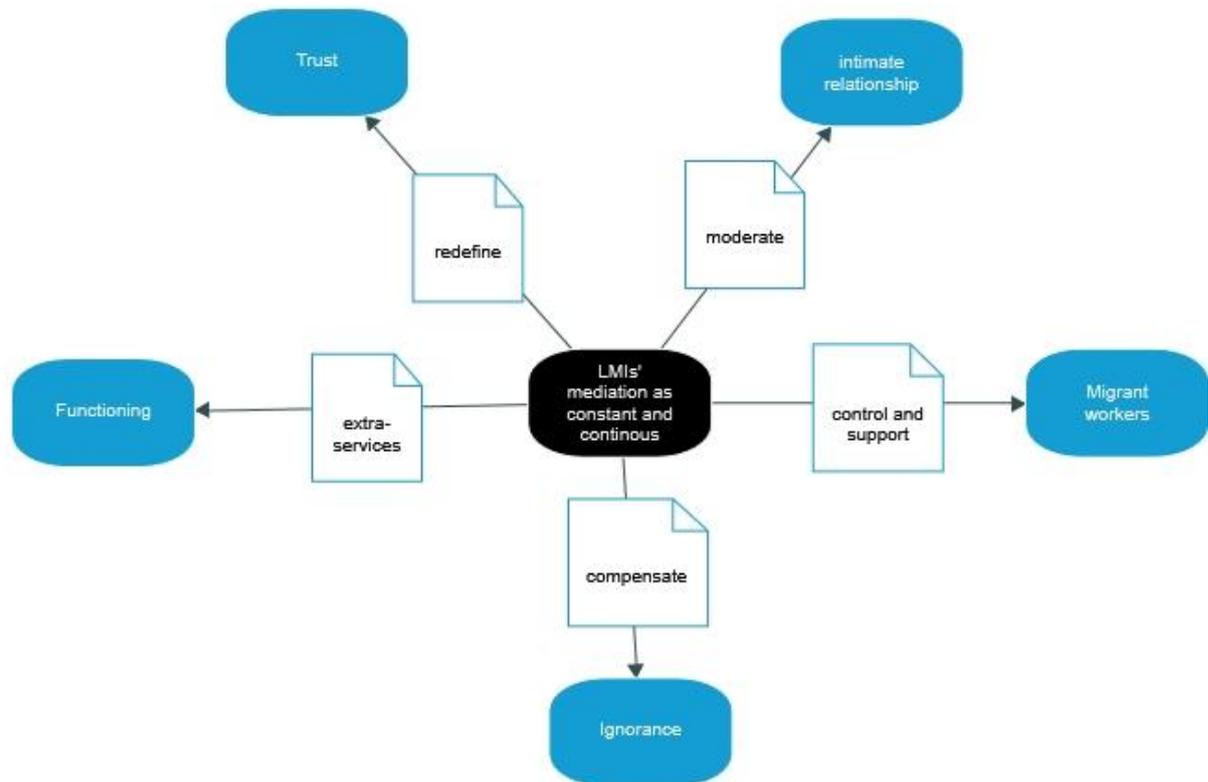
| | | |
|----------------------|----|----|
| Business strategies | 11 | 11 |
| Costs for families | 5 | 5 |
| Costs for workers | 6 | 6 |
| Fake agencies | 16 | 16 |
| Functioning | 56 | 56 |
| Offences | 22 | 22 |
| Regulation land laws | 14 | 14 |
| Workers' idea | 1 | 1 |
| Workers' wages | 16 | 16 |

The first thing to note is that more subcodes are registered within the broad “agencies’ role” label when considering the intermediaries’ answers. The code is composed of 54 direct coding references and 216 aggregated ones. In the first chapter on the overall domestic work description, if workers’ statements had a much greater role, it is the same here as concerns intermediaries. In other words, when dealing with the description of the functioning and organisation of agencies and cooperatives, of course the statements of intermediaries are more relevant, especially as concerns testimonies related to themes such as the agencies’ business strategies, costs for families and description of laws and regulation. Nevertheless, also in this sub-sample of respondents, the second most important code is “functioning,” with 56 coding references: a clearer description of how LMIs actually work is essential in the perspectives of both workers and intermediaries. Besides the presence of subcodes specifically related to the managerial dimension of agencies/cooperatives and to their specific strategies to find their place in the market while addressing customers’ needs, it is interesting to note that the subcode, “costs for workers,” counts only 6 coding references. Another important theme emerging from interviews of intermediaries regards the offences and unfair competition by fake agencies, which somehow take together different subcodes such as “fake agencies,” “offences,” and “regulation and laws”: summing up these three codes, we count 22 coding references related to the delicate issue of the regulation of intermediaries and their illicit practices driven by economic competition.³⁷ Workers, agencies and cooperatives surely have diverse points of view and focus on different items according to their specific role within this new market: having both perspectives appears essential in grasping the reality of LMIs in domestic work, to overcome the lack of data and limited research.

In trying to highlight the main results of this chapter, it may be interesting to clarify the main consequences and impacts of the role of intermediaries as mediators. We have already mentioned that this role is a constant and continuous one. Brokering by the agencies is, in fact, rarely a pure act of matching labour demand and labour supply. These actors usually continue to be present and play their role all over the employment relationship even if they are not temporary work agencies. It is this constant and continuous brokering action which is causing several changes in domestic work organization.

³⁷ These subcodes will be better defined in the next chapter on the economic dimension of LMIs.

Figure 18- Concept Map on the LMIs' mediation role.



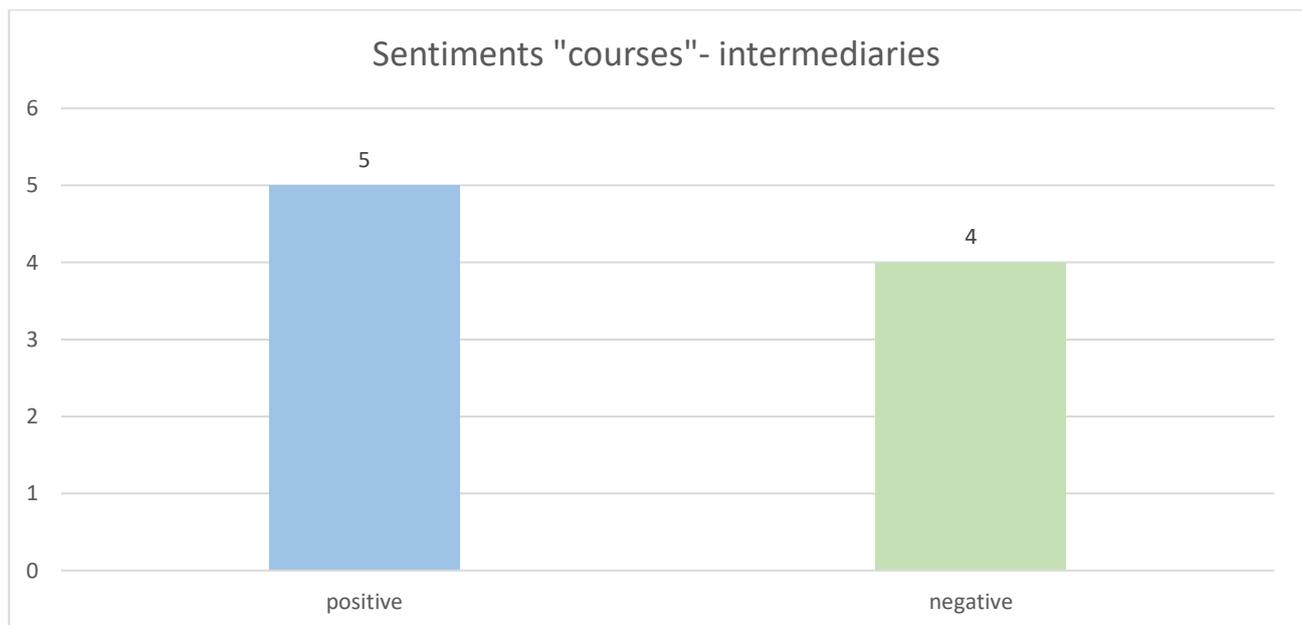
In this map we can see the main interactions between the LMIs' constant and continuous role of mediation with other codes and themes structuring our analysis. Firstly, we should highlight how intermediaries are changing their actual functioning through a bunch of extra services such as administrative and legal support, which often make the concrete organization of these actors depart from their legal definition. This is exactly what the Labour Inspectorate of Milan laments: an implementation of services goes far beyond the match between labour demand and labour supply. It is also the explanation of the deep focus on the actual functioning of these actors according to both workers and agencies. A clear understanding of how things concretely work is unavoidable to frame the empirical context to be compared with the legal one. Of course, this progressive shift from employers to LMIs in the management and control of the domestic work employment relationship is also changing the relevance and even conceptualisation of trust. As we have already seen, trust is a crucial component of domestic work due to the care dimension of this specific work; it is related to the emotional and relational dimension of domestic work, but also to the peculiar intimate relationship established between the worker and the employer. Nevertheless, through the increasing role of labour intermediaries, this subjective definition of trust that depends on the peculiar kind of relations between care receiver and domestic worker is now shifting towards a rather objective definition of trust. The

sole fact of being an intermediary - of course defined as professional and qualified - should ensure that trust relationship which is essential in the field of domestic work. Even if employers' associations often emphasize that trust is difficult to be defined in an objective way, being a personally acquired feature, households seem attracted to this idea of trustworthy domestic workers whose value can be measured and ensured through objective dimensions such as professional courses, references, certificates and, above all, the guarantee of a third professional and qualified actor. Families therefore are extremely willing to delegate the evaluation of workers' trustworthiness to these intermediaries. But this point is strictly connected to another, namely the role that intermediaries play in managing the intimate relationship between household members and domestic workers, which is another factor contributing to making their mediation a constant and continuous one. Given that households today firstly trust intermediaries and then workers, these same intermediaries should always be present and able to solve any potential contrast arising in the intimate dimension of the home. Often, all the unavoidable contrasts and clashes between people who live under the same roof or have to deal with complex care issues are not directly solved by the household and the worker, but only by the agency or cooperative involved. If the two parties feel that something is not going well, or if they have complaints, they go to the agency which ensures that they will "act in the same way with both of them" in a constant attempt to "educate" both families and workers. However, since households are their customers and sources of income, it is difficult to keep this mediation as effectively objective and impartial as intended, and this what workers complain about. This "outsourcing of intimacy" is maybe one of the most interesting effects of the agencies' role in domestic work, something which should be further analysed. Moreover, intermediaries exert their continuous presence also in relation to workers and especially migrant ones, and therefore to most domestic workers. As different respondents say, in fact, these intermediaries may be an effective support tool for workers who often ignore their rights and duties as migrant workers. These workers would be helped in managing their permit documents. Intermediaries could also act as a network to support migrant workers in their process of insertion into the Italian social fabric. If it is true that illegal migrants are forbidden to work – in general, but even more so with intermediaries - the practical support to legal migrant workers is important for intermediaries since they have to monitor the legal profile of their migrant workers. This support is also useful for the workers themselves, and resembles that support they receive from their personal or ethnic contacts. Finally, we can affirm that the LMIs compensate for the widespread ignorance of workers and households. If families tend to under-evaluate domestic work and their responsibilities as employers, workers suffer the lack of necessary information about their rights. It is exactly in this vacuum of knowledge and awareness that intermediaries insert themselves and operate, perfectly addressing those deviations from the ideal type of a perfectly competitive labour market as defined by Autor (2008).

As I have previously mentioned, the shift in the same conceptualisation and consequent attribution of trust is something that also impacts on the peculiar recruitment process carried out by labour intermediaries. The bidimensional definition of trust, in fact, affects the same issue of domestic workers'

professionalism. Is a subjective definition of trust based on peculiar references and direct experiences a worker had or still has, more relevant than the objective definition of trust defined through the professionalization courses and certificates? The answer is not so simple. Firstly, we should note that both workers and intermediaries evaluate in a positive way, the importance of references in the recruitment process. This can be explained considering that references are actually the only concrete way to check workers' experience and their "attitude toward service." If it is true that each worker can behave in a different way according to different employers –a risk margin therefore exists – and it is also true that references enable both agencies and households to measure the workers' relational and emotional skills. References are thus a necessary parameter to evaluate the peculiar attribute of domestic work as emotional and relational labour, despite being a subjective parameter. Things change when it comes to the objective dimension of workers' professionalism, an aspect which can be understood through professionalisation courses:

Figure 19- Intermediaries' sentiments towards courses

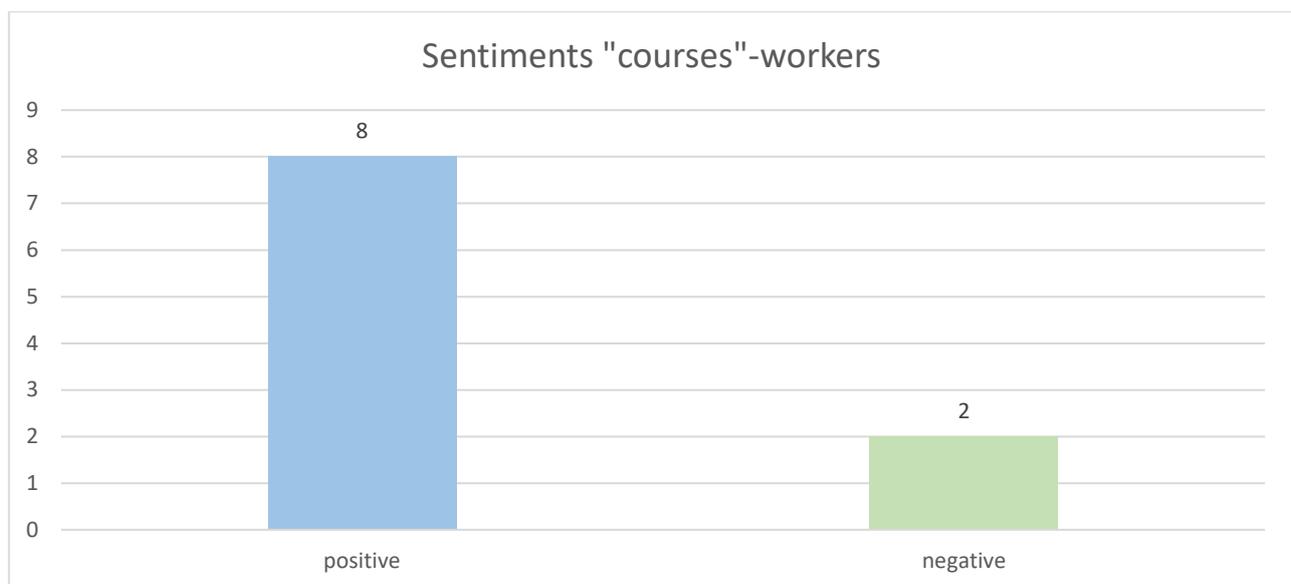


As we can see, intermediaries have different opinions about the weight of courses in the recruitment process: we can find overall 4 negative references and 5 positive ones. These different ideas reflect different considerations of the intermediaries: as some respondents say, courses do not ensure that the worker is actually able to do something despite having studied for this, while only concrete experiences can ensure it. On the other hand, negative answers are from temp work agencies which are obliged by law to organise professionalization courses and that often deal with the increasing costs of professional workers which limit their employment opportunities. As concerns the positive references, these come especially from

cooperatives organising professional courses thanks to the active support and subsidies of local public authorities, or from top-level agencies organising courses by themselves when required by customers and shifting their costs to the households. Of course, in this case the issue of placing these workers is unproblematic given that customers are wealthy households that specifically require a more professional worker.

The following is the framework as concerns workers:

Figure 20- Workers' sentiments toward courses



We can find only 2 overall negative references and 8 positive ones, also including 2 references under the label “very positive”. Workers usually attribute more importance to references and concrete experience: even if some may think that negative judgements come from unprofessional workers without courses and certificates, it is not true. The two negative references actually come from workers who attended specific courses but, despite this, are not convinced of the greater importance of references. Positive evaluations are mainly linked to the idea that professionalization courses are always useful to learn something more, even if they do not have the same value as experience and references. When dealing with this, we should keep in mind that some courses such as that for OSS /nurse aides, actually pave the way to employment in higher contractual levels or even finding other kinds of employment besides domestic work. Moreover, these courses are necessary especially for work with cooperatives. And so, the opportunity to attend these publicly supported professionalising courses for free is a real opportunity for employment. Even if unions and above all national associations of employers are trying to put more and more emphasis on the necessity for professionalising courses to create more homogeneity among workers and increase the social and economic value of domestic work, the resilience of the subjective definition of domestic workers as emotionally and

relationally skilled resources is still a great obstacle. This economic unsustainability of the increased cost of labour also holds for most households within the familialism of the welfare state. In this context, the risk of the further segmentation of this labour market to create higher skilled workers only available for wealthiest families really exists and is already happening among top-level agencies, as we have shown.

Chapter 7. Cheap care or quality care? The economic dimension of LMIs and the plague of unfair competition

7.1 The different business strategies of LMIs

The strong heterogeneity of the brokered market for domestic work translates into different business strategies adopted by the LMIs. If it is true that all agencies and cooperatives address families which can afford their fees, it is equally true that these LMIs are constantly looking for a way to distinguish themselves from other competitors to attract specific types of clients. This is especially true for agencies, whereas cooperatives are usually more homogenous in their attitude towards the work itself: given also their very peculiar legal and fiscal nature, cooperatives are more focused on live-in or hourly assistance for the elderly and the disabled. They often establish agreements with private healthcare institutions, to try creating a business which can benefit both sides:

“Humanitas, San Raffaele³⁸ ... these organisations have our flyers[...] and if they call us from Humanitas we have discounted rates due to the agreements we made ... if you call us from Humanitas and needs assistance there [...] you have a discount, you have privileges because Humanitas recommend us to people. These small agreements make us known. We have also an agreement with Euromedica³⁹, because we cannot do nursing activities, but if a family asks me for nursing activities, I refer them to Euromedica and they do the same thing with us because they have no caregivers ... we practically exchange our referral contacts! We know each other...” (Int. 2- cooperative).

Moreover, cooperatives working with private families often have special agreements with public institutions, and take part in tenders organised by the City of Milan or the Lombardy Region to provide subsidized services to poorer households. Of course, accreditation is a necessary requirement to operate in this way. The outsourcing of public services to private entities has increased since the late 1990s, but at the beginning, the reality was very different from today. According to one of my respondents, the ability to save money has gradually increased the presence of cooperatives in the provision of public services, which soon started with what the workers themselves call a “double track”: outsourced social services paid by public funds for families with a low ISEE⁴⁰ or income and private home-based services for people with a higher ISEE.

Agencies, on the other hand, have another approach and define their business strategies in a more detailed and precise way: they all are aware of the promising and remunerative business they are involved in, given the demographical trend in Italy. Business strategies are also influenced by the territorial dimension

³⁸ Humanitas and San Raffaele are both private hospitals.

³⁹ Euromedica is another private clinic.

⁴⁰ ISEE: Indicatore di Situazione Economica Equivalente, namely the equivalent economic status indicator.

of these intermediaries: locally based ones are smaller and often managed by the owner, who emphasize the human and social dimension of their action and try to establish an easy-going and direct relationship with the workers within an almost familiar dimension:

“I would not be able to define a personal business strategy [...] the work fluctuates greatly, especially in this particular year. I don't have claims of big earnings, I only try to reach retirement without worries. I know that I may be a "dissonant voice" but I love working for my own satisfaction and not for the gains in itself. I try to approach people, both on the family side and on the workers side, on tiptoe and without ever forcing anyone to sign contracts. You do not get rich, on the contrary, it is a rather heavy job, both physically and psychologically” (Int. 1 – cooperative).

“I met two people, older than me, who had already started the business. Two more were added in that same year and we worked in the same way, with a lot of competition and each with their own personality, even in this job. I have not looked so much at the economic convenience. I did not exploit, even if I know people who could support me in a more managerial or entrepreneurial way. We are mother and daughter, and in the afternoon my mother is there to help me.... [with workers] it is not the pure and detached conversation as happens in a company ... This is the difference with other agencies, they do not work like this: you [worker] sit and pay and that's it.” (Int. 6- agency).

These small and locally based agencies highly rely on social media and advertisements to get known, as well as through personal contacts and word of mouth: their priority is not to expand in becoming richer, but to survive in the market to maintain their economic position. Then, there is a second group of agencies, usually operating nationwide and that behave like the big companies with their headquarters in a big city such as Milan, while operating also in franchising at least in the whole of Northern Italy, or even nationwide. Among the ones I interviewed, we can find firms operating in 13 different cities with about 130 employees. The main strength of these firms is the ability to provide all-inclusive assistance programs at the lowest price possible. Except for the sole temporary work agency specialised in domestic and care work at national level, the others are usually brokering or recruitment agencies. These agencies constantly broaden their services and offer different solutions to families, in line with the ongoing customisation of care aiming to satisfy a wider range of needs. It is in this group that we can also find the greater variety of employment conditions and especially the use of VAT numbers for workers. This is the group in which the heterogeneity of services and working conditions is more evident. The same agency may offer hourly assistance or a live-in one. It can function as a real brokering agency, or it can furnish all the necessary support in managing the whole employment relationship by exempting families from all their responsibilities as employers. Their main concern is to be the most competitive in the market, focusing more on cost containment and time saving for families, rather than on human and social dimensions of care:

“They [clients] pay us and we take care of everything. The other way instead is that you pay the commission just to search for workers, but 99% opt for the first option. There are very few agencies doing this in Italy. [...] It is a good business. I mean it is a job that here in Italy grew more and more. Anyway, we are an elderly country ... it differs, I tell you, between the North, and when I say North I mean above all Lombardy, Veneto, Liguria and Piedmont and Tuscany as the centre of Italy. After which there is almost nothing [...] However, our families are all middle-class or wealthy, but you can find also siblings who pool their finances to pay the caregiver...” (Int. 3- agency).

Unlike small agencies, national-based ones operate like real firms, trying to always satisfy clients' needs and avoiding establishing personal and informal contacts with workers, something which is more difficult in these middle-sized firms. Of course, the kind of advertising they use is different: word of mouth is not so common, while these agencies can afford not only social media insertions, but also the rental of billboards in the city and radio ads. One common practice is to open a franchise to grow and quickly spread all over Italy as a brand, even if this may hide some risks, as reported by this agency's owner:

“It is evident that some brands tend to sell you the franchise, then they give you agency rules or objectives that are so high and difficult to reach that you close and that's ok for them! Because when you close, they've already got your 10,000 €, they find someone else willing to work with them. Many franchises in the field of personal assistance survive in this way: such agencies open and then rapidly close” (Int. 7-cooperative).

Bigger brands that operate franchises at national level, may even interpret their work as a purely remunerative business in which the quick opening and closure of agencies ensure increasing profits. The business strategy of these agencies is that of increasing profits without considering the social responsibilities related to the caring sector and tricking even those people wanting to open a new agency with that brand.

The third group of agencies that we can identify consists of those top-level agencies working with the wealthiest families and operating at international level. Among the two top agencies I interviewed, one is established in Italy, while the other has its headquarters in London, but both operate between Italy, the United Kingdom, France and Germany. Through intermediation they deal with the “two extremes of society,” as one of these agencies said, because their clients are particularly wealthy, while domestic workers are of course at the extreme lower end of the social scale. As they always tend to emphasize, these agencies have a very high target clientele, including managers, actors, politicians, football players and so on. This led those who were interviewed to specify that their answers to my questions could not be regarded as general, because their customers represent the higher niche of employers of domestic workers considered a small minority.

Top-level agencies are especially focused on clients' needs, and constantly try to fully satisfy them. The agency with the headquarters in London has a very interesting history, which may help to highlight the peculiarities of this élite group of intermediators:

"We are a spinoff of XXX, which is a parent company. Being established in England we deal with concierge services for high profile clients ... holiday organization, travel organization, private jets, yachts, for high profile clients. It happened that, despite being a UK company, we are Italians and 60% of us were selling Italy, in the sense that we were selling our villas and our staff. What happened was that we sold the complete package and our customers, when they returned, asked us to have the same staff because they had a good result. It was a temporary staff and so we had to find the resources since you can never say no to a customer, especially customers who pay the fees they pay... they never accept a "no." : you either you find a solution or else find a solution!" (Int. 8- agency).

These agencies are specialized in satisfying all the needs a customer may have, but these needs differ greatly from the ones of middle-class families: these intermediaries usually work with high-level housekeepers rather than caregivers, and they are specialized in qualified nannies. Their clients have very specific needs, such as the protection of their privacy, the guarantee of having educated workers with a certain aptitude for service, mobility due to the families' tendency to travel a lot, and the preference for a formal relationship with their workers who should always know how to maintain both spatial and emotional deference (Rollins, 1985). The economic dimension is not a problem for these clients; on the contrary, they are often willing to pay more than the average because they regard having domestic workers as a status symbol. Higher costs are synonymous to their higher class and status:

"As I said before: we [agencies] are not all the same! High-profile agencies like us ... I told you: we are not the average agency, because what I tell you is very niche: we select crews for yachts! We are talking about the highest level. What we select and what families of this level are willing to pay is not the standard. We are at the extreme, on the upper level [...] They don't want to have problems, they pay whatever they have to pay" (Int- 8- agency).

Within this third group, domestic work appears to be more and more customised: these agencies work with clients who are willing to differentiate themselves from the others, and so does the agency, that is, creates its own high-level niche in the market. This attitude reflects also on the ways in which these economic actors conceive advertising:

"We have always worked through word of mouth, and then we decided to create a structure in Italy for the selection of Italian personnel who would turn around anyway. The site was created and from there, without doing anything, because we do not advertise by choice, and have always said one thing among us: we will organise advertisement campaigns when Rolls-Royce does it! So, let's work through word of mouth.

Then they [customers] found us on the internet ... the problem was that initially the Italian customers were hesitant to accept our standards, we had our working standards, and we didn't want to lower them, so let's say that in the first years we also made a lot of customer selection" (Int. 8- agency).

The comparison with the advertisement strategy of Rolls-Royce clearly sets the boundaries of this top-level agency business strategy: these work only with the wealthiest clients, those who want to be considered highly different from average people, and do not need advertisements to spread the agency's prestige. Word of mouth among members of this group is the better way to ensure the reliability of this peculiar agency positioned at the top of the market. In doing so, they even had to select their customers: not all were in line with agency's standards and, for instance, customers concerned about the economic aspect were not considered worthy to be part of this sort of "club."

Table 29- LMIs' business strategies

| Agencies | | Cooperatives |
|--------------|--|---|
| Top level | <ul style="list-style-type: none"> - Firm-based international realities - Emphasis on the high quality of care and customers' needs - Variety of services - Aim to enlarge at international level reaching elite customers - Word of mouth for advertisement | <ul style="list-style-type: none"> - Public tender with public institutions - Agreements with private institutions - Double track - Focus on home-based care for elderly/disabled people - Emphasis on the social value of this work |
| Middle level | <ul style="list-style-type: none"> - Firm-based realities - Franchising - Focus on cost containment - Aim to enlarge - Variety of services and solutions - More attentive to customers' needs - Social media, billboards, radio and TV spaces for advertisement | |
| Bottom level | <ul style="list-style-type: none"> - Family-based firms - Focus on both cost containment and social dimension of care. | |

| | | |
|--|--|--|
| | <ul style="list-style-type: none"> - More attentive to workers' needs - Aim to survive in the market - Social media for advertisement | |
|--|--|--|

The emerging framework on the business strategies and attitudes of LMIs towards domestic work, thus clearly reflects the strong heterogeneity of the market. While cooperatives tend to highlight the main social role of care work – being also specialised in home-based care services - agencies underline instead the attempt to lower costs for customers, or the high-quality standards of their services. This is particularly true for middle-level agencies usually subject to stronger competition in the lowering of care costs, and top-level agencies distinguishing themselves by the very high standards of their personnel. What is interesting to notice is that low-level agencies, though being the small fishes of this market, are usually more attentive towards workers' needs. This is due to the smaller dimensions of their business and the closer relationship established with their workers. Customised care should therefore necessarily be differentiated according to the economic possibilities of different customers. If it is true that turning to an intermediary always implies spending something more with respect to informal recruitment, it is also true that strong differences in terms of costs, ideas on domestic work and relations with workers exist among these different intermediaries, and that also influence their concrete functioning and business strategies.

7.2 Defining costs for families and workers' wages

Another interesting aspect of LMIs' brokering is the definition of costs weighing on families that turn to intermediaries, as well as the issue of workers' wages. To better understand the overall impact of LMIs on domestic work, and its potential influence on different forms of organizations of this sector, it is important to highlight whether these new economic actors offer valid economic alternatives to households and workers. I will start considering how much a single family might spend to hire a worker through any of these LMIs.

Starting from envisaged costs for families, the first thing we note is that a substantial difference exists between agencies and cooperatives, with the latter usually having more homogenous fees, while agencies propose very different solutions according to the customers they aim to select, and model in this way their business strategies. Considering that cooperatives usually provide 24 h all-inclusive solutions, it is easier to calculate the general cost of the service, while agencies, as we have noticed, often offer a bunch of extra services from which the client can choose the most suitable solution:

“We are between 1,700 and 1,800 € for 24 hours. This then includes all weekend extras, holidays etc. It is all-inclusive, and this means that with that quota the cooperative pays the caregiver’s salary, the contributions, sets aside yearly pay bonuses, severance pays, liquidation etc. In the end what remains out of all payments is 100 € per family to be reinvested in the cooperative, so the margin is not much, but we manage to cope ...” (Int.2 – cooperative).

As we have already disclosed, cooperatives generally focus on elderly-care services also because of their specific social purpose, a context in which all-inclusive live-in solutions are more required. In the case of live-out assistance, the hourly cost for families is higher than the hourly worker’s wage envisaged by the national collective contract, but it includes other services: as a cooperative states, the fee for families might be around 12 €/hour all-inclusive, often including workers’ potential substitution, while the workers rarely earn more than 6 €/hour.

As concerns agencies, the reality is more heterogeneous, given the differences existing between agency functioning and business strategies, and their desire to offer different solutions to their customers:

“[The cost of the service] depends on the service they [customers] want, if one lives on top of the mountain it costs a certain amount, the other needs 1 hour in the morning and 1 in the evening and it costs another amount, the other wants 10 hours a day and it costs a different amount. There is a varied price listalways at the level of the minimum needed in order not to weigh on the pockets of the elderly and to give the right salary to workers according to the CCNL” (Int. 4- agency).

This is the case of a temporary work agencies that directly hire their workers, while for brokering and recruitment agencies, the client pays a service fee to the intermediary and then the family itself hires the worker, but might continue to pay the agency for extra services such as administrative and legal support. Usually, the agency fee is equal to a worker’s monthly wage, but top-level agencies may ask for 1.5 times more. Extra services significantly increase the costs for families and differ from one agency to the other, besides the fact that workers working with top-level agencies have more references and certificates and are usually able to bargain their wages.

As concerns workers’ wages, the first point to detect is that actually workers earn more through informal solutions. If working informally, a worker may earn around 10 €/hour, the hourly wage for a regular worker is around 5 or 6 €; the contractual hourly wage for the lower contractual level, thus level A, is 4.69 € after the 2020 contractual renewal, while as concerns OSS⁴¹ nurse aides, the hourly wage is around 7€. Of course, these wages are determined in reference to the national collective domestic work contract, while other contracts, despite having the same wage basis, may differ in overtime payment, holiday allowance,

⁴¹ Operatore socio-sanitario, namely social and health professional

night shifts and so on, altering the overall retribution of workers. Main differences regard skilled and unskilled domestic workers: the high market competitiveness and the unskilled workers' strict necessity to find a job, often lead them to accept a wage of even less than 1000€/month or, as we have already mentioned, the registration of less hours than those effectively worked. When a brokering agency is involved, it cannot force a family to give a certain pay to the workers. Intermediaries give limited advice or suggestions, and try to make households aware of the risks related to irregular forms of employment, but this is not always the case:

“No, [the agency does not play a role in deciding worker’s wage] because when you get there [in the household], they [the agency] tell you: look, here you can earn from 650 to 800 €, it depends on the family that decides how much they will pay you. When you go to work you do not know how much they will pay you, when your free time is, because the agency does not tell you anything, they tell you what they have decided only when the family arrives,” (Int. 10- caregiver).

The above quote testifies to two things: on the one hand, LMIs do not always expose themselves to make the family aware of the worker's value, and they do not always give workers all the necessary information about their own rights: it is the family, namely the customer, who decides what and how to do it. Moreover, agencies offer a precise range of wages to their workers, going from a minimum to a maximum according to the worker's professionalism and required tasks, but also reflecting all the various potential needs of families. Each agency has its own wage range:

“Do you see if he [a worker who entered during the conversation to do the job interview] speaks Italian, studies, has a driving license ... I can't ask him if he can read and write: of course, yes! So, the basic difference is about 250 € more [with respect to the previous worker who did the interview] but the night is uncovered, so if I have to pay 50 € per night, plus 1,250 € ... It's 2,500 € apart from the weekend, with M. If I spend 1,350 € I'm okay, but she is not at the same level as this one ...” (Int. 6-agency).

These agencies, thus offer different workers' profiles, going from the cheapest - but also less skilled - to the professional worker earning even 2,000 € monthly: the family decides, but the agency is willing to insert both profiles in the database, aiming to address needs of different customers.

The reality is even more complex among top-level agencies, considering that in this case the workers themselves are conscious of their higher level of professionalism and quality as ensured by the huge number of references and courses, and can establish their own wage taking into account their contractual levels. Wages range from 1,500 € to 2,000 € or even more, but contributions, 13th month pay bonuses and severance pays are calculated and paid separately and added to the monthly net wage of workers.

If this is what happens with brokering agencies, things change when workers are directly hired by a cooperative or an agency:

“I was earning 6 or 7 € per hour. I don't understand why I'm now earning 5 €, I asked the agency, I said: sorry but I used to get more, about 1,200-1,300 € a month, and now only 1,000 € ... and I said why this difference? They told me: yes, we know, but unfortunately this is the payment established by INPS” (Int. 1-caregiver).

Thus, workers often do not have a control over their own wages: the price paid by the client, in fact, includes not only the worker's wage, but also the contributions, severance pay, taxes, and extra services for the worker's substitution. The problem is that these agencies and cooperatives can reduce workers' wages in an arbitrary way to be more competitive. This unionist explains what usually happens:

“If you take gross hourly wage 6 € there is 1 € contribution and then over those 6 € you have to calculate the holidays, yearly pay bonuses and contributions. So on making calculations, about 25% -like 9-10 €- is the cost of the work. If the agency is not a charity organization, they charge at least 20% or 25% and therefore an hourly cost of 12-13 € would result. If 9 or 10 is only the cost of the work it is obvious that 12-13 € is too much. It costs a lot. For the same reason many cooperatives or companies aim to provide staff at lower costs and how do they do it? Obviously, by paying the workers less, but then the question is how can they do this? It means that you do it all in under the table [informal work], of course, otherwise you wouldn't make it ...” (unionist).

Workers often testify that they are paid less than the contractual hourly wage, without having opportunities or instruments to control their effective wage. Workers feel they are paid less by or through intermediaries, and that they lose control over their own employment relationship. Moreover, the proliferation of contracts enables the downsizing of labour costs: even if remuneration is determined through the FIDALDO contract as the reference contract, other contracts offer different guarantees and different conditions for overtime, night work and rest time, for instance, making it possible to save money (Borelli, 2020). Another quite common way to pay workers is, as we have already mentioned, the use of VAT numbers, the main problem of which, according to workers, is the burden of contributions and taxes weighing on their shoulders. This trend is part of a broader shift of responsibilities from employers to workers within the ongoing process of care marketization that is increasingly relieving households of their responsibilities as employers.

After this explanation, we can try to summarise some ranges of workers' wages according to different types of agencies and cooperatives, in order to partially detect the heterogeneity of workers' remuneration in domestic work brokerage:

Table 30- LMIs determination of workers' wages

| Agencies | | Cooperatives |
|--------------|--|---|
| Top level | - Highly qualified workers: higher contractual levels (1,500-2 000 €/month) | - Cooperatives directly hiring workers: 4-6€ /hours |
| Middle level | - Brokering agencies with administrative support: 4-5 € hourly - Temp work agencies: contractual wages | |
| Bottom level | - Brokering agencies with administrative support: 4-5 €/hourly - Brokering agencies without administrative support: contractual wages | |

All these factors contribute to the shaping of workers' opinions about these LMIs and it is rarely positive. If it is true that exceptions exist, and some agencies or cooperative act legally to guarantee the respect of all legal and contractual duties, the general experience of workers is that they are being paid less and without full respect for their work:

"They [cooperatives] are all thieves because, as I told you before, they make agreements with the client who gives them 15 €, but then they give the operator 5 € or less because ... if you get 15 € hourly, why do you pay me 4 or 5 € per hour? Pay me at least half [...] No, the cooperatives are all thieves, I tell you" (Int. 1- caregiver).

The core issue according to workers is that they earn less money when working through a cooperative or through a temp work agency, whereas they accept working for brokering agencies more easily, since this gives them the possibility to be directly employed by the family. There are two essential factors of this

negative opinion: one is the lower wage of workers, while the second is directly related to the fact they do not feel that they are treated as workers. The triangulation of the employment relationship, in fact, allows the family to identify its direct counterpart not in the worker, but in the agency or cooperative. The same happens when brokering agencies offer extra administrative support to families. In this case, an important element is whether the worker has the possibility to declare his or her own working hours, overtime and so on, or if the agency directly asks the family about this without consulting the worker. The impossibility for workers to have any kind of control over their employment relationship is creating a context in which workers feel that they are losing their bargaining and contractual power. More and more families would like to reduce the amount of time and attention they are required to provide as domestic work employers:

“Yes, I worked with agencies but [...] they don't sell us as workers, they don't sell us because of our experience, because we are worth it... they sell us as if they were selling bread. They tell you what they pay you - that is below what you should earn - because... the agency tells you: I have a job, do you want to work? Oh well...” (Int. 4- caregiver).

All the workers I interviewed have a negative opinion of these agencies, even the ones who still work with them because of working continuity or because they are aware that, especially in the Milano area, families are increasingly attracted by these intermediaries. The people who report positive experiences with agencies or cooperatives generally identify them as exceptions within an overall negative context. Of course, the central role played by word of mouth also makes other workers less likely to turn to LMIs. The widespread negative opinion workers have about agencies and cooperatives also discourages workers who have never had this experience, leading them to find work in other ways. All the interviewed workers who have never worked with agencies or cooperatives gave me the same answer: because some of their friends discouraged them, or because they had other personal contacts or community networks who might help them. Agencies and cooperatives are viewed as a last resort for the workers to get hired. If usually those who cannot rely on personal contacts decide to turn to these intermediaries - being fully aware of the negative consequences of their decision - on the other hand, workers are increasingly conscious that these LMIs are becoming important subjects in the domestic care sector, and often feel compelled to also try out this path. Moreover, the certainty of getting hired through a regular contract does not seem to be an effective incentive, given that costs are generally evaluated to be greater than benefits:

“Sorry if I interrupt you, but maybe it is better to work illegally; so you can bargain with the owner: I don't sleep at night? So instead of paying me 1,100 € you pay me 1,500 € ... you have to pay me for those worked hours, because I have to get up, if your mother falls, I'm the one responsible!” (Int. 9- caregiver).

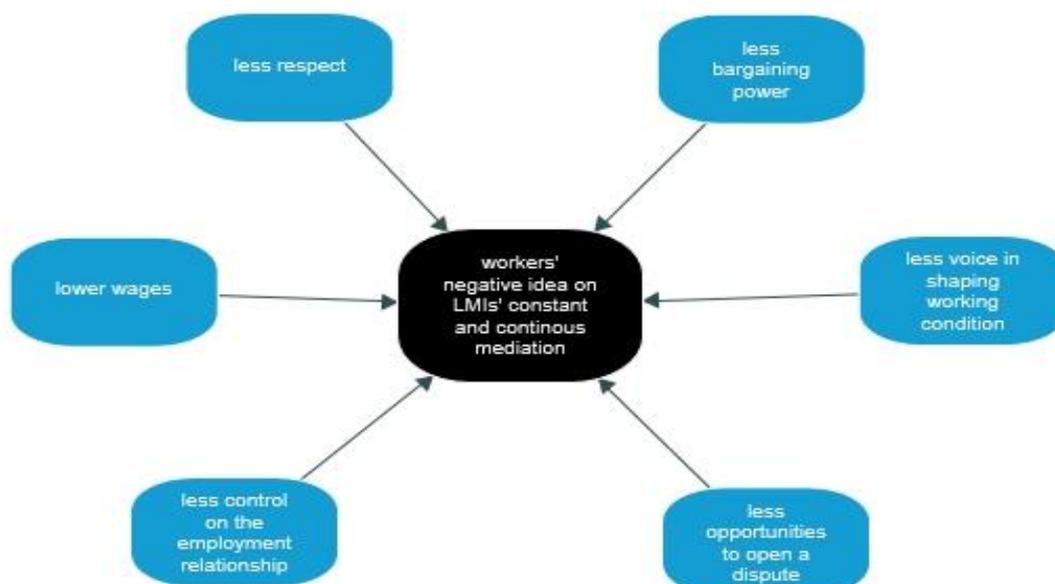
As the previous quote clearly defines, workers may even find it more convenient to work informally: if this is true for workers directly hired by a family through the national collective contract, it is even more so

for those working with agencies or cooperatives and who witness the downsizing of their contractual power. Of course, only Italians or regular migrant workers can say something like this, while irregular migrants usually need to find regular employment to be finally regularised. Moreover, another important reason to avoid looking for jobs through LMIs is workers' lack of control over the organization of work and work hours. This emerged from three interviews, in fact, especially those agencies offering hourly services often foresee a strict schedule that reduces the workers' ability to manage and organize by themselves. This incredibly increases their stress levels. The opportunity to find jobs via other ethnic or personal contacts, the lower wages, the lack of bargaining power and the scarce control over the organization of their own work are among the main explanatory factors behind workers' negative opinion of agencies and cooperatives, although there are some exceptions:

"Many years ago [I turned to an agency]. I worked in very important agencies, because I wanted to get my price to my level and I wanted to earn more. I knew that there is no school, and I had to go to important houses ... and agency was the go-between, because these important families turn to them." (Int. 4- caregiver).

As explained earlier, top-level agencies are seen differently by the workers themselves. In fact, these LMIs pay well, guarantee all rights to their workers, offer a real professionalising path, and ensure top references which will inevitably pave the way towards a brighter future for these workers. The problem, of course, is that it is not at all easy to enter these agencies, given the high number of references and certificates required. Thus, the heterogeneity of the sector also reflects on the workers' opinion of these LMIs. Cooperatives and temp work agencies are seen as the worst possible scenario, while working with top-level agencies is usually an aim to achieve, although it is a really difficult one, thus creating a context in which the differences among agencies and cooperatives often translate into differences among domestic workers themselves.

Figure 21- Concept Map of factors determining workers' negative idea of the LMIs



7.3 Unfair competition: offences and irregular practices of LMIs

So far, I have highlighted how the economic actors studied in this research are structured and how they function. Only at this point, I inserted a specific focus on irregular practices and true offences perpetrated by both agencies and cooperatives. Since I have already shown the main critical issues inherent to domestic work in relation to informal employment within the classical dyadic employer-domestic worker relationship, I will now identify the irregular practices and transgressions specifically implemented by LMIs. I shall start considering the most common offences, to later focus on the peculiar issue of fake agencies that increment unfair competition with regular ones, this being the main problem to solve for a real amelioration of the overall labour intermediation in the field of domestic work.

Let me start with the tendency of agencies and cooperatives to avoid the respect of all contractual provisions in the field of domestic work: the interview with the Labour Inspectorate of Milan will help to shed light on the most common irregular practices:

“The cooperative, or any abusive subject wanting to increase the profit margin, must resort to some forms of circumvention, and what are these forms? Here the typically Italian creative genius comes into play! Therefore, they do this by 1) Not applying the national collective agreement, but a cooperative’s own collective agreement among the lowest ones ever. 2) making debt deductions applied on the salary: I give you 100 € in the pay check, but actually I give you much less, and if the worker needs to work [he/she accepts]] and in general these are non-EU citizens who need to survive accepting everything, 3) registering workers as part-time and in reality it is full time, 4) failing to pay contributions payment, 5) not making invoices on which I can offset the VAT from contributions, 5) applying much lower contractual frameworks: maybe I declare a third-level job on paper, but actually I am assigned to the first, obviously saving tens and tens of euros, 7) making a part of the remuneration appear as a trip in order to pay partial contributions” (National Labour Inspectorate).

This precise and complete list of the most common irregular strategies implemented by agencies and cooperatives to reduce costs and save money both for themselves and their clients, testifies to how much cost containment and the profit margin increase constitute a real concern for these LMIs who set their own forms of competition in a market where cost reduction is also the customers’ principal concern. What the Labour Inspectorate emphasizes is that, if usually in the labour market a contractor that turns to agencies or cooperatives for the hiring of some outsourced workers is almost always aware of illegal practices hiding behind a very low cost of labour, we cannot say the same about households. Families, in fact, are less aware of the labour market’s functioning. They usually neglect their duties as employers of domestic workers, and turn to labour intermediaries also because of the supposed higher reliability of these actors. The historically rooted social undervaluation of domestic work and its difficult identification with other forms of “real work”

contribute to nourishing the families' alienation from their responsibilities as employers of domestic workers. On the other hand, the ignorance and good faith of families are often accompanied by other considerations as the same Labour Inspectorate officers state. In fact, households having the economic resources to turn to LMIs are not always naïve and scarcely informed. Even if they may suspect that agencies have irregular practices, they decide to turn a blind eye and find their perfect solution without spending too much money or time. Thus, ignorance seems to go often along with deliberate undervaluation of this specific working sector. In our talks with workers, other common offences perpetrated by agencies emerged:

"I understood that this [not receiving the entire remuneration from agencies] happens in many agencies, because they say that the family did not pay, that they [the family] were not on time, and so on. But that's not true: all the families I've worked with have always told me that they paid the agency at the end of the month. Therefore, I don't think that an agency, if a family doesn't pay for a month or two, will continue... they can terminate the contract and that's it!" (Int. 12- caregiver).

"I was in Italy from 1998 to 2001 and I was illegal because we were not yet in the EU. At the time, in Lucca, I worked for a lady who had been discharged from the hospital ... even there I worked through an agency! But I didn't have the documents... I was illegal!" (Int- 11- caregiver).

Workers' statements define other irregularities, partly related to those emerging from the interviews with the Labour Inspectorate. Most workers relate that cooperatives generally pay less than the fair amount of money, or they hire you for less hours than those effectively worked; they may not include the payment of meals for live-in workers as part of the worker's wage, or they do not pay for holidays or overtime and severance pay. The second quote refers to a very problematic practice: hiring irregular migrants without giving them a contract, is thus the use of informal employment also by agencies and cooperatives. This issue emerged in three interviews, but in all the cases workers referred to working experience they had between 10 to 20 years ago, even if one worker reported a more recent experience:

"They [the agency] know that we can only stay for three months [...] I know that these documents are only for a three-month vacation, so ... when families come to take people to work, the agency says we can stay more than three months, but that's not true! When I arrived, I immediately said: I can stay three months and I am not supposed to be working, then I either have to go back to Moldova, or stay illegally" (Int. 10- caregiver).

In this case, the worker arrived with a tourist visa that allowed her to stay in Italy for no more than three months and without working. But the agency kept the truth from the family, leaving the worker to tell this herself to the employer who had the responsibility for regularisation. These cases of irregular migrant workers hired through agencies are not so common as they were some years ago, but they still exist, and constitute a real fraud threat for families, besides being indisputable examples of the exploitation of workers.

Another increasingly common offence is the use of fake VAT numbers for workers working with LMIs. As we have already mentioned, the shift of responsibility from employers and intermediaries to the workers themselves is increasing the use of these forms of autonomous work, which do not always comply with the current legislation. The following quote, although being an agency's statement, appears interesting but quite controversial:

"The workers have no VAT number management costs, and when they want to stop, we close it [the VAT number] for them, we compile their Unified Tax Return forms every year, it is a considerable convenience ... we all know that in Italy the VAT number is cheaper than direct assumption! But if the alternative is illegal work I would say that the VAT number is more convenient ... we have also introduced a kind of sick leave that they are not entitled to, because the VAT number does not envisage sick leave. Instead, we grant some days during the year, so you get paid if you get hurt in the workplace ... you have benefits that you wouldn't have if you were a bartender for example ... in these things we try to help them a bit ..." (Int.3- agency).

While affirming this, the agency worker I interviewed leaves room for some doubts on the legitimacy of a VAT number of this kind: it is quite strange that the agency with which the worker should autonomously decide to work is the same subject helping the worker to open, manage and close a VAT number. It seems that the basic elements of a true autonomous employment are lacking in this case, and these VAT numbers would be fake. If the use of these autonomous forms of employment is increasing, the tranquillity and carelessness showed by this agency worker while talking with me is quite worrisome: she seems to ignore how a VAT number should function, and thinks that what she said is absolutely normal. Moreover, this increasing trend is confirmed both by intermediaries and workers. One of the main open issues is that these workers are usually migrants who don't know how a VAT number works and what responsibilities it implies:

"The only thing I know, and I know it thanks to the caregivers who come here crying ... when the intermediaries let them open the VAT number, without explaining what the VAT number is. Therefore, caregivers discover at the end of the year that they have to pay 4,000 or 5,000 € in contributions and that they do not have the money ... because no one had explained what the VAT number is... in recent years I have seen so many caregivers come here crying because of this ..." (Int.2- cooperative).

Among the interviewees, only one agency (the previous one) admitted to the use of a VAT number, though with all the aforesaid problems. The majority of LMIs respondents state that this is something "others do." Three of them describe the common situation of workers crying after having been cheated and persuaded to open a VAT number by another agency without all the necessary information, discovering only later that they were supposed to pay contributions and taxes by themselves. The use of fake VAT numbers constitutes a threat also for families. As an agency owner stated, in fact, a VAT number is incompatible with subordinate employment, so if a domestic worker has a VAT number, she cannot be hired as a domestic

worker by a household. A worker must be a freelancer or an employee, but closing a VAT number is not so easy and requires time and certain knowledge: families are at a risk because they do not apply the correct form of employment. The complex functioning of these fake VAT numbers is clearly described also by the Labour Inspectorate:

“So, let's assume that I am this company Assitance X s.r.l I am contacted by family Y and they tell me: look there is an old man who needs assistance. Very well, I find worker X in my databases, let's call her Irina [...] and I say, ok, I'll let you register for VAT, make a contract with me, X s.r.l., and you go to work with family Y. However also Family Y makes the contract with me, because I provide them with this service, namely that of a person having the requisites to look after or even care for the elderly. Then the family... when I issue the invoice I can find the trick to make the invoice for the worker Irina X, but I determine her remuneration and clearly in this step I get my profit. The family pays me 100 € according to the invoice, because my 100 includes the ancillary services, from making a pay check to paying contributions. Then I pay the fake professional 50 or 60 € with an invoice, and I say fake professional because these workers often work in a single-client regime, staying in the same house every day ... so, it is all about various forms of effective tax evasion, and evasion of contractual and contributory fees.” (Labour Inspectorate of Milan).

The major problems related to VAT numbers are thus of different types. On the one hand, there is exploitation of the worker's ignorance, given that workers are rarely aware of all the duties they have when opening a VAT number; but on the other hand, other forms of evasions subsist, from contractual ones to those concerning taxes, as the Labour Inspectorate clearly states. Besides the shift of responsibility from the employer to the worker, setting advantages for both households and intermediaries, the increasing use of fake VAT numbers all help to reduce contributions and taxes for the employers. As a unionist states, the use of VAT numbers has increased among migrant workers with the approval of the so-called Bossi-Fini Law of 2002⁴² which established the link between the residence permit and the employment contract. Now it is often used as a cover-up by smart agencies and cooperatives to persuade workers to open the VAT number without telling them that they are supposed to pay VAT taxes, while exonerating the agencies themselves from the payment of contributions. Thus, if the very nature of the domestic worker's employment relationship seems to be at odds with any form of autonomous work, given the peculiar relations with the care recipient and the high amount of time required especially in care work, the fact that some agencies even open and directly manage workers' VAT numbers appears to be another strategy to change the terms of the employment relationship. This would increase the profit margins and workers' responsibilities, a point on which both families and LMIs may have some common interests.

⁴² National Law on immigration of 2002, establishing the necessary link between a formal contract of work and the residence permit.

Another extremely controversial issue is the application of costs and fees for people working through agencies or cooperatives: although being explicitly forbidden by international and national laws, a different framework emerges when interviewing workers, with almost all of them affirming that this is a very common practice:

“-They [agencies] take at least 3-400 € from your first salary [...] I know they couldn't do it, that it's a scam by law ... they do it because in any case they found you a job, that was their answer... [they all ask for money], I confirm it 100%” (Int. 9 - caregiver).

“There are pseudo-agencies asking workers for money, but really many, and they all ask for undeclared money to register workers in their database, this is the formula that is often used. Some agencies ask for a percentage on the first salary that the worker takes after the placement thanks to the agency...the worst junk. Yet believe me, these people are on the market, some long before us and they [inspectors] haven't closed any” (Int. 5- agency).

Eight out of ten workers I interviewed reported that almost all LMIs ask workers for money: generally, intermediaries ask for a certain amount of money, ranging from 15 to 25-30 € for the insertion of the jobseekers in their database, but they often take 10% of the first worker's first salary. Intermediaries tend to justify their request, being in charge of finding work, and even if workers are often aware of the illicitness of this request, they feel obliged to comply with it because of the lack of alternatives. Anyway, this is another factor that enhances workers' negative ideas about these LMIs and it is also thanks to the rooted exchange of information within ethnic communities and among personal contacts.

Although this is a common practice, there are some differences among intermediaries. First, it is important to note that things function differently for agencies and cooperatives. While the former are totally forbidden to ask workers for money, cooperatives may effectively ask for a membership fee for the working cooperative members:

“Sometimes I was asked the membership fee ... once I stopped immediately and I did not sign the agreement because asking for the membership fee [to work only] for the Christmas period, so as to cover only the holidays, is not right. I said: absolutely not! Maybe in case of necessity, but not without repayment, but they said it was half and half [half with repayment and half without], and then I said no, because for two months it makes no sense. Other times I had not been asked anything for the same hiring period, I don't know what it depends on...” (Int. 9- caregiver).

As regards cooperatives, the critical issue seems to be the difference between working members and workers hired by cooperatives. The former have the duty to economically contribute to the cooperative's capital but they should also have important managerial functions, and contribute to the management of the cooperative, besides having a say in decisions concerning budget and the economic organization of the

cooperative itself, as stated in Law 142/2001 specifically concerning working cooperative members. Problems arise when employed workers without any decision-making ability on economic issues, or power in the cooperatives' organization and management are formally recognized as working members who also become economically responsible. If in the case quoted by the worker it appears totally contradictory to ask for membership fees in view of a short work period, it should be noted that the resort to working members often covers a true employment relationship. None of the interviewed workers reported that they have ever been involved in decisions affecting the economic management of the cooperative though they were working members. Moreover, a bond exists between this practice and that of contractual dumping: workers hired by cooperatives, in fact, should be guaranteed and protected by the application of the national collective agreement active for each specific sector, and by the application of the Workers' Statute. Nevertheless, what often happens is that these workers, being hired as working members, can rely only on other less-guaranteeing contracts.

It is quite different for agencies: they are absolutely forbidden to ask workers for money, both by international and national laws. Nevertheless, they almost always resort to this practice, at least according to the workers. They may ask for money to insert workers into their database or (often) they may take the 10 or 15 % of the worker's first wage and eventually organize professionalizing courses paid by workers. One worker reports also another worrisome episode:

"They said: ok, you can come [to work with an agency], but after the first month you pay 260 € plus 50 € for the rent ... because we [another Moldovan worker had arrived with her] rented a room given by the agency. We arrived on a Friday afternoon and stayed in the room on Saturday and Sunday and went only on Monday to the agency. So, we paid 50 € for those two days. It totalled 310 €, but I told them that I would not give the money right away because if I did not find myself at ease with the job they might disappear since I had already paid them, without finding me another job. I gave the money in cash. I know it's not legal, but we made an agreement, so I gave my word ... he had to give me the receipt, but he said he didn't have it and that he would bring it to me another day, but he never gave it to me. I asked: where is the receipt I need? He never gave me an answer." (Int. 10-caregiver).

What is interesting in this case is that, besides reclaiming a percentage of the worker's first wage, this agency asked also for the rental of a room that workers did not choose, but where they had been taken to by an agency's collaborator who was sent to meet them directly at the train station. This story is particularly interesting because it seems to imply different forms of *caporalato* (illegal hiring). Despite the large amount of evidence from workers that agencies asked them for money, assuming that every agency asks workers for money would be incorrect. Two of the workers interviewed affirm that they never had this experience and, on the other hand, the heterogeneity characterizing this specific market emerges also in this case. Some of the interviewed agencies, especially top-level ones, reacted with surprise when I inquired if

they asked workers for money: of course, it is difficult to think that one of these intermediaries would openly admit acting illegally, but they are all aware that this is a common practice. Top-level agencies strongly refuse to charge their workers: they are perfectly aware of the complex recruitment process they apply, and emphasize that they are different from other low-level agencies even on this point. They act absolutely within the law because they and their customers can afford it, but also because their clients would not tolerate any unlawful conduct. Moreover, if middle-level agencies I interviewed obviously deny any attempt to ask workers for money, one low-level agency openly admitted that they charge workers, also explaining their reasons:

“They [the workers] do not pay 25 € when they hand over the curriculum, they pay 25 € when they are placed ... these 25 € are not for anyone who shows up, we do not have a fixed income on staff, they leave 25 € for job advice, all taxed. We have a fixed income on families, thus we invoice the income of the remuneration together with the 25 € paired with the person placed. Very often these 25 € are traded in kind (she shows me objects) it is a gift that is sometimes offered as a sign of affection: a painting, lamp, chocolates, photos, an ashtray, products ... I don't know, a lady from Morocco brought me a brush! In this case 25 € are not required! If you do not charge anything you are not respected, you are considered a charity agency. In addition to the 25 € they also gave 10% of the first salary, because otherwise they go on doing only paid tests. The 25 € are for the inconvenience of phone calls until they find the job. It is not written because there should be a contract, but it still not there when they pay me ...” (Int. 6 agency).

The interviewee tried to legitimise her habit of charging money in different ways: she stated that being a small agency without employees and being family based, she could suffer a situation in which a jobseeker without the necessary requirements insists on working and refuses to go away, as has already happened. The main issue according to the interviewee is that workers are not aware of all the requirements needed to work with an agency. Asking workers for money in the words of this manager is described as a survival strategy of a small agency run by a single family and without employees, to guarantee the competition with other agencies and avoid the repeated scamming attempts by workers themselves.

For the sake of clarity, I will now proceed with a brief summary of the main LMIs irregular practices, to try to link different types of intermediaries with peculiar offences.

Table 31- Main LMIs irregular practices and offences

| Offences | Type of intermediary |
|---|--|
| <ul style="list-style-type: none"> - Contractual dumping - Debt deduction - Registration of less hours than those effectively worked | <ul style="list-style-type: none"> - Cooperatives - Middle-level and Bottom-level brokering agencies managing the employment relationship via extra-services |

| | |
|--|--|
| <ul style="list-style-type: none"> - Payment of lower wages - No contributions - No invoices - Overqualification - Avoiding the payment of holidays, meals (for live-in workers) - Fake VAT numbers - <i>Caporalato</i> | - Middle-level temporary work agencies |
| Fees for workers | - Middle level and bottom level brokering agencies |
| Quota for fake working members | - Cooperatives |

If these are the main offences and irregular practices perpetrated by LMIs to lower labour costs and be more competitive in the new wild market of privatised home-based care services, another very delicate problem in the world of LMIs' irregular practices is fictitious brokering. It emerges from an existing normative gap, and refers to a kind of intermediation that is actually more similar to temporary agency work than to effective brokering:

“In the case of brokering I [the agency] tell you: look, you are the caregiver, you are the customer, we make the contract and we don't see each other again, ok. But then if I also own a connected company that makes pay checks for the employer, that gives him tax advice, doing a lot of extra things, then it is no longer brokering, but you are taking charge of the service doing something else...” (Int. 4- agency).

This reality concerns those economic subjects that, despite having an authorisation as brokering agencies or recruitment agencies, offer a set of extra-services effectively maintaining the control and management of the employment relationship, thus changing their very legal nature. According to the National Labour Inspectorate, these LMIs have taken advantage from the Italian incoherent and still partially lacking regulatory framework to evolve *“in unorthodox ways with respect to the legislation itself.”* The major obstacle is defining this offence according to the national regulatory framework, in the same way that the Labour Inspectorate does, considering the existing legal difference between illicit agency work and fraudulent agency work. The second one is more difficult to prove given the complex procedure required to ensure that the subjects have deliberately implemented precise practices with the explicit aim of evading some mandatory rules. On the other hand, it is almost automatic to certify illicit agency work when the agency or cooperative in question does not have the legal authorization to work, as we have already clarified in the

legal chapter. Nowadays, common practices implemented by agencies and cooperatives go beyond this normative framework, as the Labour Inspectorate of Milan states:

“Unfortunately, what we are discovering is that there is no sanctioning system for this. The cooperative is contacted by the family and it sends the caregiver. After which the cooperative says: look, it's all right, the worker invoices the family, through a VAT number opened by the cooperative, the cooperative continues to deal with administrative aspects, but is therefore neither an administrator nor an intermediary. We have been recording these situations for at least three years [...] but, lacking a specific sanctioning system for this invention -where, if you manage 200 workers and related services, a lot of money is involved - lacking the standard for the typical definition of the sanctioning system, it is difficult to sanction these cooperatives or agencies” (Labour Inspectorate of Milan).

The existence of such legal loopholes, thus limits the very sanctioning function of inspectors, because they do not have well-defined norms on which they can rely. LMIs have multiplied practices to increase profits while limiting their responsibilities and those of their clients, charging workers for more costs, and knowing that the sanctioning institutions are often forced to stay one step behind. Going ahead with the interview with the Labour Inspectorate, one of the officers related a clear example of how the sanctioning bodies try to deal with the limited regulatory framework to effectively sanction these new actors:

“From an empirical point of view, we say that the evolution that has taken place at the jurisprudential level is not very favourable to control entities, because at first instance we have tried to highlight that there is a real subordinate employment relationship between the subjects who are sent to work with families and the companies. Since in reality, in the light of these first jurisprudential ideas, there was no direct contact - that is, the effective and daily hetero-direction between the two subjects, the first judge's sentences stated that the pivotal element was missing.-It is true that there was a previous and objective recruitment activity, an indication of how the care of people must take place, but considering that many of these workers have previous experience in the sector, there have been sentences that did not recognize this type of "interpretation." Instead, the path that should be followed [...] is that of targeting - in a situation that does not comply with current regulations such as this - illicit mediation or illicit agency work, because the activity of these subjects regards agency work. Unfortunately, what happens in the Italian market wherein compliance with the laws is not in the DNA of a large part of the citizens, without particular social differentiations ... [it happens that] subjects who have neither the skills, nor the capital and organizational requirements to do so, enter the market illegally. These are abusive subjects who offer themselves to entrepreneurs, of course at lower prices than those of authorized agencies” (Labour Inspectorate of Milan).

To have some impact on these widespread irregular practices, the National Labour Inspectorate, after having lost a lawsuit focused on the attempt to certify the concrete hetero-direction of a domestic

worker, decided to take the path of the “classical” illicit temporary agency work, provided by subjects without authorization. These unauthorised actors are the majority of intermediaries and, being illicit, they can more easily apply these cover-ups, while temp agencies are regularly forced to comply with different requirements. The new strategy of the Labour Inspectorate to strike the common irregular forms of domestic work intermediation is now focusing on the battle against fake agencies, since these are real plagues of the market. As we have seen, this change of strategy has been limited by the existing legal loopholes, and the insufficient jurisprudential framework which is still unable to effectively grasp the size and concrete dynamics of this phenomenon.

All the people, intermediaries and workers interviewed, confirm the extraordinary presence of illegal LMIs, operating without the necessary requirements and without applying all the legal provisions for both the management of the firm and the hiring or brokering of workers. As clearly emerges from different interviews, these economic actors operate in total illegality, downsizing workers’ wages in an arbitrary way, applying different less-guaranteeing contracts or even no contracts, and without paying contributions and taxes. The same Labour Inspectorate is fully aware of this reality, and it declares that the Milan context is particularly problematic, being both a highly populated city and economic engine of Italy:

“If I asked you how many companies are active, not registered, but active in Milan, Monza and Lodi⁴³? A year ago, there were 383,000, of which 306,000 were in Milan, 64,000 in Monza and Brianza, and 14,000 in Lodi. No one else in Italy has a similar situation, because of the combination between the most important economic reality of Italy with an immense population. [...] Moreover Milan, for this very reason, is the registered office of a lot of companies that are not in Milan, but put their headquarters here to escape the controls, because the tax controls. We are talking about the Revenue Agency - focus on the registered office. So, my company is in Molise, but I put the registered office in Milan because the control focus on the registered office” (Labour Inspectorate of Milan).

These actors are perfectly aware that establishing the registered office in Milan often means that it is easier to evade controls and sanctions due to the incredible number of active illegal actors, but also to the weak control ability of local authorities that are in numerical defect with respect to the firms they should control. Milan thus emerges as the perfect reality in which to carry out irregular business, being also the perfect case to study, to detect the main trend of this phenomenon. The frightening presence of these irregular actors is confirmed not only by the National Labour Inspectorate, but also by the words used both by agencies and workers I interviewed. To describe this reality: they explicitly talked about “*mushrooming*,” “*wild market*” and “*illegal underbrush*,” that confirm that the increasing presence of these actors is contributing to the creation of a complex and complicated reality in which controls and sanctions are still

⁴³ Three cities in Lombardy

insufficient. Some of the interviewees, such as regular intermediaries, complain that the waves of decriminalization of fraudulent temporary work have contributed to increasing the presence of fake agencies, given the low deterrent effect of current sanctions. They take advantage of the internet to advertise and get known by their customers, even if, as we have already seen, also this illicit advertising is sanctioned by national law.

Some interviews help to better detect how these fake agencies and cooperatives are able to operate in the market, eluding controls and showing great resilience also when they are finally sanctioned and closed by inspections:

"I'll show you something that maybe I still have here ... I'll show you, for example this [he shows me a flyer] ... these gentlemen have opened here ... personal care, home assistance, etc ... they are called XXX, in this street: they cheat people, they don't pay contributions, they run away. After a month you find them under another logo, where? In the same location! Then they change their names again and become something else, but always in the same location. We have hundreds and hundreds of these companies that open like mushrooms and none of them is regular!" (Int.4- agency).

This seems to be the most common way for fake agencies to evade legality, something which is confirmed also by interviewed unionists: they open and do their business without authorisation, knowing that families are often not aware that all regular agencies should clearly show their authorisation number. When they are finally discovered by inspectors and closed, they reopen under a different name in the same location or in a different one, because of the scarcity and inadequacy of controls. However, there are other ways to operate illegally and maximize the profits: it is quite common to find franchise companies operating at national level, having the authorization only for the first headquarters, while other franchising firms open without specific authorization - thus illegally, considering that the authorisation is obviously non-transferable. Even when other regular agencies, as the one I interviewed, report these practices to the Labour Inspectorate to cancel the authorisation of the first-opened franchise firm, the procedure is quite complicated: after the report, the Inspectorate should proceed with inspections, then they should go on trial and wait for the necessary time for a potential formal conviction. In the meanwhile, these fake agencies obviously continue to operate in making illicit profits, and they contribute to the reduction of the margins of action for regular agencies that are suffering because of the unfair competition. These illicit intermediaries are often able to apply much lower costs. This appears the real plague of this sector, contributing to the negative twisting of the potential of this market.

According to the Labour Inspectorate, the lack of controls is linked to both structural and normative problems: on the one hand, they deal with a low presence of inspectors that of course reduces their sanctioning power and appears absolutely inadequate to face the magnitude of this phenomenon. On the

other hand, the incoherent and inadequate regulatory framework concretely limits the Inspectorate's action, given the high risk of losing the case and being forced to pay the legal costs, as has already happened. Nevertheless, unionists and especially owners of authorised agencies who suffer from this unfair competition have another idea to incorporate a more political and economic dimension:

"In Milan it's a total disaster! We spoke with the head of inspectors of Milan, who made me understand that their hands are tied, that they will do what they can, that they will talk to Rome, because at the beginning of each year the plans of attack are made [by the central office] and they should put these companies within these plans too. Another thing, from the political point of view, they [the national inspectorate] try to make circulars to not strike the families, because they are voters [...] the family is often not prosecuted because it is a bad thing! Because it means entering into the family dynamic and saying: you are guilty, you took this person ... and the family says: but I was in trouble, etc. The inspectorate does not want to get to this situation and just waits for the caregiver to report the family, then they go on to control...or wait for the worker to report the cooperative ... which does not happen often" (Int. 4- agency).

"In my opinion this situation is also deliberate: because, as long as this field is like this, families employ everyone. If you think about it, this induced regulatory confusion gives work to everyone: it gives work to the unions, it gives work to lawyers, judges, courts... it gives work to us!" (Int. 10- agency).

Without considering the concerns regarding money and work brought by the business to all the different entities involved in this complex spiral of irregularity, what clearly emerge are the limits of Italian familism. As the first quote shows, the National Labour Inspectorate is equally aware of the peculiar conditions of hiring families when defining its annual sanctioning priorities, despite being totally aware of the wild reality of agencies and cooperatives. Within a context in which care responsibilities are highly privatized and marketized, it appears counterproductive to sanction families, and the Labour Inspectorate's note 5617 of 21/06/2017⁴⁴ specifies that administrative sanctions may be applied only to agencies or cooperatives, but never to families, according to their strangeness to the productive world. Keeping low costs for families, thus, seems to coincide with the spread of irregular practices, the avoidance of controls and the downsizing of labour cost, at least as long as care would continue to be conceived as a personal responsibility. We have already defined care as a fictitious commodity (Lutz, 2017), being affected by the so-called Baumol's cost disease: in these terms it is also true that what emerges from the second quote, namely that different subjects may find their peculiar interest in this complex interaction of irregular practices and lack of regulations contributing to lowering the care costs. Fake agencies are totally aware that there is no concrete political will to solve the problem of their existence, because this should lead to a systemic and structural rethinking of the organization of domestic and care work, including the entire Italian welfare system.

⁴⁴ See chapter 2.

7.4 Policies suggested by Respondents

The emerging results confirm that different actions should be taken to improve the effective functioning of LMIs in this sector. There are essentially two areas of intervention: domestic work in general and the peculiar definition and organization of intermediaries operating in this sector. These two dimensions, in fact, appear strongly interconnected. I think it is interesting now to also consider the actors' points of view. In my codes elaboration, in fact, I underestimated the ability of the workers and agencies to give suggestions to improve the reality of domestic work in Italy: if I asked some specific question to unionists, labour inspectors and other key-actors, I admit I did not do the same with workers and agencies, but then this theme arose by itself. The concrete experience lived by these actors, in fact, often leads them to express their opinion on how things would ameliorate, presenting contingent points of view which maybe should be considered more frequently also at normative and political levels. Obviously, suggestions and comments regard both domestic work in its whole - with its still open issues such as devaluation and informal employment - and the LMIs with their specific problems concerning unfair competition by fake agencies, the worsening of workers' employment conditions and the spread of scams to families and workers themselves.

The starting point to better evaluate and consider domestic work in its entirety is to formally recognize the social and economic importance of the activities involved in it, something that this Covid-19 pandemic has clearly shown. The cultural dimension is essential in determining the identification of domestic work as non-work - or at least as "dirty work" - due to its historical invisibility and feminization (Sarti, Bellavitis, Martini, 2018). This preconception directly affects even the juridical definition of domestic work: the legal framework defining it is still incomplete, given that the only specific law on domestic work dates back to 1958, while the national collective agreement for domestic work still maintains a derogatory approach (Borelli, 2020). As a unionist says, "*It is an employment relationship where legislative vacuum is scary.*"

The insufficient legal and regulatory framework, thus, affects domestic work's employment relationship in its whole, even when it relies on a formal contract. As already mentioned, the path towards ensuring domestic workers the same treatment as other workers is still a long one: the ease of dismissals, the specific length of maternity leaves to be defined, the issue of sick leaves paid by the employer and other contractual elements contribute to the definition of domestic work as *a sui generis* employment relation strongly differing from other works. This contributes, on the one hand, to enhancing the social disregard towards domestic work and, on the other hand, making formal domestic work less attractive compared to the informal one also for workers, considering the low wages established by national contracts. Workers themselves recognize that the legal intervention is crucial to improve their working conditions:

“I think it is better to rewrite the whole law on domestic work, because it could open up many job opportunities for the Italian job market. I know it's a bit strange for me to say it, because I am not Italian [...] in other sectors there are more controls and therefore they work better, but if there were no controls it would be a jungle, the job market in Italy would be an immense jungle, thick and desperate” (Int. 11- caregiver).

The introduction of a new law on domestic work or, at least, the implementation of collective bargaining towards a more decent treatment for domestic work, is urgent for workers. But work regulation is not the only issue: dealing with migration laws and expanding legal channels to enter Italy appears equally important, as highlighted also by ILO officials.

The legal level of intervention, thus, appears an essential one, as concerns both labour laws and migration laws: as we have already stated, relying on the theoretical background, the structural invisibility of domestic work is often enhanced by the lack of adequate and effective laws. Legally recognizing and regulating this sector is certainly a first step to make the whole society aware of its social and economic relevance. In this process, another relevant dimension is the one of professionalization and technical training aiming to formalize domestic work, objectively defining its related skills. This claim is widespread between employers and workers, with national associations of employers defining specific diplomas for domestic workers as a crucial step. In this sense, things have improved in recent years: workers and employers, in fact, agree on the need to establish a common ground for the professionalization of domestic work, having a European or at least national validity, overcoming the fragmentation deriving from the existence of different courses and certificates issued by both local level institutions and private actors. The renewal of the national collective contract in 2020 formally acknowledged the importance of this topic: the new contract, in fact, explicitly recognizes courses organized by EBINCOLF, namely the Bilateral Agency for the training of domestic workers, and it assigns a precise economic value to these courses, incrementing professional workers' wages. Moreover, as the national employers' associations highlight, EBINCOLF has just signed an agreement with Accredia, the Italian Accreditation Body, to create a technical standard for the formal certification of these 64 hours of courses. The national collective contract therefore is improving the formal recognition of professionalism in domestic work, helping to contrast the widespread definition of domestic work as “not-real-work” and trying to define it relying on objective bases limiting the weight of intimacy and personalist definition of care work framed on the preconceptions of households.

Nevertheless, some problems arise if we consider that technical training and professionalizing courses increase the labour cost of these workers. As an interviewed agency states, if the cost increases, less families will be willing to hire these workers, given the constant households' attempt to lower the cost of domestic work. In other words, without some forms of economic support for families, these professional workers will be a sort of “élite” that could be hired only by richer families, thus enhancing inequalities both among households and among workers. Without effective migration policies, moreover, irregular migrants

will always be excluded from training and courses, and continue to represent the cheapest and most vulnerable labour force in domestic work, thus constituting an obstacle to its overall formalization and amelioration.

Economic support to households and financial incentives constitutes the second dimension of the respondents' policy recommendations. The national associations of employers of domestic workers highly emphasize that the State saves around 10 billion euros for years thanks to the familistic dimension of our welfare regime (DOMINA, 2020), so they insist on the possibility to obtain a deduction not only of contributions, as already exists, but also of workers' remuneration. In this way, in fact, the State could let allow informal employment relations, being able to collect money from the regular payment of taxes. Such claims are shared by both employers and workers, given that both pay taxes on formal domestic work relationships: if families are, of course, more focused on the increase of the deductible costs, also workers lament that their taxes are too high, especially in comparison with their quite low contractual wages. But domestic workers' wages are low exactly because their cost is not deductible and, given the essential role of families in care provision, it seems fundamental to keep them low. In this context, informal domestic work is still more attractive and convenient than the formal one, so the main concern for respondents is to make formal employment more inviting for both workers and families. Currently, the interaction in a familistic welfare dimension, the absence of public services and the insufficient economic support to households create the conditions to increase the weight of informal employment.

Tab. 32- Necessary interventions at legal, financial and technical levels to make formal employment more competitive.

| Legal level | Economic level | Technical level |
|--|--|--|
| <ul style="list-style-type: none"> - Overcome the derogatory approach of law and collective bargaining as concerns domestic work - Clearly define the real social need for domestic workers and provide for more legal | <ul style="list-style-type: none"> - Fiscal deduction for workers' remuneration - Overcome workers' no tax area to stay in the Italian territory | <ul style="list-style-type: none"> - Increment professionalising courses - Centralize and standardise different courses and certifications |

| | | |
|--|--|--|
| channels of entrance for migrant workers | | |
|--|--|--|

Technical training and fiscal policies constitute the two major dimensions of policy attempts to downsize the weight of informal employment in domestic work, structuring a context in which agencies and cooperatives operate. As we have already seen, these LMIs insert in this already complicated framework, their own limits and problems: the incoherent regulatory framework, insufficient controls, unfair competition by irregular agencies and focus on cost containment that often pave the way for different irregular practices, should constitute another concern for politics. Although being a recent phenomenon, the presence of agencies and cooperatives in the field of domestic work has increased, and this wild market seems to need more intervention to function legally. Among the people I interviewed, the hardest statement against politics is that of one legal temporary agency which, not counting upon “elite” clients and their specific requests, really suffers the unfair competition by irregular actors that constantly downsize their business. The issue of having “lacking political will” to change this reality seems strictly linked to the will to protect and not attack families:

“It is a lack of political will: [...] the Ministry of Labour wrote an internal circular saying that families are untouchable, unless there is a complaint of course ... so the inspector must not bother families” (Int. 4-agency).

The interviewee refers here to note 5617 of 21/06/2017 issued by the National Labour Inspectorate which exonerates households from being sanctioned in case of irregular agency work because they are not strictly firms. The political will mentioned by the respondent seems to derive from the awareness of the core role played by families in the Italian welfare regime, but we should consider also that families are not always aware of their having turned to irregular agencies. Of course, in this way there is no substantial difference between families acting legally and those who contract irregular actors, but the wish to focus only on the LMIs is understandable, considering the peculiar condition of domestic work employers.

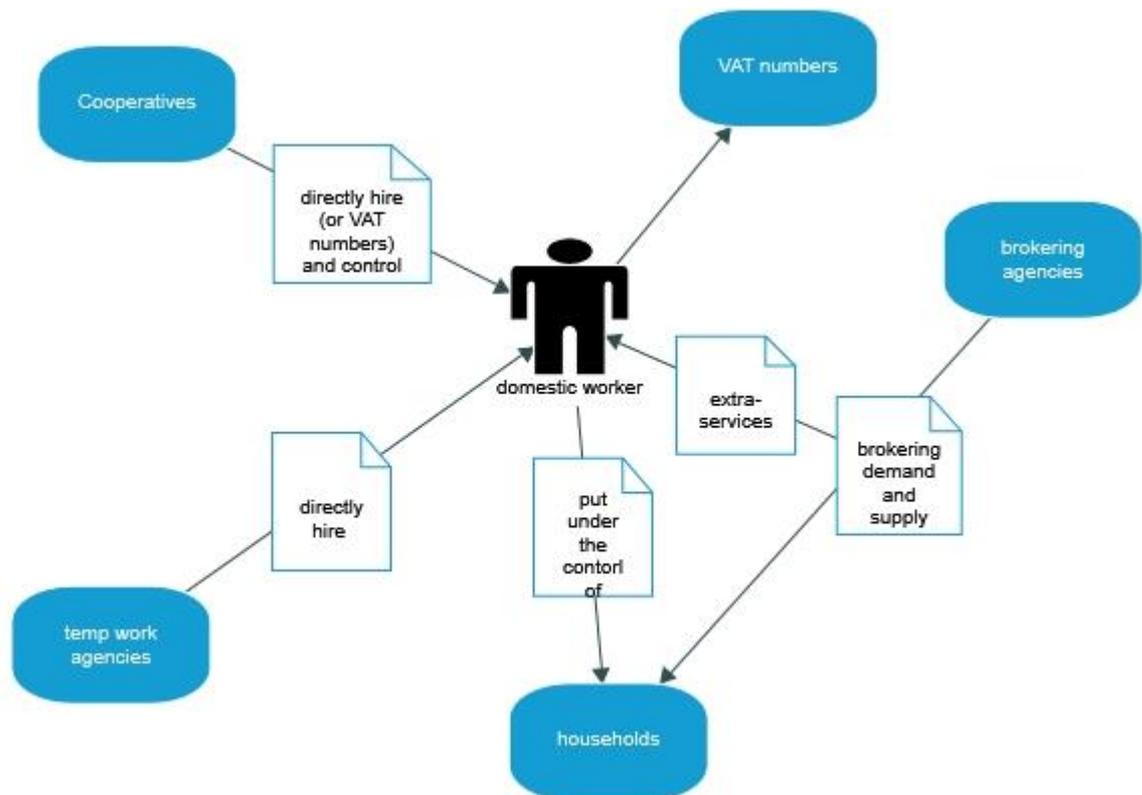
Focusing only on agencies, different problems arise, and are made explicit by regular agencies operating in the sector and that aim to find some solutions. Emerging themes appear related to what the same Labour Inspectorate stated. The most effective way to counter fake agencies’ intermediation and fraudulent temp work is to increase controls and close agencies without formal authorization, since now they can run their business without accomplishing the necessary requirements. The other important theme is the change at normative and legal level: labour law reforms, being too often based on political consensus-seeking rather than to a structural approach to specific themes, have created contrasting definitions and legal gaps which make the role of Inspectors even more difficult. Another aspect made explicit by the interviewed

agencies deserves attention, the one of the effective control on workers, which is maybe the more difficult aspect to prove relying on existing laws. Insufficient controls worsen this reality even more, given both problems of domestic work's invisibility and the lack of personnel for inspections: if entering a private home to control working and employment conditions of domestic workers can be possible only after the complaints of the worker, existing controls on fake agencies and cooperatives are still insufficient to effectively change this phenomenon. Moreover, as the respondent agency states when talking about "political will," the annual lines of actions for Labour inspectors are set each year in different ways, considering contextual urgency often set by the political agenda. Increasing public opinion awareness on the crucial role of home-based care and domestic work in our society would maybe help the National Labour Inspectorate to focus specifically on this issue. As we have already seen, it is not only a matter of respect for domestic workers, but it is also a matter of avoiding household scams and ensuring care quality.

7.5 Summarizing the actors' viewpoints and interactions among concepts

In this final, analytical section, I will deploy NVivo tools to clarify some of the most relevant concepts that have emerged in the previous sections. One of the most interesting themes to clarify is the effective control on domestic workers. Domestic work should be regulated through subordinate employment, relying on the national collective contract of the sector. Nevertheless, LMIs' heterogeneity and the complex set of practices differentiating their functioning are changing this reality: to clarify how it impacts on the determination of whoever has effective control on domestic workers seems relevant in this analysis. Moreover, the theme of the effective control on workers is often related to economic considerations, such as the definition of wages and paid overtime for workers, as well as their broader contractual power often deriving from being the employer's direct counterpart in the classical employment relationship.

Figure 22- Concept map on effective control on domestic workers

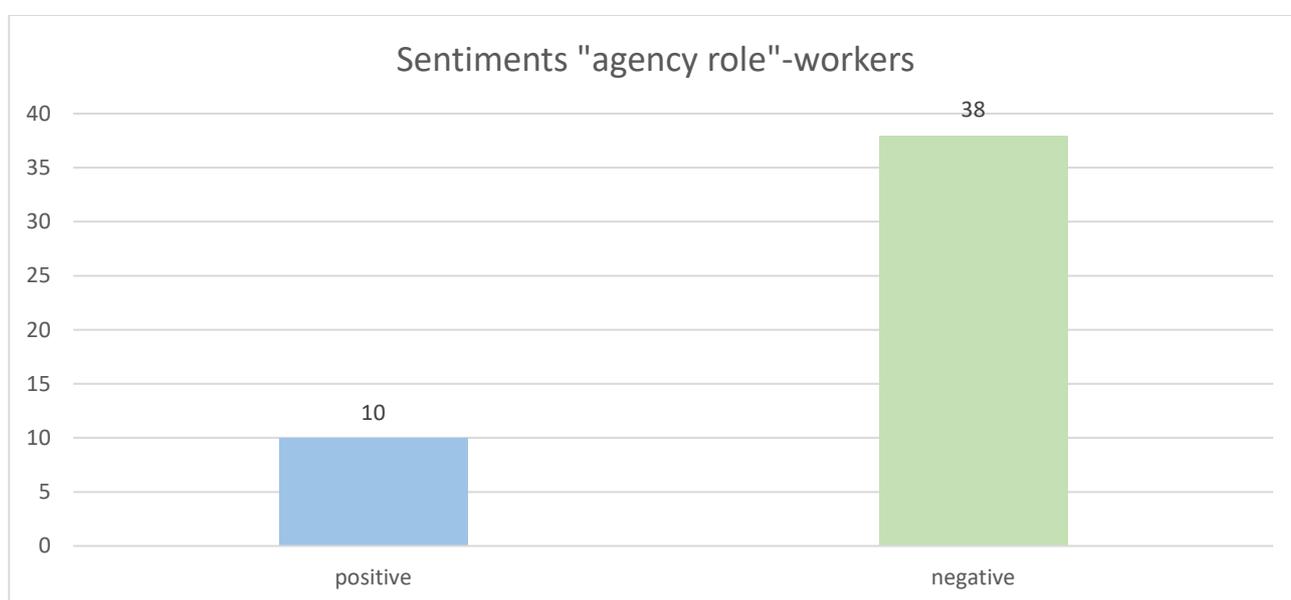


The clearest examples are the temporary work agencies: they hire domestic workers via the national collective agreement, and are legally authorised to put these dependent workers under the control of a third subject, in this case households. Then we find cooperatives that do not require authorisation to do their business since they are not involved in the management of employed workers. They can rely on different employment contracts and also autonomous work, and constant and continuous collaborations. Despite maintaining control on workers they hire at a theoretical level, it is difficult to conceive that they can actually exercise this control, given the peculiar attribute of domestic work as work performed within the private dimensions of the home and affected by the strong intimate relationships with care recipients and their families. Moreover, cooperatives - as well as brokering agencies - can work with autonomous workers having their VAT numbers. However, the peculiarity of domestic work seems to be a limit to the effective autonomy of a worker. Being involved in emotional labour and being dependent on recipients' needs and times, it appears difficult for autonomous workers to establish their own working conditions, whether the employer is the household or the intermediary. To conclude, brokering agencies should ensure households' control on domestic workers. In this case, the worker is a dependent employee of the household which is entitled to control it. Nevertheless, extra services offered by brokering agencies such as administrative and legal support – being those included in all-inclusive formulas or singularly added on families' demand - actually modify the legal provisions. In practice, it is the agency itself that effectively controls the employment relationship, while

the household only has a formal role. This summary aims to highlight the existence of different forms of employment with different consequences on workers' control, although domestic work is legally defined as dependent employment and regularised by the national collective contract of the sector.

It is this ongoing shift of responsibilities in the definition of the domestic work employment relationship which is particularly affecting domestic workers. Before considering illegal practices, it is interesting to consider workers' perspectives on the brokering role of these intermediaries: as we can see, the overall judgement is strictly negative.

Figure 23- Workers' sentiments towards LMIs

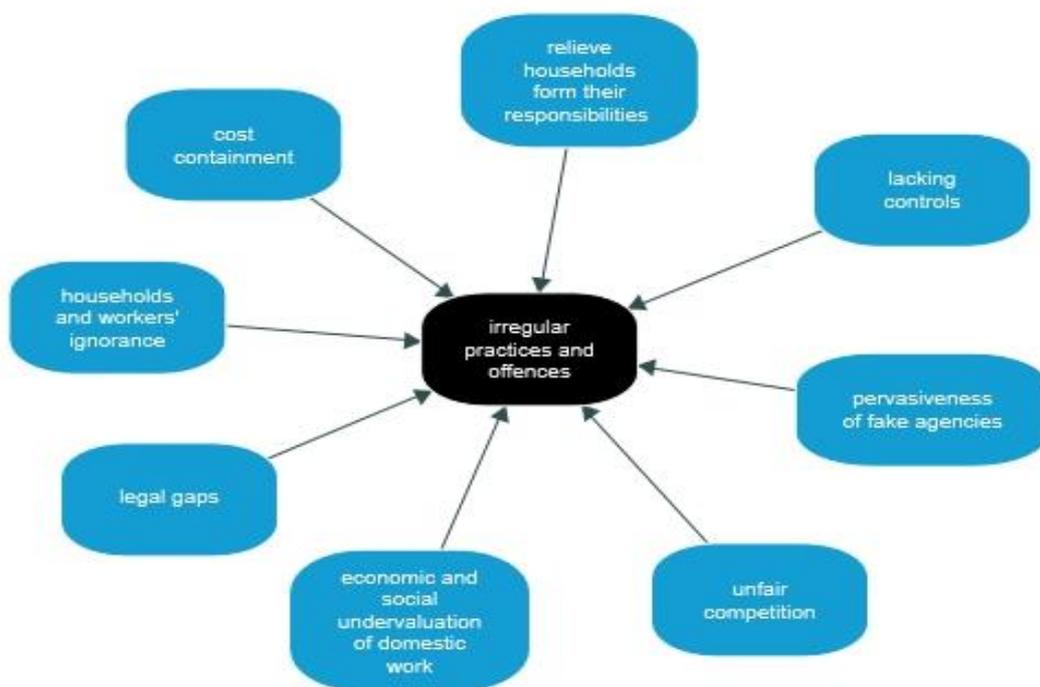


We can clearly note that domestic workers have an overall negative idea of direct hiring by an agency or cooperative or by a family with the constant and continuous brokering role of these intermediaries via administrative support services. We counted 38 overall negative references (26 coding reference under the "negative" label, 3 under the label "moderately negative" and 9 under the label "very negative"). On the other hand, we count 10 coding references in total (6 coding references under the label "positive" and 4 under the label "moderately positive", without references under the label "very positive"). We have already exposed the reasons in the first section of the chapter, now we want to highlight that this negative opinion is essentially determined by the lower wages and the worst employment and working conditions applied by intermediaries even when legally acting. The focus on cost containment seems once more at odds with care ethics and organization. Of course, positive realities exist although being described as exceptions by workers themselves: it is the case of top-level agencies and of brokering agencies when they leave the whole

management of the employment relationship to the households, without offering administrative or legal support services. In this case, the pure brokering activity of these intermediaries is evaluated positively, without interfering with the classical employer-employee relationship.

The actual functioning of the LMIs is thus highly influenced by several factors, among which are the attention to cost containment, and the important role of attempting to find personal space in a still wild and open market. However, as we have seen, the LMIs' widespread offences and irregular practices are one of the main consequences of the ongoing care marketization process in a context marked by the strong competition of informal employment and by the familialism of the State welfare whereby the State invests very little in care services. After having described the most common irregular practices perpetrated by intermediaries, we will now try to detect which their most impacting factors are:

Figure 24- Factors impacting on LMIs' irregular practices



Cost containment is maybe the most powerful factor behind common irregularities and offences by LMIs: it is strictly linked to the households' determination to spend as little as possible while hiring a domestic worker, due both to the economic burden on the families' shoulders derived from the DIY welfare in Italy, and to the historically rooted undervaluation of domestic work. Therefore, economic and cultural factors explain labour irregularity not only in the classical relationship between employer and domestic employee, but also in the brokered relationship. One of the most interesting factors will then be the households' desire to be relieved from their responsibilities as employers of domestic workers. The shift of responsibility from

the employer – whether it is a household or a provider - emerges both from the increased use of VAT numbers and in the multiplication of extra services offered by LMIs to reduce the commitments of households. This determination of households together with their ignorance regarding relationships in domestic work employment and the workers' ignorance of their own rights also increase the brokering role of intermediaries, and lead families to entirely trust the LMIs without knowing if they are actually trustworthy. Moreover, the strong competition of fake agencies that clearly can attain highly disadvantaged employment and working conditions at lower prices, as completely illegal entities, they also enhance the LMIs' strategies to be more competitive though acting illegally. As concerns the legal level and effect of sanctions, the main open issue concerns the legal gaps: as the Labour Inspectorate states, the normative framework is still one step behind the concrete functioning of private providers. The case of fictitious brokering is maybe the clearest one, even if legal gaps often interact with limits to effective controls due to the private dimension of the home, lack of inspectors and political will to avoid sanctioning households that are already trapped in the DIY welfare mechanism. The process of care marketization in Italy therefore faces two main distortions: on the one hand, we find the weight of DIY welfare and low public investments in public, affordable and quality caring policies which leave households alone in organising domestic care needs. This familialism of welfare seems totally at odds with the actual organization of Italian society, and the male breadwinner model strongly clashes with the increase in female labour participation. On the other hand, this ongoing marketization process is developing within a highly informal and competitive sectoral labour market, given also existing problems in ensuring effective controls. LMIs are thus entering a new labour market which we can define as wild also because it lacks regulations: besides irregular practices and offences. As a matter of fact, the distance between the regulatory framework and actual functioning of intermediaries is paving the way to such behaviours and practices. Although not being totally illegal, these practices represent distorting mechanisms of competition among intermediaries, with negative consequences on the concrete functioning of this market, on the role played by regular agencies and cooperatives, and above all on employment and working conditions for domestic workers.

Chapter 8. “This is the only job you can do now!”: Covid-19 outbreak and domestic work

8.1 Covid-19 outbreak and institutional solutions.

March 2020 saw the outbreak of Covid-19 in Europe, and Italy was the first European country to deal with this pandemic. The issue of domestic organization has become essential given the ageing process of the Italian population, the familialism of our national welfare regime and the immediate school closures. This pandemic, in fact, has made the core role of domestic work clearly visible despite its structural invisibility. As ILO itself states, if the main feature of this peculiar work is its very specific spatial dimension, the domestic place has played a privileged role in the last 1.5 years, making explicit all the contradictions running through it. After years of minimization and undervaluation of the whole care sector and even more of the home-based one, the last months have registered an increasing trend to talk about domestic caring activities. Of course, this pandemic has had a very specific impact on domestic work, and I was automatically drawn to insert a specific focus on this topic in my interviews. This unexpected circumstance, in fact, might lead to the recognition of a different and improved status of domestic workers in our society, given also the new opening phase of economic support by the European Institution and the adoption of the *Piano Nazionale di Ripresa e Resilienza* (The National Recovery and Resilience Plan). However, before showing how this pandemic has been experienced both by workers and agencies and how it may impact on the future, it seems important to summarize how the emergency has been faced by national institutions, with an obvious particular focus on waged and not-waged domestic work.

Italy declared the first national lockdown on 9 March 2020: if productive activities were forced to stop, this was not the case of reproductive ones. On the contrary, school closures, the implementation of home working, and the limits in the use of family welfare caused by fear of the infection for the elderly have led many Italian families to experience the concrete limits of our welfare organization. Moreover, the economic crisis related to lockdown has hit the most feminized sectors of our national economy such as the service-sector, while among workers, the women, migrants and young people have been more affected during the first months of lockdown. Their massive presence in non-standard forms of employment (Alon *et al*, 2020), in fact, has exposed them to unemployment and inactivity despite the blocking of layoffs established by Government at the beginning of the first lockdown. As I have already shown in the theoretical chapter, a strong interconnection exists between unwaged and waged domestic work: with working women losing their jobs or encouraged to work remotely from home, the issue of family care has really emerged. Although home working has affected also male workers, the sexual division between productive and reproductive work (Bhatthacharya, 2017), continued. Smart working has not relieved women of their

domestic responsibilities, especially considering the prolonged school closures. According to an INAPP⁴⁵ study (2020), 53% of women said that the work commitment increased with smart working and, according to 30% of them, this was essentially due to child-care responsibilities; however, among the 43% of men who perceived an increased workload, none referred to child-care tasks as an explanatory factor. The very division of domestic responsibilities during the lockdown confirm the traditional sexual division of labour. According to a recent study (Del Boca, Oggero, *et al.* 2020), 61% of interviewed women said they have dedicated more time than before to childcare, compared with 51% of male respondents; if we consider home care, however, the percentage of women who have spent more time than before reaches 68%, while for men it stands at 40%. The transition to the reopening phase has not seen substantial changes with respect to the division of care burdens within families: in general, women have proved more willing to delay their return to work outside due to home-based care and assistance needs. According to INAPP: *"As is evident, and in line with the gender incidence of the care burden, issues related to family management (use of parental leave or exclusion due to family reasons) are practices aimed at purely female workers. It should also be noted that the calls to "encourage voluntary resignations" have been addressed exclusively to women"* (2020: 13).

It is in this overall context that the Covid-19 pandemic has affected also waged domestic work, given both its intrinsic link with unwaged domestic work and the central role of home-based elderly care in Italy. To learn more about how the domestic work sector has been affected by these months of pandemic, we can start from some ILO considerations (2020): the fear of contagion and the restrictions on individual mobility adopted in various States have had a significant impact on domestic workers in terms of job loss and reduction in effectively worked hours. Obviously, the situation is more dramatic in countries having a high percentage of informal workers: the percentage of domestic workers significantly affected by the Covid-19 epidemic in Europe was from 36.6% on March 15, 2020 to 50.1% on April 15, 2020 (ILO, 2020: 2). Furthermore, unemployment benefit is not always guaranteed even to the regular component of workers in the sector. The risk of insufficient income has mainly affected live-out workers, but the poor formalization of the sector and the still partial awareness of employers' duties among households have also deprived many live-in workers of their economic stability, with serious consequences for families residing in the country of origin and surviving thanks to remittances sent from Italy. At the European level, the goal of many governments has been to protect domestic workers' income through social protection measures and the blocking of layoffs, as explained by ILO (2020). To summarize, Belgium has extended the duration of coverage and the categories of workers who, in the course of their employment relationship, had to suspend it for majeure force reasons, providing for an unemployment benefit equal to 70% of the salary given through vouchers, and with full State coverage of social security contributions. France has provided for the payment

⁴⁵ INAPP: Istituto Nazionale per l'Analisi delle Politiche Pubbliche, namely the National Institute for Public Policy Analysis

of 80% of the salary for periods not worked, which is anticipated by the employer (also including individuals and households) and subsequently reimbursed by the State, including all social security contributions. In Germany, a short-term compensation similar to the Italian redundancy fund was provided, corresponding to 60% of the salary, and with an increase of 7% for workers with dependent children. Finally, Spain, despite not having ratified the ILO Convention 189/2011 on domestic work, has extended access to regular domestic workers, unemployment benefits equal to 70% of their salary.

Italy, despite having ratified the ILO Convention 189/2011 on domestic work - which especially focuses on the principle of equal treatment for workers active in the sector - has seen late and inconsistent support measures. The high component of irregular work obviously aggravated the impact of the pandemic, while the high percentage of elderly people out of the total Italian population and the implementation of the "migrant-in-the-family" model of care (Simonazzi *et al.* 2006) have also exposed workers to health risks. If with the declaration of the first lockdown there has been an increase in regularizations of 60% compared to March 2019 (DOMINA, 2021) because of the fear of controls on personal movements, many workers, especially informal ones, found themselves without work overnight. Live-in workers instead, were locked up at home with enormous difficulty in defining working and resting time.

Concerning government actions, it is necessary to emphasize the delay in the interventions: the so-called "*Cura Italia*" decree of 17/03/2020, despite recognizing domestic work as essential, excluded it from any income support and even from the blocking of layoffs, a contravention of the principle of equivalence enshrined in the ILO Convention 189/2011. Only after a certain mobilization of employers, trade unions and public opinion did we obtain the adoption of less discriminatory measures in the so-called "*Rilancio*" decree of 19/05/2020. Overall, some general measures envisaged in the first extraordinary decree could theoretically apply to domestic workers. The obligation to use personal protective equipment if it is not possible to maintain distances, recognition of Covid-19 contagion at work as an occupational disease therefore paid by INAIL⁴⁶; the recognition of sick leave during the period spent in quarantine or fiduciary home stay; income support allowance through the fund of last resort (*Reddito di ultima istanza*); the use of 15 days of paid leave (50% of the wage) for workers with children under 12, or alternatively a 600 € baby sitter bonus; non-taxable bonus of 100 € for workers with an annual income of up to 40,000 € who worked in March; suspension of the payment of social security and welfare contributions; and suspension of the payment of the first home loan (DOMINA, 2020). Only the subsequent "*Rilancio*" decree provided for a specific allowance of 500 € for the months of April and May for live-out domestic workers with one or more employment contracts not exceeding a total of 10 hours per week. The delay in adopting such measures has made clear, once again, the widespread invisibility of the sector, despite domestic work having been

⁴⁶ INAIL: Istituto Nazionale per l'Assicurazione contro gli Infortuni sul Lavoro, namely the National Institute for Insurance against Industrial Injuries.

recognized as essential from the beginning of the pandemic. In addition, the very high percentage of irregularities has effectively cut off the large slice of cohabiting workers who, losing their jobs, also lose food and accommodation. An emergency amnesty ordinance for the regularization of irregular migrant workers in both domestic work and agriculture was adopted in the summer of 2020, but I will better analyse it in the following section.

Table 33- Extraordinary Governmental measure for domestic workers during the pandemic

| Country | Extraordinary measures |
|---------|---|
| Belgium | Extended duration of coverage + domestic workers coverage Unemployment benefit= 70% of the salary State responsibility for social security contribution |
| France | Unemployment benefit= 80% of the salary Benefit anticipated by the employer and later reimbursed by the State (+social security) |
| Germany | Short term compensation = 60% of the salary (+ 7% for each dependent child) |
| Spain | Unemployment benefit = 70% of the salary or all formal workers |
| Italy | <p>1) General provisions (“Cura Italia”): - Obligation to use PPE</p> <ul style="list-style-type: none"> -Exclusion from the ban on dismissals -Contagion at work as occupational disease paid by INAIL -Sick leave for quarantine or fiduciary home stay -Income support allowance -Baby sitter bonus/Paid leave - 100€ bonus for workers with income up to 40,000 € -Suspension of payment of social security -Suspension payment of first home loan <p>2) Specific provisions for domestic workers: - specific monthly allowance of 500€ (Decreto Rilancio) for March and April, for live-out domestic workers with one or more contracts (no more than 10 hours</p> |

| | |
|--|------------|
| | for week). |
|--|------------|

8.2 Greater invisibility: the impact of Covid-19 on domestic work

The first interesting thing to note is how even key actors such as employers' associations and unions have a very negative opinion of the Government's extraordinary measure:

"Let's say that as today, April the 2nd, we have objectively understood that domestic work is a second-class job, that domestic employers and domestic workers are second-class citizens in Italy. The "Cura Italia" decree has violated Article 3 of the Constitution which states that all citizens, and workers, by osmosis, are all equal. This decree explicitly excludes domestic work from the redundancy fund. It excludes domestic work from the dismissal ban, i.e. the prohibition of dismissal is not provided for domestic work. Moreover, while for all jobs an alternative income measure has been envisaged, but there is no form of income support for domestic work. This implies that domestic workers, unlike other workers are not protected and the employers themselves are not protected" (National Association of Employers of Domestic Workers).

This opinion, reflecting the situation expressed by other key actors, clearly exemplifies how the social parties involved in the national collective bargaining in the field of domestic work have experienced the pandemic period. Although the interview was performed between the issuance of "Cura Italia" and the "Rilancio" decree - without considering subsequent measures - it is quite oxymoronic that the recognition of domestic work as an essential job has not led to consequent and coherent protection for domestic workers and employers, at least up to when public opinion has been heard.

To better understand the deep impact of Covid-19 pandemic on domestic work, it might be helpful to consider the perspectives of workers, agencies, and employers. Starting with a short-term perspective according to workers' experiences, two major factors are likely to have determined the domestic workers' different experiences of the Covid-19 pandemic, namely as formal and informal workers and as live-in or live-out workers. As concerns the first point, their regular contract was fundamental in obtaining the support and bonus envisaged by the "Decreto Rilancio," even if the specific bonus awarded for April and May 2020 concerned only live-out workers hired for a maximum of 10 hours a week, thus a very small component of the total. Moreover, obtaining this bonus was not so easy and immediate: some interviewed workers applied for it, but without success, often due to their scarce knowledge of procedures and requirements. As a worker said, domestic workers, especially if they are migrants, often need the help of other more informed people. Among the workers I interviewed, only one was able to obtain this bonus thanks to the aid of a government office for tax assistance (CAF, namely *Centro di Assistenza Fiscale*). Being an informal worker meant not only

exclusion from extraordinary economic support related to the pandemic, but also from unemployment benefits and other “ordinary” economic support systems:

“As soon as I started working in March without a contract, the Covid started and, because I only worked during the day, I stopped going to work and stayed home for three months! As I did not have a contract, I wasn’t fired and I was not unemployed, but I had nothing! I went to the CAF and they told me that I could only ask for the citizenship income, but they rejected me, I don't know why!” (Int. 12 - caregiver).

The above quote clearly exemplifies the general condition of informal workers during the pandemic: being live-in or live-out played its role together with employment regularity. These informal workers were totally invisible during the pandemic, and had problems obtaining even extraordinary income support such as the citizenship income and the last resort income (*Reddito di ultima istanza*). The ignorance of national laws - even more during an emergency period - has contributed to the worsening of the condition of these workers. If live-ins, even informal ones, have had more chances to keep on working, live-out informal workers have massively lost their job. It is important to remember that domestic work has been excluded from the dismissal ban, and a huge number of formal live-out workers were suddenly fired, as we will see. Some informal workers have found their survival strategies to maintain some economic income even during the harder lockdown months, for instance working in the same condominium, or at least in the same zone to more easily avoid police controls on mobility. Especially during the first lockdown, from March 9, 2020 until May 4, 2020, the greater problem for informal workers was to move from home: if live-out informal workers were usually dismissed due to the threat of contagion for families, the live-in workers were often left completely alone with the care recipient. They had to taking on the burden of all the related responsibilities, such as shopping or running errands. This led to an increase in regularization at the very beginning of the lockdown:

“Many were fired because they were not regular workers, so many employers were afraid that ... considering that the limitation of mobility as an emergency measure...the workers would have to come to work and show up also for shopping and say that they were working at x’s place. An irregular employment relationship would have put the employers in difficulty. There was no great rush to regularize ... many said that there was a regularization plan immediately after the mobility restriction. This is true: there was an increase but it was a kind of flash in the pan because now they [employers] have started the layoffs because of the employment relationship ... not everyone can afford it, those who have paid for a month now no longer pay,” (National Association of Employers of Domestic Workers).

As the DOMINA report confirms (2021), the first wave of regularisation was conceived by families as an emergency measure due to police controls. These newly registered workers were not newly hired ones, but informal workers now obtaining their regular employment contract. As also another national employer

associations states, this increasing trend stopped between April and May 2020, when the layoffs registered an increment equal to 11% with respect to the same period of the previous year, due also to the late measures adopted by the Italian Government. To summarize, being informal or formal domestic workers has deeply impacted on the domestic workers' experience, at least in the short term. If regular workers have access to specific bonuses or at least unemployment benefits in case of layoffs, informal workers have been left alone and made invisible and they managed to survive with some little cover-ups. Moreover, the initial increase in regularisation has failed to reverse a trend in this sector, being only a momentary solution which has not actually protected workers from layoffs in the following months, due also to the exclusion of domestic work from the blocking of layoffs in any other sector.

The second condition that directly affected domestic workers' lockdown experience did not regard the live-in but the live-out workers. The following quote clearly shows the two different trends affecting live-out and live-in domestic workers during the pandemic:

"In the current situation we have two types of workers: workers who are automatically dismissed. 'I don't need you anymore, because I'm afraid: do you have to take the subway to come? No, stay home because I'm firing you'. The other typology of the live-in workers differed since they stayed in the home and were practically segregated in the house. They had no rest, and did not have Sundays free. I wonder how they will have paid for them if ever they were paid... I don't know" (unionist).

Live-out workers have usually experienced layoffs because of the families' fear of contagion, even if the workers themselves have often preferred to stay at home. The great uncertainty and lack of information about the exact health risks played a great role especially at the beginning of the lockdown. Of course, live-out informal workers have paid the higher price, since they were dismissed overnight and were without any kind of economic support, but also regularly employed workers formal have experienced difficult situations:

"I lost my job, they didn't pay me ... people I gave a hand to, people I helped ... luckily I had a little bit of money, but I heard that many people who were really in trouble ... When the Covid started they [the employers] told me: stay at home, be quiet. But later they told me: ah, you haven't worked, so I won't pay you ... they never have work or money for us ... this thing upset me. Instead, other people told me: no, stay home but I'll pay you just the same, and I really didn't expect it." (Int. 4- caregiver).

This quote is paradigmatic of the condition experienced by many live-out workers. Even if they have been usually removed from the houses where they were working, they have been treated in very different ways: some have been dismissed, others have been forced to go on holidays, others were forced to stay home without being paid and others were able to count on a continuity with their salary. These workers have experienced a very different and variegated reality, in which the personal relationship they had with their employers counted more than the formal employment relationship. Domestic work invisibility and the lack

of information on how to proceed with the management of the employment relationship during the pandemic have contributed to the multiplication and differentiation of the domestic workers' experience.

The same dependence on personal relationships with employing families has characterized the live-in workers' conditions during the lockdown: these workers have been more protected from income losses, but not losing their job has often meant total confinement at home, in an intimate context where even respect for rest and overtime was difficult to ensure. In this context, there are those who have worked for free even during rest hours and those who, while working more, have obtained payment for overtime work which, however, does not protect them against the increased stress and burnout. Once more, personal relationships with the family were more important than the respect of employment and working conditions. Moreover, having to deal with the most vulnerable subjects - the elderly who were more exposed to the contagion - these workers felt a greater responsibility, often substituting families even in the case of infection of their patient:

"The daughter was desperate, she was convinced that her mother would die... she asked me: if I ask the doctor to take her [the old woman] home, do you feel like staying with her? I immediately said yes. She communicated it and a nurse came to me and asked me a thousand times if I felt like it, since I was going into quarantine. Of course! I want to take care of this woman: her daughter is far away, she has no one else! I want to give this person peace." (Int. 11 - caregiver).

Besides the emotional and psychological stress of being enclosed in the home which is also their workplace, domestic workers have been obviously highly exposed to the risk of contagion. As we have already seen in the juridical chapter, the issue of a sickness permit is still an open and debated one, since it is paid by the employer and often leads workers to not admit that they are sick so as to avoid the risk of being fired. Fortunately, the Covid-19 contagion has been recognized as an occupational accident for domestic workers, and thus paid by INAIL:

"I can assure you that through the INAIL cashier those 15 days I stayed home for Covid and was segregated in the house... the INAIL cashier reimbursed me 50 € a day ... My employer did not even ask me anything..." (Int. 9 – caregiver/OSS).

As already debated, the issue of sick leave is a crucial one for domestic workers, but the experience of this pandemic has not led to a radical change in the renewal of the national collective contract for domestic works signed in October 2020: sick leave is still paid by employers and not by INPS.

To conclude, workers expect different consequences of the Covid-19 pandemic in the long-term scenario: on the one hand, they are completely aware that the households' concerns for health safety will be borne by the workers, who will be able to prove to be healthy through certified vaccinations. But the most important expectation regards the increase in labour informality due to the reduced economic power of

households. The effects of the Covid-related economic crisis, are considered by workers as a real threat to formal employment. Moreover, workers already say that Covid-19 is working a booster effect on the presence of the LMIs: what the explanatory factors are and how intermediaries are dealing with changes in both the demand and supply of domestic work are the topics of the following section.

Table 34- Covid-19 impact on domestic workers

| | | |
|---------------------|--|---|
| Short-term impact | <ul style="list-style-type: none"> - Informal workers with no economic support or unemployment benefits - Formal workers that could access extraordinary income support- | <ul style="list-style-type: none"> - Live-out workers exposed to layoffs and limited work opportunities - Live-in workers segregated in the home and exposed to contagion + unpaid overtime + increased responsibilities and stress |
| Long- term scenario | <ul style="list-style-type: none"> - Households’ worst economic conditions: increasing informality - New concern for health safety - Increased role of LMIs | |

8.3 The booster effect of the pandemic for LMIs in the domestic work sector

It is in this very confused and puzzled scenario that agencies and cooperatives have intervened to protect families and workers, in the attempt to overcome the mediation difficulties. The confusion experienced by all the parties involved in the domestic work relationship during the pandemic has amplified the role of intermediation played by temporary work agencies, brokering agencies and cooperatives, now having to also consider the health issues of households and workers:

“We were among the few structures that could stay open according to the Ateco⁴⁷ codes... the caregivers got swabs ... even the family was looking for healthy, ‘clean’ people ... and these workers were the first who, despite being at home without work, refused to go to work ... 99% refused ... we lost some contracts

⁴⁷ ATECO: Classification of Economic Activities in Italy

... and not only live-out but even live-in workers. Indeed, between March and April, there was a seemingly endless period... like a parallel world. So, the workers were the first to refuse ... partly because of fear, partly because of the idea of being locked inside and not being able to move around, also because in this situation it is easier to be exploited. I made two or three live-out contracts, but each worker only went to that same family, and we made sure she didn't do anything else ...” (Int. 1- cooperative).

The previous quote summarizes some common trends among agencies and cooperatives during the pandemic. All of them continued to work even during the harder lockdown periods, given that families started to remove their elderly from private nursing homes due to the fear of high rates of contagion registered there, but given also the mobility limitations that prevented the families from going to their parents' homes. Demand for workers immediately changed: families have now other needs, strictly related to health concerns, such as looking for workers with negative swabs. Within this “parallel world,” as defined in the previous interview, agencies and cooperatives offered different solutions that reflected the heterogeneity of the sector. The cooperatives and lower-level agencies focused more on the monitoring of their workers through the immediate communication of any symptoms - from fever to sore throat. The top-level agencies guaranteed swabs and Covid-tests for workers thanks to specific agreements with important firms such as Synlab⁴⁸. Nevertheless, agencies had to deal also with the workers' fear of being infected and their resistance to live-in work and the difficult definition of working and leisure time: the LMIs had to balance these needs with household wishes to avoid live-out working arrangements. There were variegated and different solutions: generally, agencies and cooperatives tried to convince even live-out workers to work as live-in at least during the harder lockdown period, often trying to guarantee substitution during the weekend to preserve the workers' right to rest. As concerns live-out work, although the decrease in the overall demand due to the families' fear of contagion, agencies and cooperatives have tried to maintain a control over the workers, making sure that each worker always went to the same family, to reduce the probability of contagion. As different agencies and cooperatives stated, intermediaries often had “to block” their workers, whether they were live-in or live-out: the mobility freezing, thus affected also domestic workers' mobility. The role of agencies and cooperatives has thus grown during the pandemic, taking into account new specific needs, and given that both the demand and supply of domestic work have suffered some changes. On the demand side, households have increased their concern for prevention, so agencies and cooperatives took on the responsibility of providing personal protective equipment to their workers especially at the first stage of the pandemic. However, demand in this sector has not been affected only by health concerns, but also by economic instability governing the Covid-related crisis. As intermediaries themselves testify, the first lockdown months registered a decrease in the demand for housekeepers and baby-sitters, while the demand for caregivers even increased due to the declining trust in private nursing homes.

⁴⁸ Synlab is an international provider of medical diagnostics.

“Families called us, we had a huge boom, but without any income: we had a boom in contacts because the families found themselves alone. They told us: I have the caregiver who should come here, can she? Yes, because in any case it is recognized as an essential job, if you have an active working relationship, but obviously, your family must demonstrate that it is a regular and necessary job. It is obvious that if the family in Via Montenapoleone in Milan has a maid cleaning the attic for two hours a day, perhaps with Covid that could be an unnecessary relationship. The caregiver who assists an elderly Alzheimer or a bedridden person, on the other hand, is necessary” (Int. 10 - agency).

Once again, elderly-care proves to be a social priority in our country, even more during pandemics. While child-care demand has been negatively affected by work implementation in homes and led to a major presence of parents themselves at home, and outsourced housekeeping seemed unnecessary, elderly-care could not be ignored or bypassed, because of the families’ concern for their elderly and vulnerable relatives. On the supply side, changes have concerned the diminished desires of workers to work at any cost. This has favoured the protection of their health whereas on the other hand, they have been more reluctant to work as live-in helpers, especially in the cases of new employment. The idea of being forced to stay at home every day, without the possibility to go out was a strong deterrent factor with which LMIs had to deal through different solutions. Nevertheless, it is important to note that workers directly hired by temp agencies or cooperatives and those hired through brokering agencies had more chances than other domestic workers to find jobs both during the lockdown and even more after. Their being already inserted in agency and cooperative databases was essential in having more opportunities, considering also that families felt more guaranteed and protected by agencies and cooperatives.

“Look, let me say that lately, with this pandemic, families are turning more to agencies, because they are afraid of finding people personally ... I started yesterday and before going to work I took a quick swab and waited for the outcome, because the family doesn't want you to go to work without a swab, and I think that's right.” (Int. 12- caregiver).

This increasing trust in LMIs active in the field of domestic work is obviously impacting also on the perspectives and expectations of agencies and cooperatives regarding the future. All the interviewees define this business as highly remunerative and constantly growing, as emerges also from the fact that with the first reopening on May 4, the demand had incredibly increased and agencies had registered incredible profits, reaching even more than 300% between February and June 2020 for a top-level agency, and disavowing any previous doubts or uncertainties:

“We were on cloud nine: for us it was ... I'm not saying a godsend because it would be stupid, but we were successful. A success that also made us angry, because...we as people have friends who instead had to

close and ... the feeling of people who are successful in this situation is the same as what you may have on the Titanic playing the violin while everything is collapsing ... This is the general impression” (Int. 4- agency).

Despite what has happened in many other working sectors, domestic work has not stopped, but has even increased. Of course, existing heterogeneity has its weight in this process: the real winners are the top-level agencies and those with a wealthier clientele, whereas middle and bottom-level agencies and even more, the cooperatives can count less on economic growth. In other words, these middle-level LMIs suffered more in the economic crisis related to the Covid-19 lockdown. And so, even if care, especially elderly-care, is still a priority and a main concern for Italian households, customer concerns for cost containment and the cheapest solutions has increased, within a sort of general economic polarization process that also affects domestic work organization. This emerges even more when listening to workers who work without agencies or cooperative, and directly dealing with households. They fear the diminished economic power of Italian households:

“This is a very strong blow to the family economy, there are many people who have lost their jobs, who are on layoffs ... it will be difficult afterwards ... women are the most affected by Covid and usually a babysitter is asked when both [parents] work, if there are many unemployed women, they do not hire a babysitter. I got out of it, but I know the reality is like this... there are also many men left without work and they too look after the children, that too will be a problem because they don't need a babysitter.” (Int. 7 - babysitter).

If clients of agencies and cooperatives are middle-class households, namely people who can afford these expenses, the real problem are lower-class families who have the same care needs, but less money to spend: the high rate of female unemployment is effectively linked to unwaged care, at least in the familialism of welfare states such as Italy. The diminished purchasing power of Italian families in this context may lead also to a new increase in informal domestic work, as unionists fear. Families are now even more focused on economic issues and are less willing to respect the contractual provisions, especially as concerns wages: as an interviewed worker stated, it is even more common now to find job listings in which it is the family itself that offers a certain amount of money for months, without the slightest consideration for contractual levels and correspondent wages. In the long-term potential scenario, the impact of Covid seems to coincide with an increased polarization and differentiation of care arrangements among Italian families, with lower-class households now even more distant from the market of agencies and cooperatives. The business will thus continue to be remunerative and will increase. However, it will affect the minor part of Italian households, and especially cooperatives and bottom-level agencies will probably suffer the competition of the potentially more solid and structured informal dimension of domestic work.

Table 35- Factors determining Covid-19 booster effect on LMIs

| Short-term impact | Long-term scenario |
|--|---|
| <ul style="list-style-type: none"> - Workers and households' confusion - Workers concern for health security - LMIs able to arrange extraordinary solutions for domestic workers - Fear of contagion in private residences: increased demand for home-based elderly-care | <ul style="list-style-type: none"> - Increased reliability of LMIs - More control on workers' health conditions - Ensuring working continuity to workers - Strengthening of middle and top-level agencies |

8.4 Emergency solutions to a structural problem: the extraordinary regularization measure of 2020

One of the most important consequences of the outbreak of Covid-19 has been the Government's decision to open an extraordinary procedure to regularise irregular migrant workers already present nationwide. Through the so-called "*Decreto Rilancio*" of 19/05/2020, in fact, national institutions have decided to address the thorny problem of those migrant workers without legal documents but nevertheless essential for our national economy. The health emergency of these months has shown the total invisibility and vulnerability of informal workers: if atypical workers have finally received some types of economic support although inadequate or late, informal workers have been left alone. Migrant informal workers have suffered even more, being usually hired in the most heavy, difficult and low-paid jobs, and suffering also for the blackmail condition resulting from the link between residence permits and employment contracts (Mezzadra, Neilson, 2014; Chignola, Sacchetto, 2017). The greater paradox is that these informal migrant workers without regular documents are often employed in sectors that are essential for our national economic fabric. Workers considered essential during the pandemic were those who could not stop even during the hardest months of lockdown, being employed in sectors such as agriculture, logistics and domestic work. Public opinion and politics are perfectly aware that the majority of these workers are often irregular migrants without rights or guarantees: it seems paradoxical to define these workers as essential while avoiding to safeguard them both in economic and health terms. It was in this perspective that the Italian former Ministry of Agriculture, Teresa Bellanova launched a new extraordinary procedure of emersion for irregular migrant workers active in agriculture, domestic work and personal assistance. The decision had a remarkable mediatic relevance, considering that the last extraordinary measure of emersion was in 2012 and

that - especially as concerns domestic work and personal assistance - many workers were waiting for it for a long time.

Firstly, it seems important to highlight how this extraordinary measure has been conceived and structured, so I will rely on the very useful information gathered within the report of the national campaign “Ero Straniero,” which aims to address the issue of migration through a pragmatic approach, and to make the need of different migration policies explicit, thanks to the synergy among different political and social actors such as ACLI and CGIL. In their report (2020), the involved associations clearly described this recent and complex procedure of emersion, monitoring the first interesting data on the topic.

This new emergency procedure is in line with the previous extraordinary measures adopted to deal with the great issue of irregular migrant workers in Italy. If the 2020 amnesty focuses on the sectors of agriculture, domestic work and personal assistance, it is interesting to note that domestic work was present also in previous amnesties, both alone as in 2009, and together with other working sectors in 2012, thus confirming the structural dimension of the working informality of this sector. As concerns the period of the validity of applications, it goes from June to August 2020, with the aim to quickly analyse and process all the applications. This extraordinary measure is structured by two processes. One focuses on employers and the other on workers. In the first case, it is the employer who applies to the Ministry of the Interior and waits for the verdict of the competent prefecture regarding his desire to hire migrant workers already present on national territory, or to let an already existing informal employment relationship emerge. In this case, the employer is required to prove the workers’ presence in Italy before March 8, 2020, and must pay a ticket of 500 € for the worker and an extra amount of 156 € as forfeited contribution for each worked month. When the competent prefecture ratifies the truthfulness of all documents, it convenes the employer and the worker to sign the working contract and the residence permit. In the second case, it is the worker whose residence permit had already expired on October 31, 2020 proves to have already worked in one of the two sectors of agriculture/domestic work and personal assistance. In this case too, the worker should prove he or she was already present in Italy before March 8, 2020, and should pay a ticket of 130 €, and 30 € for the submission of the application.

Table 36- The two processes of 2020 extraordinary procedure of regularisation.

| First procedure | Second procedure |
|---|---|
| - The application is done by the employer | - The application is done by the informal worker - The worker must have a residence permit that expired on 31 October 2020 |

| | |
|---|--|
| <ul style="list-style-type: none"> - Employer pays 500€ for each worker + 156€ as contribution for each worked month. - The employer shall prove worker's presence in Italy before 8th March 2020. - The competent prefecture convenes the employer and the worker to sign the employment contract and residence permit | <ul style="list-style-type: none"> - The worker must have already worked as domestic worker - The worker must prove to have been in Italy before 8 March 2020 - The worker must pay a 130€ ticket + 30€ to submit the application |
|---|--|

In trying to highlight some trends in this regularisation process, we can rely on both the report issued by the Ministry of the Interior on August 15, 2020, after the deadline of the procedure, and the monitoring reports issued by Ero Straniero in March and June 2021. Of course, these are the contextual elements in which we can also insert information deriving from the interviews. According to the Ministry of the Interior, the total applications were 207,542, of which 85% involved domestic work and 15% regarded employment in agriculture. As concerns domestic work, out of 176,848 applications, 124,328 were sent by private users, 49,865 by *patronati* (workers' benevolent funds), 2,279 by job consultants, and the remaining ones by municipalities, and other particular institutes authorised by the Consolidated Act on Immigration of 1998 (Testo Unico sull' Immigrazione). The region of Lombardy was the first region in Italy for applications which numbered 47,357, and Milan was the first city with its more than 26,000 applications; as concerns the nationalities of employers of domestic work, 136,138 were Italians, 5,681 were Pakistani, and 4,275 were Bangladeshi. To summarize, even if the emersion has seen the major role of domestic work, representing 85% of the total applications, the difficulty of this extraordinary measure appears to be a coherent and effective solution. Considering that the estimates report about 1.15 million of informal domestic worker in Italy (DOMIA, 2020), with 207,542 applications overall, it does not seem to be a great result.

Moreover, we should consider further elements. Some months after the deadline for the emersion procedure, associations and social and political actors involved in the campaign "Ero Straniero" decided to monitor the stage of the applications, considering that this extraordinary measure should end rapidly to be really effective. In their first report of March 2021, the associations involved pointed out the dramatic delay in the process: by February 16, 2021, thus 6 months after the deadline, only 5% of the applications had reached the final stage of the procedure and 40 prefectures on the whole national territory had not yet started the convocations. In Milan, out of 26,000 applications, only 289 were in the preliminary phase in February 2021, and without convocations. The second report issued in June 2021 with the aim of presenting

the situation one year after the extraordinary measure, showed that things had not really improved: by June 1, 2021, only 14% of the total applications had been examined, and only the 5% of the applicants had residence permits. As concerns Milan, by May 20, 2021, out of 26,000 applications, only 441 residence permits were issued. According to “Ero Straniero,” the municipality needs 30 years to finalize all the applications following these procedures.

The framework emerging from the data is very bleak and worrisome, with a high risk of failure, and it can be defined by different factors, as the report itself highlights. Firstly, the main obstacle seems to be the lack of staff to process the applications: even if the “*Decreto Rilancio*” itself provided for extra staff hired through temporary work agencies, the long recruitment process and the temporary dimension of the employment have led to many renunciations among potential workers. Out of the announced 800 new temporary recruitments, in fact, by May 2021 only 676 workers were effectively hired; moreover, the term of the employment contract established as 6 months seems at odds with the length of the procedure. Institutions also refer to another important delaying factor, namely the health measures due to the Covid-19 pandemic and the related limitations to access to public offices. Nevertheless, considering that this extraordinary measure of emersion had been issued exactly due to the still ongoing health emergency, it seemed quite weird that the public institutions had not planned on how to deal with this issue, for instance through an implementation of the telematic procedure. Other factors for the delay were instead related to the particular requirements for migrant workers. Even if not strictly required, prefectures continued to ask for the certificates of adequate housing condition that is difficult to obtain, especially if we consider that irregular migrants are unable to sign a rental contract. If this seems to be the greater distortion from a technical point of view, other problems regard the takeover of a new employer and, even more, the documents needed to prove the worker’s presence in Italy by March 8, 2020, which did not include the documentation - as for instance, language certifications - issued by different actors of the so-called “third sector.” This complexity and delay in the management of the process are creating high psychological pressure on both workers and employers who, as we have already stated, are mostly families. Moreover, the widespread confusion, complexity of the process, and lack of awareness especially among workers are creating a fertile ground for scams. “Ero Straniero” talks about an underground market for certifications, where illegal actors such as fake agencies, fake tax assistance centres (CAF) and even individuals taking advantage of social media, ask migrants for money and then disappear, with profits ranging from 400 to 7,000 €. Delays and exclusions also have health consequences: the case of domestic workers is emblematic if we consider that the exclusion from the National Health System can be very problematic for vulnerable workers particularly exposed to contagion during a pandemic. If it is true that even irregular migrants can be enrolled in the National Health Systems, actually different health structures refuse the enrolment without the proof of payment of contributions by the employers.

The general framework emerging from the Ministry of Interior's report and the monitoring by "Ero Straniero" appears coherent with the one emerging from my interviews. Even if I did not insert this focus on my pre-et codes, the Covid-19 outbreak and related Government measures led me to also consider the impact of this extraordinary procedure of emersion on domestic workers' experience. Of course, we should remember that, at least theoretically, workers recruited through or by intermediaries should be regular migrants, even if this does not always happen. Nevertheless, the theme of extraordinary regularisation has naturally emerged in workers' interviews and may be considered as important, due to the effects it should potentially have on informal domestic work in general.

The main problem of delays and the complex procedure related to this amnesty emerges from different interviews: if the issue of the lack of staff is a core one, reported by the national Labour Inspectorates and by unionists, the interviews with agencies that support families in the practice of emersion also highlight other problems:

"Families are furious with us, because they applied with us and demand explanations that we are unable to give. The prefectures agree with us, they tell us: we are in total chaos, we cannot organize convocations due to the health emergency, we do not know what to say to households and workers because the decrees can be interpreted in a thousand ways. Families must pay 500 € and 156 € for a certain number of months [forfeit contribution for each worked month], for something that is still unknown, because nothing has yet been communicated about what happens after the regularization has taken place. They keep getting warnings from the prefectures saying they need to start submitting the documentation, but this documentation has not yet been confirmed, so we are in total stalemate. And there has been little participation from the families also because in the end it was expensive eh! 500 € to start, then they [prefectures] would tell you: do you have flat-rate contributions that you may not be informed of? Because they will be requested later. The families rightly said: Yes, but how much? I have to know to understand and economize, and then maybe they stopped" (Int. 10- agency).

According to LMIs and to national associations of employers, the emersion procedure is far from being a success: even without considering limits and delays, the number of applications could certainly have been higher. However, the previous quote adds another element that helps to understand the risk of failure of this extraordinary measure, namely the lack of awareness among competent institutions and the interpretative nature of the decree leaving room for different readings of the norms. With the elevated costs of the amnesty since the beginning, the subsequent uncertainty and confusion contributed to the discouragement of some employers who applied. As also a unionist confirms, households have opted for the emergency measure in case of undeniable necessity, especially when they hire a live-in caregiver to give care to not-sufficient old people, and avoid regularizing a housekeeper or live-out workers. Delays and costs are not the sole explanation for the families' reluctance to proceed with regularisation: they feel totally alone

and abandoned to their destiny by the institutions; whereas on the other hand, the competent offices have often insufficient knowledge of the whole procedure, since they rely on different personal interpretations.

As concerns workers, the ones I interviewed confirmed what is reported by both the Ministry of the Interior and even more by those of “Ero Straniero,” namely that, if the employer often knows very little about the emersion process, workers are even in a worst situation:

“The lady and I heard this news ... then the daughter came and said we would try to apply. She was interested in what was needed and asked me for the necessary documents after which, we applied [...] The daughters have checked everything[...]For me it is not difficult, because I do nothing, I only gave a photocopy of my passport and that's it ... but I don't think I can do it alone ... can you apply alone? The family must also agree, not just you ... it depends on the family” (Int. 10- caregiver).

In the previous case, it is t the family that takes care of the emersion procedure, while the worker is limited to providing the necessary documents, with no awareness of the functioning of the procedure. Moreover, as she clearly states at the end, it all depends on the family's discretion: if they want to regularize the worker they proceed, but this does not always happen and, even when it does, the delays and length of the procedure place the workers themselves in a difficult situation, that of dependence on their employers. As unionists report and as also mentioned by other workers in relation to previous amnesties, knowing that your employer is trying to regularize you makes you feel totally grateful, and you even turn a blind eye in case of unpaid overtime, lowering of salary or other forms of exploitation and harassment. Dependence on the family might thus be a factor of blackmail for workers, especially if we consider the length of the procedure: in a similar context, the experience of each worker seems to be determined more by the peculiar intimate relationship she has with the employer family, given also the intimate spatial dimension of the workplace.

Within this puzzled context, the risk of scams and trafficking of false documents already exposed in the “Ero Straniero” report, emerges also from interviews:

“I see only the economic advantage for the State, not to mention fake agencies that deal with the applications... There is a huge business around this amnesty, with money often collected by the same workers who have sacrificed a large part of their salary to regularize themselves. Let me tell you this about the agencies: there is this girl that the family wants to regularize, and an economic negotiation takes place with the support of an agency making the request for amnesty. Practically, on a caregiver's salary of 900 €, 500 € enters as the ticket for the regularization, together with the fee for the assistance provided by the agency, even if the agency itself never leaves even a piece of paper to the worker! When we asked for the

documentation, they gave us an example of f24⁴⁹ on which the employer wrote with a pen: yes, I actually paid 500 €. That's it! (laughs). They also cheat families" (unionist).

If sometimes employers themselves decide to take part of the worker's wage as a sort of "compensation" for the costs they must bear in case of regularisation, the case of fake agencies cheating both workers and families seems to be quite widespread, and is reported also by the Labour Inspectorate. Of course, also in this case differences among agencies exist, and the regular ones providing the necessary support to households have to deal with the unfair competition of other irregular actors.

As reports and interviews testify, the extraordinary procedure of the emergence of irregular migrants seriously risks being a failure: although also the previous extraordinary measures have often dealt with delays and long processing times, the health emergency should have been addressed with more efficiency. The extraordinary cause of this new process of emergence, in fact, contrasts with conditions of understaffing and length of processing times. Furthermore, the decision to opt for an extraordinary measure of emergence appears totally in line with the previous attempts to face all the issues related to labour migration. Once again, we rely on the adoption of extraordinary measure to deal with a structural phenomenon, a trend that reveals the ineffectiveness of our legal entry channels.

"About quotas... in general Europe adopts ... perhaps adopted ... a dualistic or bifurcated vision with respect to migration policies. The highly qualified workers to whom golden bridges are built, and what is defined as unskilled [migration] - and maybe we should understand how we define unskilled jobs- ... for me care work is not unskilled at all. Those who occupy poorly qualified positions are considered superfluous, because these are jobs that anyone can do, especially domestic work. Since women have always done it informally ... therefore there is no need to bring in people to do this job" (ILO officer).

The social and historical undervaluation process of domestic work and its definition as unskilled, "dirty" jobs (Anderson, 2001) is essential in determining workers' possibilities to enter the country through legal channels. The undeniable paradox is that a country such as Italy, without public services and with an ongoing ageing process of the population, is unable to clearly determine the effective care needs of households, since also Italians rarely enter the domestic work sector and, even when they do, they conceive it as a temporary job. Moreover, as the ILO itself emphasizes, the political dimension counts. Even if we effectively need more housekeepers and even more caregivers, it is very risky to talk openly about the increase in migrant workers' presence on the national territory, given the negative idea of migration which is rooted among the Italian population and reinforced also by media. Thus, the main obstacle in addressing

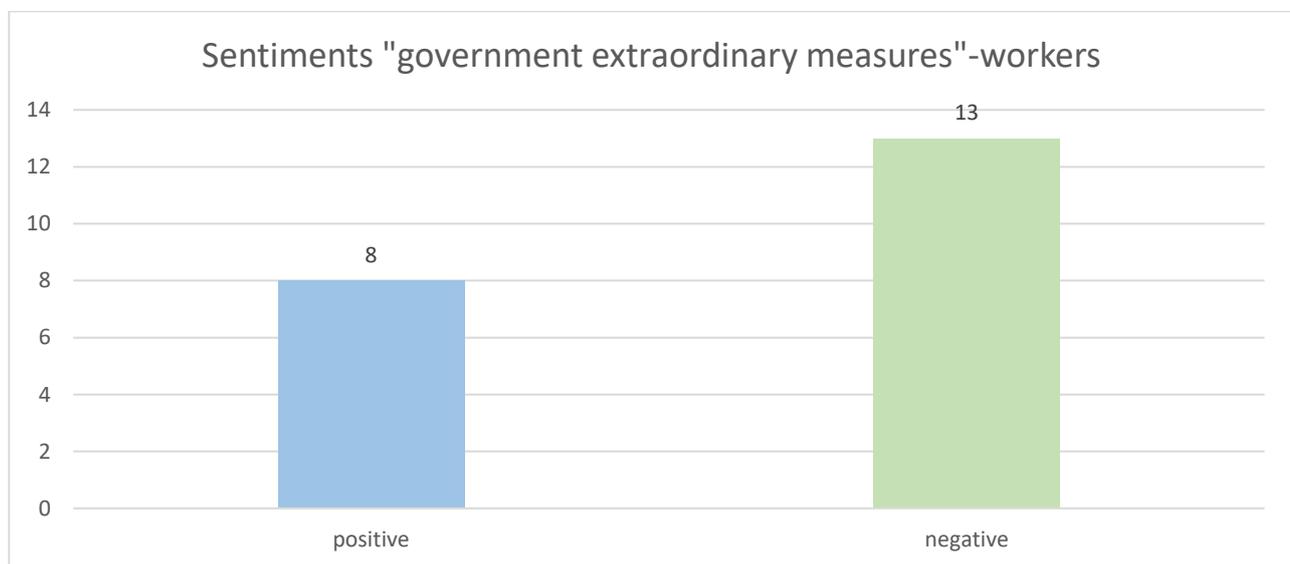
⁴⁹ A model for the payment of taxes and contributions

the issue of labour migrations in a concrete and effective way is the negative perception Italians have about these migrants and the political reluctance to make a clear stand on such a delicate theme.

8.5 Summarizing actors' points of view and interactions among concepts

In this final section of the chapter, I will proceed with my analytical reconstruction of the most interesting results concerning the Covid-19 impact on domestic workers and LMIs. Firstly, I will make use of the NVivo Matrix Coding Query to detect domestic workers' judgment on extraordinary measures adopted by the Italian Government in dealing with the outbreak of Covid-19.

Figure 25-Workers' sentiments on extraordinary measures adopted by the Italian Government

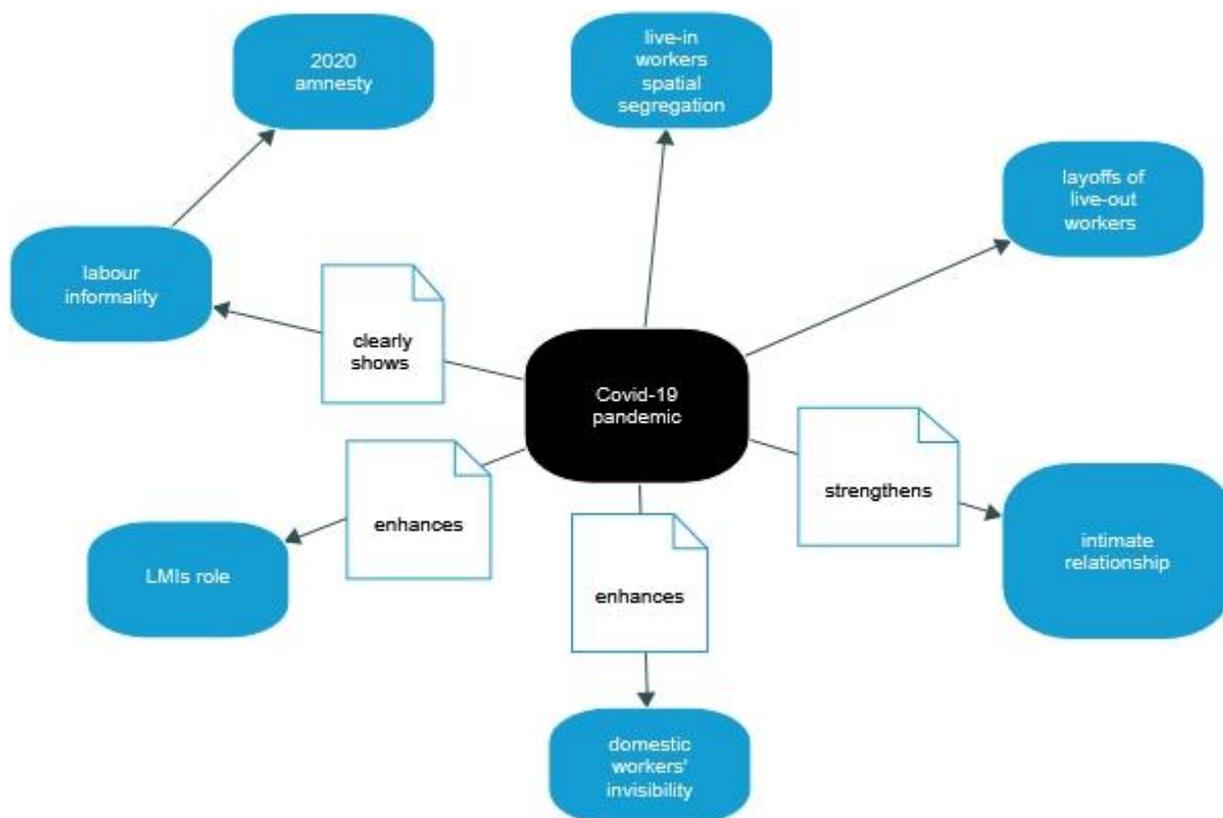


The overall workers' judgment on the Government's extraordinary measures is undoubtedly negative with 13 negative reference sin tota, reflecting the respondents' concrete experience during the pandemic. On the other hand, the overall 8 positive statements reflect the peculiar experience of some workers. One has been helped by one of her friends, who told her about the possibility to obtain a specific economic bonus for domestic workers, overcoming in this way her lack of information on the topic. Also in this case, personal contacts and networks have a specific role in informing domestic workers about the extraordinary measures adopted by the Government, making them more aware and conscious. The answer of another interviewee worker is even more interesting: despite not having received any economic support or bonus, this worker has an overall positive judgment about the Government's action, affirming that the Italian Government has acted well in protecting workers in general. His specific experience, according to him, cannot be generalised and it may be attributed to personal misfortune. On the other hand, negative answers

clearly reflect the peculiar experience of informal and live-out workers, while live-in formal workers affirm that “nothing has changed” in terms of employment and remuneration, but they often had to work without rest or breaks. Those suffering more are certainly informal workers who have been left totally alone, without income support in case of dismissal. Most of these workers do not refer exclusively to their own experience, reporting also what their friends and relatives have suffered as domestic workers: they openly talk about institutional desertion and increased invisibility. Moreover, the peculiar intimate relationship they had with the employing household has been essential, as we have already mentioned: it often counts more than the formal employment relationship - when present. For instance, one of the respondents who works as a live-out feels surprised to be treated in a terrible way by his employer, who effectively disappears without any comment or explanation after years of mutual acquaintance. Intimate relationships are therefore something very important also for workers, who often “invest” in building strong, positive relations as a form of protection from exploitation and abuses. Nevertheless, under pandemic circumstances, some of these ties proved to be not so strong, thus creating a sense of treason and resentment especially among workers with long working experiences with the same households.

Once having depicted the workers’ points of view on the Government’s extraordinary measures, it is time to proceed with the analysis of the main results of this chapter. I have inserted here a Concept Map on the Covid-19 outbreak and its main consequences on domestic work and LMIs.

Figure 26- Concept Map on Covid-19 impact

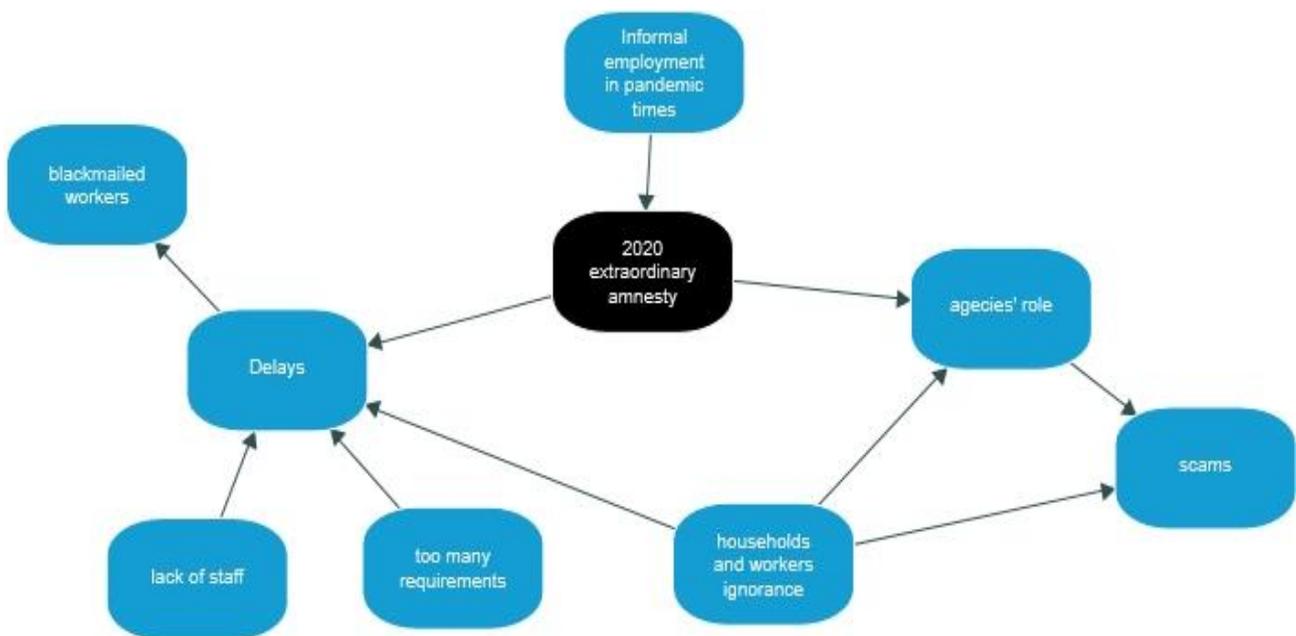


The Covid-19 outbreak has clearly shown the weight of domestic work informality. All the – limited - extraordinary measures adopted by the Italian Government, in fact, were directed towards formally hired domestic workers, while informal workers have been left without any kind of support. This has led to the adoption of the 2020 extraordinary amnesty specifically concerning domestic work and agricultural work, two sectors strongly affected by labour informality. However, the pandemic has also shown the different experiences of live-in and live-out domestic workers, with the former subjected to spatial segregation and more intensive working hours, and the latter being affected by dismissals often due to the fear of contagion. In this overall framework, the *sui generis* dimension of domestic work has clearly exploded: the intimate relationship characterizing this specific work, in fact, has been strengthened by the spatial segregation brought by the pandemic and it has been the real determinant factor of the experience that domestic workers have lived at this special time. Within this general context, the role of LMIs and especially that of agencies has incredibly increased: households and workers have both felt abandoned by the institutions and have decided to turn to intermediaries. Firstly, households' trust on intermediaries has grown essentially due to the fear of contagion and the lack of available alternatives to home-based care especially for the elderly: households have even more delegated the management of domestic work employment relationships to LMIs in this complex period. Moreover, intermediaries have supported families in the management of the 2020 amnesty procedure: employers' lack of interest and information has been once more a booster factor for these actors. On the other hand, workers have concretely experienced the shift of households' trust from themselves towards intermediaries: after the first lockdown they realized that agencies and cooperatives were more and more active in this sector and, above all, more trustworthy according to families. So those losing all their previous employers now turn to LMIs for having more working continuity. Whoever works with LMIs, in fact, has been ensured regarding the risk of stable unemployment because agencies and cooperatives have been able to relocate their workers, thanks also to the growing trust of families. As concerns the others, the kind of intimate relationship they had with their employers has been a determinant factor: some of them have been contacted by their previous employers thanks to the strong and solid tie existing with the former employing household, while the others have often been obliged to turn to intermediaries for new jobs. To conclude, we can affirm that the Covid-19 pandemic has been a real catalyst for several trends already affecting domestic work organization. The structural and all-pervasive invisibility of the sector were enhanced by the isolation and spatial segregation in the pandemic, thus strengthening labour informality. Moreover, existing differences among live-in and live-out workers became clear, determining the different ways in which workers have experienced the lockdowns, and also the kind of support they received from institutions. The most important result - at least in this study - is the increased role and presence of intermediaries. Domestic work and above all home-based elderly care have shown to be a real social priority, and it hardly combines with the centrality of family in our welfare regime and with the invisibility of the sector. Government response to this emergency has been incoherent and limited as

regards domestic work: economic bonuses and specific support were recognized only after the protests of social parties and public opinion, while the first decree of March 2020 (*Cura Italia*) limited itself to recognizing domestic workers as essential workers without providing for specific measures. Invisibility became untenable and unjustifiable, leading to the adoption of an extraordinary new amnesty procedure that, nevertheless, is still far from being a success.

Although the invisibility of domestic work has clearly emerged as a structural and well-rooted problem of this specific work, the 2020 extraordinary amnesty specifically aiming to reduce labour informality in domestic work and agriculture risks to be a failure. If the very introduction of this amnesty testifies to the central role played by these two essential economic sectors in our country, the still ongoing process of formalisation of these workers present different weaknesses. Once more, the NVivo Concept Map helps us to clarify some concepts and trends:

Figure 27- Concept Map of 2020 extraordinary amnesty



The decision to start an extraordinary new regularisation process for domestic and agricultural workers directly derives from the widespread public opinion’s awareness of the relevance of these sectors and the high rate of labour informality which has prevented these workers from benefiting from the Government’s extraordinary measures against the Covid-19 pandemic. But, as the “*Ero Straniero*” reports show, the first outcomes are not encouraging and the 2020 amnesty really risks being a failure. As we have exposed, the long delays in processing the applications are due to several reasons: on one hand, the lack of

staff is certainly one of the most impacting factors, since the number of applications cannot be dealt with and also considering the temporary work contract of 6 months clashing with the long processing time. On the other hand, planned requirements are often excessive, and the procedure itself is not clear, being often subject to the peculiar interpretation given by each specific competent body. In this context, domestic workers are often under the blackmail of their employers due not only to the cost of the procedure of regularisation started directly by the worker, but also the huge number of domestic workers who have never worked regularly, and are thus obliged to follow the first procedure started by the employer. We have already seen that when an employer decides to regularise the worker, this can create a sense of gratitude by the workers themselves, something that can bring them to accept any working condition to obtain the residence permit, while also employers are often aware of the even greater powerful position they have under these circumstances. It is not uncommon that, even when employers decide to regularise the worker, they only anticipate the necessary funds and later deduct the same amount from worker's wage. Actually, the workers themselves pay for their regularisation (Bonizzoni, Artero, Hajer; 2020). The delays in processing all the applications simply extend the period of vulnerability and dependence of these workers and the case of open exploitation and blackmail are not few, as has emerged also from my interviews. However, delays are often due also to the ignorance of households and workers about the entire complex procedure of regularisation and this has had a consequence which appears very relevant in this study. Intermediaries have occupied their position in the new "market": on the one hand, many brokering agencies are effectively supporting households in managing the complex amnesty procedure with clearly some economic return. On the other hand, fake agencies have detected the incredibly profitable business opportunity and have started to "help" both workers and families without being entitled to do so. Scam cases are very common, with workers paying incredible amounts of money for being totally abandoned by these illegal actors later, and the same is for families. Despite the redundant declarations of intent and the political commitment to make these workers finally visible, the emerging reality is one in which the concrete conditions under which this procedure of regularisation has been implemented are discouraging for both households and workers. Of course, we are referring here only to the application in the domestic work sector, without considering applications in agriculture). Without focusing here on the urgency to seriously consider the issue of freedom of movement, increase of legal channels of entrance for workers, and the recognition of courses and certificates already obtained by migrant workers outside the EU, it is sufficient now to consider that the whole design of this 2020 procedure has been lacking since the beginning. The absence of a serious investment in this amnesty is evident in the shortage of staff and in the random nature of the interpretation of the norm, as well as in the small technological investments needed to accelerate the whole procedure. All these elements are at odds with the necessity to quickly solve the problem of informal workers in agriculture and domestic work, and evidence an overall incoherence affecting the whole process.

To conclude, this 2020 amnesty, besides being limited in its efficiency since the beginning, testifies to the normalization of extraordinary measures of regularisation, proving the inefficacy of the legal channels of entrance for workers. As some workers refer, they were waiting for this amnesty, being aware that extraordinary procedures of regularisation are often the easiest and most accessible way to become regular in Italy, while the quota system envisaged by the Italian migration regime appears inadequate even to address the real needs of labour demand in specific sectors. As some studies clarify (Bonizzoni *et al.* 2020), other sectors and other migrant workers were - and still are - in need of regularisation, but they have not been interested by this amnesty, although they were hardly hit by the pandemic also in economic terms. Moreover, as Borelli states (2020), the quota system and the adoption of extraordinary amnesties always risk increasing the working segregation of migrant workers, to which also the lack of value for extra-EU professional courses and certificates contribute. In other words, these migrants are obliged to work in specific low-skilled sectors even if they have other qualifications or skills, contributing to the ongoing process of deskilling and undervaluation of specific sectors such as domestic work. It seems clear that extraordinary measures cannot substitute for normal procedures of legal entrance into Italy, these being still inadequate and limited. Migrant workers could contribute to the enhancement of the economic and social fabric of our country, if they and their skills were valorised also through a real change of the Italian migration system which seems quite tolerant towards irregular migrants being exploited in relevant low-skilled economic sectors.

Conclusions

The main objective of this study is to shed light on the actual structure and functioning of LMIs in the field of domestic work in Italy. As I said at the very beginning, the lack of literature and data on this specific topic has led me to opt for a qualitative approach. Even if agencies and cooperatives have been active in Italy since the beginning of the 2000s, the increase in care marketization (Williams, 2012; Farris, Marchetti, 2017; Tronto, 2013; Farris, 2020; Ungerson, 1996) and the attention given to more “formal” recruitment channels for domestic workers are more recent trends. As we have already mentioned, informal recruitment through personal networks has been - and still is – the employers’ first way of finding domestic workers. Nevertheless, things are changing, and the Covid-19 pandemic has had a real booster effect on this process.

The Italian market for domestic work is worth studying, especially regarding how it can operate in a highly informal sector characterized by the *sui generis* dimension of overall domestic work - namely that of structural invisibility (Triandafillydou, 2013). It seems essential to compare the formal provisions of intermediaries and current realities of domestic work to highlight both empirical divergences from current normative definitions and the LMIs’ effective functioning. Of course, this research has some limitations. The pandemic has not been the perfect context for qualitative research and in “normal” times I would perhaps have had the opportunity to interview more workers and providers, or set a comparison with other territories, such as Southern Italy where the informality rate of domestic work is even higher than that in the North and where there are less public care services, with negative consequences in terms of female unemployment and activity rates (Maestriperi, Insarauto, 2020). This could certainly be a further line of investigation. Then, the households’ perspective should be more considered: here I relied only on the statements of the National Employers’ Associations, while it would be more accurate and interesting to interview households, care receivers and their family members. The employers’ perspective is quite lacking in this research, since it derived from the answers of the National Employers’ Associations. This third perspective of the triangulation of brokered employment in domestic works is certainly worthy of being better and deeper analysed.

Starting with the first aim of my research - namely the description of the LMIs’ role in a context marked by a high rate of labour informality - what emerges is that the mediation role of these intermediaries is a constant and continuous one, going far beyond the theoretical differences existing among cooperatives on one hand, and temporary work agencies, brokering agencies, and recruitment agencies on the other hand. The relevant presence of intermediaries in the recruitment process of domestic workers, as well as in the management of the whole employment relationship, reflects a true shift of responsibility from employers - namely households - to intermediaries and, sometimes, even to workers, as testified to by the increasing use of atypical employment conditions as VAT numbers (Rubery, Urwin, 2011; Souralová, 2017). Despite being a

common trend in the labour force flexibilization process (Pulignano, 2019), this shift of risk and responsibility towards intermediaries and workers is particularly interesting when referring to domestic work: *“flexibilisation has been exaggerated because outsourcing is confused with the ending of standard employment while in fact standard employment continues with the subcontractor as employer”* (Rubery, Urwin, 2011: 126). A worsening of employment and working conditions, in fact, coincides with a lower quality of care, given the substantial link between quality care and quality workforce. Moreover, the households’ efforts to outsource not only the delicate recruitment process, but also the management of the employment relationship and even the peculiar intimate relationship with domestic workers reflects the households’ reluctance to comply with the familistic dimension of Italian welfare, and with consequent employers’ responsibilities. In this sense, Borelli’s definition of *“DIY welfare”* (2020) appears pretty accurate: those who can, delegate even the management of domestic work employment relationship – and not only tasks - to other subjects, while those who cannot are obliged to take the burden of these responsibilities on their own shoulders, relying on limited public support (ILO, 2018; Saraceno, 2016; DOMINA, 2020). Italian households are no longer shaped around the male breadwinner model. These are changing and reject this burden. They have no time or the will to manage the employment relationship of *“their”* domestic workers, considering also the still difficult recognition of domestic work as *“real work”* and its consequent social undervaluation (Ambrosini 2017, Cojocar, Rosińska, 2018, Sarti *et al*, 2018).

In this changing context, LMIs are looking for their own niche, trying to differentiate from other competitors through the provision of more customised services, as highlighted by Farris (2020), Marchetti, Triandafyllidou (2015), and Souralová (2015). Cooperatives appear more homogeneous in following the *“double track”* of acting on the behalf of public institutions while simultaneously opening to private customers buying services without public economic support (Marchetti, Scrinzi, 2014), while agencies can be divided into three groups starting from empirical evidence. Top-level, middle-level and bottom-level agencies, in fact, reflect the strong heterogeneity of this new market: I have already exposed the main characteristics of these three groups in the previous empirical chapters, but it is interesting to note that they contribute to place both their customers and workers in hierarchical order. LMIs’ concrete functioning and existing empirical differences, in fact, translate into different costs for families, but also different requirements for workers: if top-level agencies cater to the wealthiest families’ needs setting very demanding selection procedures for their workers, bottom-level agencies turning to lower-class households do not put the same emphasis on the selection process. This hierarchical difference among intermediaries is clearly derived from the ongoing process of care marketisation, conceiving care-receivers more as customers than as people in need (Marchetti, Scrinzi, 2014). As stated by Estévez-Abe and Hobson, this *“new political economy of outsourcing of domestic work”* (2015:133) is leading to a State-driven dualization of the labour force, while also increasing welfare inequalities among citizens. This becomes problematic especially when dealing with child and elderly care, which are real social needs in ageing countries such as Italy. In this context,

the focus on cost containment results to be determinant in shaping not only the intermediaries' concrete functioning but also their active engagement in irregular or even illegal practices. While top-level agencies focus on care quality without considering the economic cost involved, middle and bottom-level agencies prioritize more efficient and cheaper solutions for their clients. The dichotomy between cheap care and quality care is hardly reconcilable (Iversen, Wren, 1999; Picchi, 2016), and the LMIs' attitude towards this issue is essential in defining their new market position. It is difficult to state that these intermediaries effectively contribute to reducing the weight of labour informality in domestic work: besides hiring via irregular contracts or using fake VAT numbers for workers, these actors contribute to the differentiation of both employment and working conditions for domestic workers while finding different strategies for taking advantage of legal loopholes and insufficient controls. The rapid diffusion of fake agencies operating without any authorization, as well as irregular practices perpetrated even by legal actors, both contribute to make this new market wilder, increasing that unfair competition which discourages above all the operation of regular LMIs at middle and bottom levels.

As concerns the second point, namely, whether and how stereotypes affecting the very definition of domestic work are reproduced also by LMIs, the answer is not easy. On the one hand, in fact, intermediaries are perfectly aware of all the different stereotypes affecting domestic work and contributing to the minimisation of its economic and social value, so one could expect that they actively act to counter the weight of these same stereotypes. Nevertheless, care marketization and the consequent prioritization of market logic over other - maybe more social and political - considerations often lead intermediaries to accomplish customers' requirements without questioning their stereotyped assumptions. As highlighted by Marchetti and Scrinzi in their analysis of care social cooperatives in Italy, *"while explicitly criticising and resisting the client's sexist and racist requests, nonetheless the coops explicitly mobilise essentialist notions of gendered cultural differences in their daily allocation of employees to various clients"* (2014: 10). Stereotypes are still common considering also that domestic workers often work with the elderly who still have an old-fashioned and discriminating idea of migrants - although this does not prevent discriminating behaviours of younger family members. Intermediaries may have, nonetheless, a positive impact in countering explicit racist behaviours against not-white domestic workers based on biological assumptions. They try to "educate" families by often assigning a black worker to them for a trial period, hoping that everything will go ok and that, as often happens, the same family later will choose to continue working with them. In these cases, intermediaries are sure of acting in the best way possible. They know that these resilient forms of racism should be countered, and they have no doubts in taking a stand against them.

A different discourse should be made on cultural-based stereotypes. It often happens that domestic workers are associated with peculiar personal or temperamental features, depending on their peculiar cultural background. Latin American women are depicted as sweeter and kinder, while Eastern European

women are conceived as stronger and rougher, for instance (Marchetti, Scrinzi, 2014). This is something which counts a lot in informal recruitment directly made by families, but it emerges also when intermediaries must select potential domestic workers for their customers. The identification of personal features with racial/ethnic group features enhances that racialization of domestic work that goes hand in hand with the definition of this work as a low-skilled one wherein soft skills grounded on stereotyped definitions count more than worker's effective competences (Anderson, 2001, 2007; Bakan, Stasiulis, 1995; Marchetti, 2011; Mezzadra, Neilson, 2014; Parreñas, 2001; Rollins, 1985). In this process, the intimate relationship established between the worker and the care-receivers really counts, as well as the idea of domestic workers being somehow "an image" of the family within society, especially among the wealthiest families (Marchetti 2011, Rollins, 1985). As we have seen, intermediaries often reproduce these stereotyped assumptions, contributing to the perpetration of this commodification of personal features which are now defined more on the base of racial/ethnic origins. This is something on which even workers can speculate, presenting themselves as sweeter and kinder or stronger and rougher *because of their being* Latin American or Eastern European. As concerns gendered stereotypes linked to the definition of care work as a feminised activity and the classist stereotypes identifying domestic workers with servants and "slaves" more than with real workers (Parreñas, 2001; Rollins, 1985; Sarti *et al.*, 2018), the role they still play limits the potentially positive effect of LMIs. So, the intimacy and the private dimension of domestic work – grounding the "outsourcing of the self" as defined by Hochschild (in Marchetti, Triandafyllidou, 2015)- together with its nature as emotional and relational labour - and thus strongly affected by different kinds of stereotypes - are essential in determining this reality. Being subject to market laws, LMIs are focused on satisfying their clients, having few possibilities to modify this reality.

Regarding the third research aim, namely the impact of LMIs in domestic workers invisibility, research outcomes suggest a worsening of the already problematic domestic workers' reality. At the very beginning of this study, I highlighted how this specific working sector is constantly undervalued and made invisible by at least two main forms of invisibility (Triandafyllidou, 2013): the *structural invisibility* given by the spatial segregation of the private home being also a workplace (Busi, 2020; Federici, 2010; Lutz, 2007; Rollins, 1985; Sarti *et al.* 2018;); and the *juridical invisibility* affecting migrant workers according to the current migration regime (Ambrosini, 2013; Mezzadra, Neilson, 2014; Sciortino, 2004). In this context, LMIs could effectively have a positive impact, by helping to share the social awareness of the economic and social value of this work while simultaneously freeing workers from the total dependence on their employers. Unfortunately, this is not the case. Firstly, the spatial segregation characterizing domestic work is not questioned by the LMIs, with the home remaining the workplace. As concerns juridical invisibility of migrant workers, intermediaries can hire only already regularised migrant workers, so irregular migrants continue to line up for informal employment, even if cases of labour exploitation of irregular migrants exist even among intermediaries. Nowadays another kind of domestic work invisibility seems to emerge, and may be defined as "*employment*

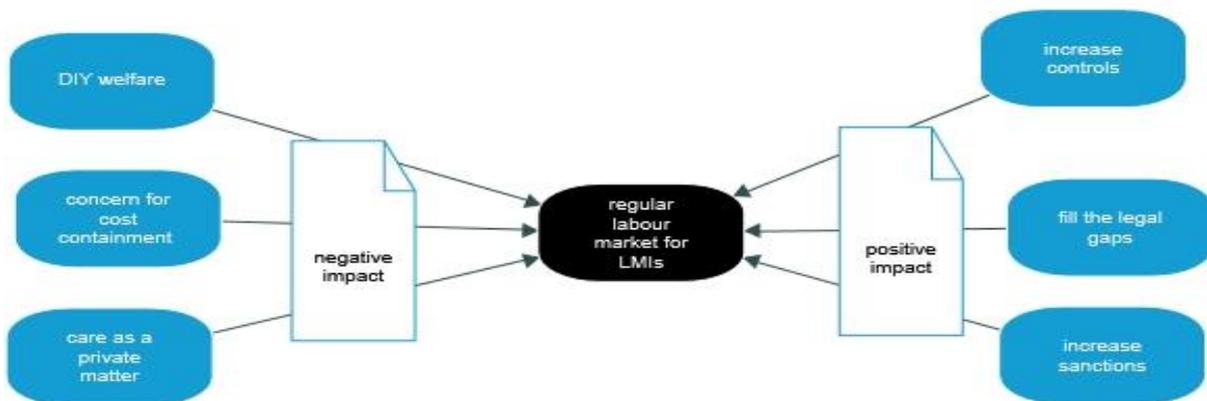
invisibility,” as related to the multiplication of employment conditions in brokered domestic work. The strong heterogeneity directly impacts on employment and working conditions which, as we have already seen, tend to reflect the heterogeneity of intermediaries. In other words, different types of intermediaries offer different employment and working conditions to their workers, with market logic often having a negative impact especially among bottom- and middle-level agencies that are more focused on lowering the labour costs. This LMIs-driven segmentation of domestic workers, so, clearly reflect intermediaries’ heterogeneity, spreading atypical forms of employment as well as worse working conditions in a very hierarchical way.

Households’ refusal of domestic responsibilities - essentially due to the lack of time and will - and the consequent irrationality of the persistent Italian familialism (Ambrosini, 2013; Saraceno, 2016; Sciortino, 2004) are now having a greater impact. If households have, until now, tried to outsource effective domestic tasks - taking care of elderly and children, tidying up the house, cleaning it, preparing meals and so on - they are now willing to outsource the very management of domestic work’s employment relationship, if they can afford it economically. Households constantly try to avoid any responsibilities derived from being domestic workers’ employers, from the practical to the legal ones. This, together with the still existing legal gaps and the limited inspections, has led intermediaries to multiply the services they offer to effectively relieve households from any kind of responsibilities. If this is what usually happens with temporary work agencies, the multiplication of services is changing the very nature of brokering agencies that are the majority of LMIs in domestic work: in this case, the employer is such only formally, while it is the agency that has the effective control on the employment relationship. In a similar context, workers often state that they are treated more as “objects,” “numbers,” or even “slaves”: they feel that they are losing their contractual power as workers, becoming now more similar to a commodity. In Rubery and Urwin’s words: *“the new policy, under the heading ‘Putting people first’ effectively only considers users as people, such that the workforce is only considered in relation to the service they should provide to clients”* (2011:125). Once again, this peculiar invisibility of workers is not automatic and shared among all agencies and cooperatives: heterogeneity emerges also in this case, with regular and top-level agencies which tend to respect the legal and contractual provisions. However, the active role of any form of labour intermediation is seen as negative by domestic workers, whether these intermediaries are regular or not. When the employer has any problem or complaint about the domestic worker, he or she automatically solves it through an agency and the worker is hardly able to make her voice heard. Moreover, this constant and continuous role of mediation has a direct negative effect on domestic workers’ unionization, with unionists actively discouraging workers from working through intermediaries. Invisibility in this context seems far from being overcome, which is quite the opposite. Another element however is essential here because it is directly linked to the multiplication of employment and working conditions in brokered domestic work, namely that of effective control over workers. Also, the increasing reliance on VAT numbers by agencies or cooperatives is problematic: on the one hand, these are mostly fake VAT numbers and the worker in this case is not aware of all the duties and charges associated to

VAT numbers. On the other hand, it is almost impossible to work as autonomous workers in domestic work: entering someone else's private home is not easy, and also for the cooperative or agency that in this case establishes the worker's schedules with employers. These are all strategies that intermediaries - especially middle-level brokering agencies and cooperatives - find to relieve households from their responsibilities as employers, being often aware of the delays at normative level and acting in the consequent grey zones. In a context marked by clear legal definitions and effective controls, domestic workers may have more visibility, being assimilated to other workers, but this is not the case, and the competition for cost containment is even worsening this reality.

Trying to understand which are the main limits to domestic work's overall amelioration in terms of quality of service and quality of employment and working conditions, we should evaluate both negative and positive factors impacting on the labour mediation in this sector. The following graph is only an attempt to synthesize, but it could help to shed light on the changes required to finally overcome domestic work's structural invisibility.

Figure 28- Concept Map on positive and negative factors for LMIS in domestic work.



We can immediately notice that the factors mentioned are inherent to different social dimensions. Among the positive factors are the legal intervention to fill still existing legal gaps, the increase of controls by labour inspectors and the increase of sanctions for fake agencies to obtain a real deterrent effect. On the other hand, among the negative factors we find more complex and somehow structural factors, such as the historical definition of care as a private matter, the ongoing organization of the Italian welfare regime and the consequent concern for cost containment. It appears difficult that the positive factors mentioned can have a concrete effect within these broader and structural conditions: how would it be possible to increase

sanctions and controls if care remains a family responsibility performed within the private dimension of the home? How would it be possible to increase the economic and social value of domestic work – thus, of domestic workers- if the costs of this paradigm change are offset to households? Certainly, increasing controls and legal measures ensuring the recognition of domestic work as decent, real work is the necessary starting point, but these positive measures seem to be insufficient to address the challenges posed by the negative structural factors. The positive effect, in fact, would be limited to the concrete functioning of LMIs, without questioning the broader context in which it takes place. It is interesting to note that the negative factors impacting on the LMIs' offences and irregular practices are almost the same ones affecting the overall domestic work organization, and even without the mediation of agencies and cooperatives. In other words, improving only LMIs' compliance with the legal framework appears a limited solution. Wondering about how to set the role of these new actors within a changed context in which care is no longer seen as a private matter strictly dependent on the golden rule of cost containment, would maybe open to a new and more egalitarian organization of care work in our society.

Despite efforts to better define the laws regulating this peculiar labour market and to increase effective controls, some challenges would remain open. Even these “efforts” are far from being real nowadays. The outbreak of the Covid-19 pandemic has not led to a major awareness of the central role of domestic workers in our society. Even though they have been classified as “essential workers” since the very beginning of the pandemic, domestic workers have not been entitled to receive any peculiar legal protection or economic bonus, being even excluded from dismissal bans. What we have experienced in the last months is that domestic work is still a private matter, and so invisible, even when a global pandemic shows us its essentiality.

This is exactly what contributes to the limitation of potential positive benefits for workers: as long as care work is seen as a private and domestic matter, it will continue to be undervalued, feminized and marginalized, also through the use of migrant – and so the cheapest - labour forces and through labour informality and illegal practices. This holds even more if this conception of domestic work as a private responsibility burdening especially on the female members of the family results to be at odds with current changes in the social fabric, such as women's increased desire to participate in the national labour force. Moreover, as the ILO itself states (2018), care demand will increase due to the current process of population ageing, while the world of work will continually be changing. *“The extent to which these developments will translate into decent care jobs depends on the priorities assigned and policy choices made by governments, and particularly on whether gender equality will be a defining objective”* (ILO, 2018:251-252). The definition of domestic work as decent work, and to improve the employment and working conditions for these workers is therefore a public and political responsibility, or at least it should be. Privatization, especially if driven by cost containment concern, is clearly not the solution: *“Public provision of care services tends to improve the*

working conditions and pay of care workers, whereas unregulated private provision tends to worsen them” (ILO, 2018: xli). In this context, in fact, the increased demand for care will necessarily lead to increasing costs, but rationally investing in care economy as a real input to the whole economy would improve the allocation of resources. The issue is not whether or not to spend in better care services, because an increase in care costs is unavoidable. The issue is expending more - and more rationally - in what ILO defines as a “high road scenario,” namely a framework in which governments take on the responsibilities for care, conceiving it as a social good and aiming to increase both direct and indirect employment. In this way, even if there will be higher expenditures in the short term, the results in the long term will consist in increased employment both in the care sector and other care-related sectors (education, health), an overall increase in female employment, better quality care, and a more effective control on employment and working conditions for care workers. According to ILO itself, the impact would be sensational: *“Such an increase in care spending to achieve the SDG⁵⁰ targets offers the potential for generating a total of 117 million additional new jobs, over and above those created under the status quo scenario, making a total of 475 million jobs”* (ILO, 2018:280). But the return would be consistent also in terms of tax revenues, with a total fiscal return estimated to be equal to 17.4% of the initial outlays. The consideration of care as a public and political issue rather than a private one, the necessary starting point to build what Joan Tronto defines as a “caring democracy,” (2013) namely a political system in which care benefits from whole political dignity - is one of the pillars of democracy. This implies not only an amelioration of care workers’ conditions, but also more political and economic equality for women and migrants. Without this political engagement in caring, it is difficult to imagine a world in which care would effectively be considered “real work,” continuing to be marginalised within the domestic sphere of the home, with all the negative consequences in terms of workers’ invisibility affecting domestic work today.

⁵⁰ SDG: Sustainable Development Goals, namely 17 objectives established by ONU to be achieved by 2030 to guarantee a more equal, more sustainable and overall fairer world.

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