

Work Package 2 – Deliverable 2

REPORT ON HOME CARE SERVICES' EMPLOYMENT CONDITIONS AND INDUSTRIAL RELATIONS AT COUNTRY LEVEL BEFORE AND AFTER THE COVID-19 CRISIS

SPAIN

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Employment and Industrial Relations in domestic care services Spain

1. Secondary data analyses :

Type of employer

Although there was a notable shift towards private sector employment across all sectors in the period 2018 to 2020, workers in home help services are primarily in the private sector, with minor shifts between public and private sectors and an increase in large company employment. Domestic workers remain exclusively in the private sector, with an increasing concentration in small companies (table 1). Moreover, all sectors experienced a trend towards more workers in small companies. These trends might reflect broader economic shifts, policy changes, or other factors influencing the employment landscape in Spain during the pandemic. In any case, we observe an important increase of home help service workers in large companies (Table 2).

Table 1. Type of employer (public/private sector) according to activity.

		Public	Private
2018	<i>Domestic workers</i>		100,0%
	<i>Home help service</i>	21,7%	78,3%
	<i>All sectors</i>	49,6%	50,4%
2020	<i>Domestic workers</i>		100,0%
	<i>Home help service</i>	18,4%	77,7%
	<i>All sectors</i>	43,1%	56,3%

Source: INE microdata (INE, 2018, 2020)

Table 2. Company size according to activity.

		Small (-50)	Medium (50-249)	Large (+249)
2018	<i>Domestic workers</i>	78,3%	21,7%	
	<i>Home help service</i>	77,5%	18,6%	3,9%
	<i>All sectors</i>	36,3%	21,5%	42,2%
2020	<i>Domestic workers</i>	99,8%	0,0%	0,1%

	<i>Home help service</i>	78,4%	14,8%	6,7%
	<i>All sectors</i>	59,3%	14,5%	26,2%

Source: INE microdata (INE, 2018, 2020)

Type of contract

The data shows mixed trends in types of contracts in the studied period. Domestic workers experienced an increase in temporary contracts, while there was an improvement in job permanence for home help service workers (Table 3). In general terms, the increase of the share of permanent workers is due to the destruction of temporary employment during the pandemic.

Table 3. Type of contract according to economic activity.

		Permanent	Temporary	NA
2018	Domestic workers	75,1%	24,9%	
	Home help service	64,0%	28,4%	7,6%
	All sectors	61,2%	22,8%	16,0%
2020	Domestic workers	70,8%	29,2%	
	Home help service	74,8%	21,2%	4,0%
	All sectors	66,5%	32,8%	0,6%

Source: INE microdata (INE, 2018, 2020)

Table 4. Share of Temporary Agency Workers according to economic activity.

	2018	2020
Domestic workers	3,3%	2,0%
Home help service	2,5%	2,4%
All sectors	3,3%	1,3%

Source: INE microdata (INE, 2018, 2020)

Working time

The year 2020 shows significant deviations, particularly in the zero hours category, reflecting the pandemic's impact on working hours. Moreover, while there is a general trend toward more people working 30–39 hours per week in all sectors, indicating a possible shift towards standard full-time employment, there is an increase in the percentage of domestic workers working 10–19 hours and

50 or more hours, suggesting a bifurcation in atypical employment patterns (Table 5).

About overtime work, the data indicates a significant increase in the share of workers doing more hours of work than previously agreed across all observed economic activities from 2018 to 2020. This trend is particularly obvious in the home help service sector (table 7). The rise in overtime work could be attributed to several factors, such as increased demand for services and labour shortages during the pandemic.

Table 5. Percentage of workers by number of effective hours worked in the main job (2017-2023)

	2017	2018	2019	2020	2021	2022	2023
All sectors							
Total	100,0 %	100,0 %	100,0 %	100,0 %	100,0 %	100,0 %	100,0 %
Zero hours	8,3%	8,3%	8,6%	15,8%	11,6%	11,3%	11,3%
1-9 hours	2,1%	1,8%	1,8%	1,8%	2,1%	1,9%	2,0%
10-19 hours	3,8%	3,6%	3,5%	3,5%	4,5%	4,2%	4,2%
20-29 hours	9,6%	9,0%	9,0%	8,7%	9,9%	9,5%	9,5%
30-39 hours	19,5%	19,6%	20,4%	20,0%	20,9%	20,9%	21,5%
40-49 hours	42,9%	44,5%	44,4%	40,0%	40,8%	41,9%	41,8%
50 or more hours	8,2%	8,0%	7,1%	5,8%	6,5%	6,8%	6,2%
NA	5,6%	5,3%	5,1%	4,3%	3,8%	3,5%	3,6%
Households as domestic workers employers							
Total	100,0 %	100,0 %	100,0 %	100,0 %	100,0 %	100,0 %	100,0 %
Zero hours	5,2%	5,0%	4,9%	10,6%	7,0%	7,4%	6,1%
1-9 hours	13,9%	13,3%	13,6%	13,9%	14,9%	13,7%	12,9%
10-19 hours	13,9%	14,5%	15,2%	14,6%	15,5%	17,2%	16,6%
20-29 hours	20,7%	19,7%	20,6%	19,1%	17,6%	17,7%	17,3%
30-39 hours	10,2%	11,2%	11,1%	9,2%	11,1%	10,3%	12,3%
40-49 hours	26,9%	26,4%	25,1%	23,1%	24,4%	23,7%	24,3%
50 or more hours	3,5%	3,3%	2,8%	2,6%	4,1%	4,8%	4,7%
NA	5,7%	6,6%	6,8%	6,9%	5,5%	5,4%	5,7%

Source: INE (2023)

Table 6. Working time according to economic activity.

		Full-time	Part-time
2018	<i>Domestic workers</i>	42,6%	57,4%
	<i>Home help service</i>	72,1%	27,9%
	<i>All sectors</i>	76,6%	23,4%
2020	<i>Domestic workers</i>	42,3%	57,7%
	<i>Home help service</i>	79,5%	20,5%
	<i>All sectors</i>	74,9%	25,1%

Source: INE microdata (INE, 2018, 2020)

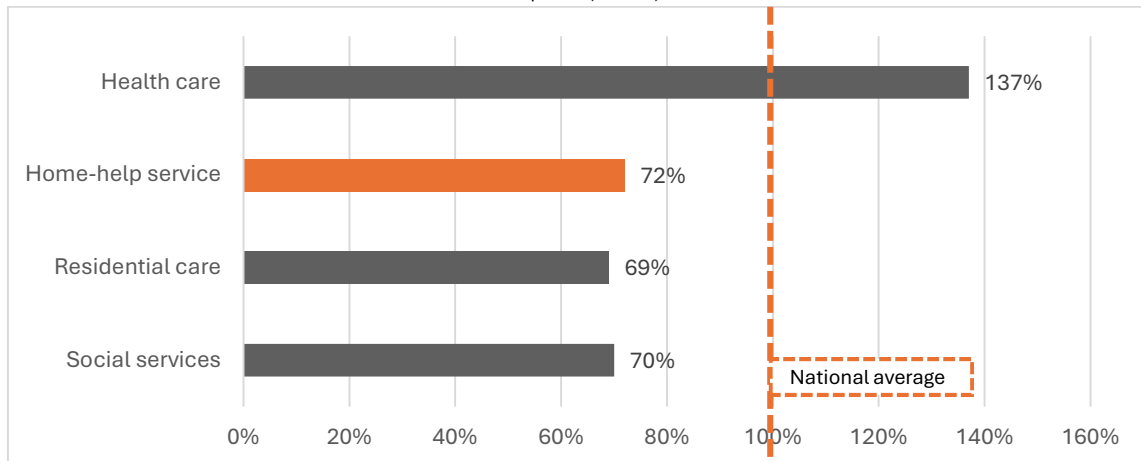
Table 7. Share of workers doing overtime work according to economic activity.

	Domestic workers	Home help service	All sectors
2018	1,5%	2,7%	3,1%
2020	2,9%	7,8%	6,5%

Source: INE microdata (INE, 2018, 2020)

Wages

Graph 1. Hourly earnings as a share of national average earnings according to economic activity in Spain (2018)



Source: Dubois, 2021 (Eurofound analysis of SES extraction provided by Eurostat).

2. Literature review employment conditions

Home-help services

Long-term care workers services represent around 1,8%, increasing basically according to the relative weigh of informal care (INE microdata, 2020). Long-term care occupations are mostly female dominated, particularly in the case of

home-help services (94.2%). This is a common trend in activities in which there is a transfer of skills from the domestic to the productive sphere (e.g., cleaning, contract catering, and care services) (Godino, 2017). Therefore, the female-domination of long-term care services results of that transfer of the dynamics of the sexual division of labour that generates an unequal sectoral and occupational distribution between men and women (Carrasquer et al., 2004; Carrasco, 2004). Undeclared work is common in home-help services. This situation implies not only the precariousness of the absence of employment contract but also the inaccuracy on the content and schedules of the work and even implying generally overtime and workload pressure (Torns et al., 2014). The economic recession affected directly working conditions of social workers, placing great pressure on them to solve generalized social problems. Another consequence of the crisis has been that social work practices have changed enormously; the increasing needs and the lack of resources force social workers to depend on community resources, volunteers, and NGOs (Deusdad et al., 2016).

Beyond this, the long-term care arrangements of dependents and elderly people show a general North-South gradient in utilization of informal care across Europe, particularly for the case of Spain (57%) and Italy (62%), in contrast to Netherlands (14%) and Sweden (27%) (Barczyk & Kredler, 2019). Literature explains these figures generally emphasizing the combined effect of family-based models of care and the lack of professionalization (and funding) of LTC services (Moreno-Colom et al., 2016; Barczyk & Kredler, 2019). More recently, there are some institutional attempts to revert this panorama: a €800 million scheme to fund projects on social economy and care are also officially aimed to professionalise care work, usually performed informally by women, by recognising their non-professional work experience. This would also entail remunerating many of these informal caregiving jobs, although the Spanish Government has not provided further details.

Specifically on wages, multilevel wage-setting is common in long-term care activities (as in social services), with the co-existence of sectoral agreements at national, regional, and provincial (sub-regional) level, together to some others at company level. However, the agreement with the highest coverage in the sector is the national agreement of care centres and services for people with disabilities (2023), covering more than 180,000 workers at national level (the majority of care workers in Spain). The gross minimum yearly (full-time) wage for LTC workers covered by that agreement for adult workers with 10 years of experience is 15,356.88€ (990.00€ of salary plus 106.92€ of 10 years of seniority in 14 monthly payments). Indeed, the minimum salary of the lowest category in the agreement is 800€ per month (11,200€ per year) that increase to 904€ per month (12,656€ per year) after assisting to specific training courses in a maximum period of three years. In the particular case of home-help service, wage-setting is much more fragmented, with several regional and provincial

agreements, besides its regulation also in the agreement aforementioned. Thus, agreed monthly wage (extra pay prorated) varies from 1,135.13 at national level, 1,181.14 in Madrid, 1,414.24 in Balearic Islands and 2,010.08 in Vizcaya. Nevertheless, most of agreed wages are lower than 1,200€ (Sánchez-Mira et al., 2021).

Beyond wage-setting and focusing on actual wages (particularly using official social security figures), net salaries in 2018 were 948€ for low qualified occupations (representing the 79.6% of the sector), 1,110€ for middle qualified and 1,380€ for high qualified occupations (Codorniu, 2020). Therefore, the salaries in Spain are below national average, placing Spanish long-term care average salaries in the bottom of European countries with higher differences to national averages, just above Italy (32% below), Estonia (36%), Bulgaria (38%), Letonia (40%) and Chipre (45%) (Dubois, 2021).

Domestic workers

The labour situation of domestic workers in Spain is highly influenced by variables such as gender, migration, and socio-economic policies. Specifically, the domestic work sector in Spain is highly feminized, with over 90% of workers being women. Additionally, nearly 60% of these workers are migrants. Moreover, domestic workers often face precarious working conditions, including a high level of undeclared work and a significant proportion of live-in arrangements. Together to the fact that rights and basic welfare benefits of domestic workers are substandard compared to other wage-earning workers (Moré, 2014). Latin American migrants in Spain provide formal and informal social protection through care work, but face challenges in accessing formal social protection due to structural factors and interpersonal pacts (Oso & Martínez-Buján, 2022).

This precarious situation of migrant domestic workers in Spain was exacerbated during the global financial crisis of 2008, leading to increased unemployment, underemployment, and deteriorating job conditions. This also affected their ability to send remittances back to their home countries (Hellgren & Serrano, 2017). Public policies in Spain, while guided by norms of equality and inclusion, often reproduce inequalities embedded in care work. Additionally, paid domestic work in Spain is framed as both work and care in public policies, but these policies also perpetuate inequalities in care work (Peterson, 2016). And during the COVID-19 pandemic, policy interventions focused on work-life balance, neglecting the impact of health-related restrictions on domestic workers, exacerbated pre-existing and intersecting inequalities, and often reproduced gender stereotypes and racist assumptions (Tarragona & Ghidoni, 2023).

3. Industrial relations in the sector

Home-help services

The national bargaining process of the long-term care services is the most important of the sector. Its last agreement was reached in 2023 after a blockage of negotiations lasted during five years. Although CC.OO. is the largest union in the sector, they share equal representativeness with UGT in the union side of the negotiation table (50%-50%). Largest unions use to invite ELA and CIG (very relevant unions in Basque country and Gallice) to take part of the negotiation table as a recognition of their representativeness at regional level, although only CIG use to sporadically participate. The real representativeness of the employer side is difficult to measure because most of EOs are reluctant to share their real figures on number of firms and employees of their members. In that regard, bargaining processes required previous consensus between employers. Before, that was quite easy due to positive relations between FED, AESTE and ASADE. However, the irruption of CEAPs has put a strain on the employer table, because older EOs does not recognize the representativeness of the new one. This was behind the blocked negotiations of the agreement, as traditional EOs preferred this impassable situation rather than to professionalize the sector. The negotiating table of the last agreement (2023) is made up of two members from LARES, five from CEAPs and eight, jointly, from AESTE, FED and ASADE, on the business side. And seven members from CCOO, seven from UGT, and one from GIG on the trade union side.

Table 9. Main collective agreements and actors in the home-help service sector.

	Current collective agreements
National	One collective agreement covering both activities at national level: VII CA on care services for dependent persons and development of the promotion of personal autonomy (2023-2026), covering also residential care.
Regional	3 CAs (Catalonia, Madrid, and Castilla-Leon)
	1 CA (Region of Valencia), covering also residential care.
Province	2 CAs (Zaragoza and Alava)
	3 CAs (Palencia, Guipuzkoa and Vizcaya)
Company	29 company level agreements (only one covering workers at national level)

Source: Collective agreements register and deposit (Ministry of Work and Social Economy, 2024).

However, there were also disagreements in the union side. Differing negotiation priorities and strategies gave rise to tensions within the workers' representation, as illustrated by the fact that only the union with the largest representativeness (CC.OO.) signed all agreements, while the UGT was absent from the third, the fifth and the seventh collective agreements (Sánchez et al., 2021). The reason behind

of UGT not signing the previous collective agreement (2018) due to disputes on the range of functions of elderly care providers category (“gerocultor” in the original Spanish). UGT considered that the agreement permitted assigning heterogeneous tasks to this professional category (e.g., cleaning activities) On the contrary, CC.OO. assumed that this multiple-tasks regulation of eldercare providers category was the only option to cover users’ needs before labour shortages and the lack of appropriate professional skills certification regulatory frameworks. Moreover, both CC.OO. and the employer side considered this was one of the reasons why the current collective bargaining process of the sector at national level was blocked. Besides the sectoral bargaining process at national level, there are other regional and provincial (sub-regional) agreements.

Domestic services

The employment relations for domestic service in family households is a special labour regime (regulated by Royal Decree 1620/2011) that can only be established by an individual who is the head of a family household, and solely for the performance of domestic tasks within the household. Therefore, all employment relations established with legal entities (civil or commercial companies, cooperatives, etc.), even if the contract is for the performance of domestic tasks, are outside the scope of the special employment relationship for domestic service in family households. Additionally, employment contracts entered into by an employer who, even if a natural person, has a purpose other than domestic tasks within the household, are also outside the scope of this special labour regime.

If a domestic employee works both within the employer's home, performing domestic tasks, and outside it in a business owned by the employer, it is understood that the employer is the same person. In these cases, it is considered that there is a single employment relationship, which will be common, meaning it is subject to the Workers' Statute in its entirety and not to Royal Decree 1620/2011. However, if the non-domestic services are sporadic or marginal compared to the household tasks and the employer duly proves this, it will be considered a special employment relation for domestic service in the family household. If the employment relationship has been established with a legal entity, then the regulation of the special employment relationship for domestic service in the family household clearly does not apply, as legal entities cannot be employers in the family household context.

It is important to note that persons hired by public or private institutions to care for individuals in a state of dependency are expressly excluded from the domestic service regulation for family households. In this case, the employment relationship exists between the worker and the public or private institution, which organizes their work and pays their salary, even if the work is carried out in the

dependent person's home. These professional caregivers have a common employment relationship with the public or private institution. Care for individuals in a state of dependency in these cases is governed by Law 39/2006, December 14, on the promotion of personal autonomy and care for individuals in a state of dependency (Ministerio de Trabajo y Economía Social, 2024).

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