

Au pairs in Ireland – the current situation:

- MRCI has 15 years' experience working with domestic workers and au pairs. Our recommendations are based on extensive casework, advocacy and outreach with these groups.
- Childcare services and domestic work are essential to the effective running and wellbeing of all societies.
- Au pairs in Ireland are currently covered by all existing employment law, which applies to all workers regardless of job title. Families that comply fully with existing regulations have found that employing au pairs is an affordable option.¹
- In recent years Ireland has made huge strides towards strengthening the rights of domestic workers, from ratifying the ILO Domestic Workers Convention to introducing protections for workers in diplomats' households and commencing labour inspections of private homes. These advances and others have made Ireland a potential world leader for the rights and safety of domestic workers; the proposed au pair bill would seriously undermine this progress.

Fianna Fáil's proposed Au Pair Placement Bill raises a number of serious concerns and must not pass:

- Categorising au pairs as “cultural exchange participants” **undermines their value as childcare providers** and will create an underclass of migrant domestic worker completely removed from the reach of labour law protections. This would embed exploitation in our laws.
- Au pairs have fought a battle to be seen as workers in Ireland, and recent Workplace Relations Commission (WRC) decisions have confirmed that they are workers and entitled to the full protection of the law. To re-frame au pairing as something other than work indicates that employment rights and access to justice for labour exploitation is irrelevant.
- The WRC decision should be seen as evidence that the current system works and should be reinforced – not as a chance to take a huge leap backwards, undermine workers and deregulate the sector.
- Deregulating childcare in this way is bad for workers and bad for families. European countries with such au pair schemes in place are now reviewing the schemes due to exploitation and essential unworkability: FF's proposed bill even replicates a key weakness identified in other jurisdictions by failing to clearly define central terms like au pair, light housework and light domestic duties.
- The proposed bill undermines the mandate and the expertise of the WRC, suggesting instead that resources be sunk into the establishment and running of an Au Pair Accreditation Council – a wholly unjustifiable cost to the taxpayer.
- The introduction of such an au pair system would seriously undermine our legal commitments under the ILO Convention 189 Decent Work for Domestic Workers.

Addressing the exploitation of au pairs instead requires these more straightforward and practical steps:

- Awareness and information campaign by DJEI on the rights of au pairs and the responsibilities of parents and families as employers
- Enforcement of existing law
- Alignment of labour migration policy and labour market demand (i.e. an employment permit for domestic workers)
- Resourcing of the WRC to carry out its inspection and enforcement functions Addressing childcare needs in the State involves consideration of varied and flexible options for families but cannot be at the expense of workers. As a nation that once sent domestic workers across the globe, we have a particular duty to protect those who work here now.

¹ Full costings available from MRCI
www.mrci.ie