A STUDY OF DOMESTIC SERVICE IN CANADA

by

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This paper is a study of domestic service in Canada. It accomplishes several objectives: (1) connects domestic service with the literature on housework; (2) presents a numerical profile describing the decline of domestic service as a component of the Canadian labour force 1891-1971; (3) explains the decline of domestic service relative to immigration and the growth of other feminized segments of the labour force; (4) identifies the work context of domestic service; (5) describes and explains the treatment of domestic servants in British Columbia labour statutes 1900-1981.
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CHAPTER I

INTRODUCTION: DOMESTIC SERVICE AND A REVIEW OF HOUSEWORK LITERATURE

Domestic service is a scantly studied or understood component of the Canadian labour force. During its heyday domestic service was the largest single component of the female labour force. In 1891, 40.6% of women in the labour force registered as domestic servants. Since 1891, domestic service has been a declining proportion of the Canadian labour force. By 1971, the proportion of domestics had declined to 1.9% of the female labour force. This decline may be attributed to a shortage of servants and the growth of other feminized segments of the labour force which provided more attractive opportunities for women entering the labour market.

It is not surprising that such a large component of the labour force has received little serious attention from social scientists. Social science has tended to neglect, omit and ignore the unique experiences and contributions of women. In the case of domestic service the neglect is multiple. Social science has neglected women, women's work, housework and domestic service - each contained in the previous item.

There are several compelling reasons to begin serious research into domestic service. The decline of domestic
service marks an important labour trend. At an aggregate level the decline of domestic service describes the experience of women during a period of social transition; from rural to urban, and foreign to Canadian (McBride, 1974: 63-78). At an individual level domestic service offers insight into the life cycle experience of a specific group of women. During the early decades of this century, a poor unmarried rural or immigrant woman might enter the ranks of domestic service at the age of fifteen. From there her life prospects would include either marriage, or securing a position in the emerging feminized segments of the Canadian labour market.

A second reason is the work context of domestic service. A domestic servant lives in her employer's home and performs housework under the supervision of a housewife. The employer-employee relationship between a domestic servant and housewife is an interesting face-to-face relationship between two distinct groups of women. The housewife, of upper or middle class standing and the servant of poor, rural or immigrant origins. Because the servant performs housework under the supervision of a housewife she is below the housewife in the household division of labour. By the statement 'below the housewife', I wish to distinguish a difference in social status between housewife and servant, as well as a relation of dominance.
of housewife over servant in the household. In a sense, the servant might be considered a "housewife's housewife".

Finally, domestic service is an intriguing occupation. The domestic servant is part of the household, but not a member of the family. She is hired from the labour market to perform housework, normally the responsibility of a housewife. For this reason domestic service has characteristics of both a household and labour market activity. On the one hand, because she is hired from the labour market, domestics receive a wage and are included in Census of Canada occupational classifications. On the other hand, because she performs housework in a private household, her work contribution is considered minimal, meriting substandard wages, and, until recently, exclusion from protective labour legislation. It can be said that the domestic's position, performing housework below a housewife in the household, reinforces her lowly status at the bottom of the official labour force.

This paper is an introductory study of domestic service in Canada. I will: (1) review the literature on housework, (2) present a numerical profile which describes the decline of domestic service as a component of the Canadian labour force 1891-1971, (3) explain the decline of domestic service relative to immigration and growth of other feminized segments of the labour market,
identify the work context of domestic service, (5) discuss the treatment of domestic service in British Columbia labour legislation.

Very recently, domestic service has become a subject of scholarly interest to feminists, historians and sociologists (Barber, 1980; Leslie, 1975; Lenskyj, 1981). In my opinion, this interest in domestic service is linked with a proliferation of empirical and theoretical literature focusing on housework, which has appeared over the past fifteen years. According to this literature the work contribution of the housewife in the home has been "hidden". I will trace the "discovery" of housework in two distinct traditions of thought: through the economic theories of Staffan Linder and Scott Burns, and the 'domestic labour debate'. I believe the study of domestic service is a logical extension of research about housework. Research about housework has focused on revealing the unnoticed work contribution of a housewife in the household. The study of domestic service is to dig deeper into the household to an unnoticed work contribution which takes place below the housewife.

Linder (1970) followed Becker (1965) and considered time as a scarce commodity subject to economic analysis. Time according to Linder, is subject to the laws of supply and demand. Because the supply of time is limited, it is thus scarce in relation to its various potential uses. Linder's thesis is that increased economic productivity, an aggregate increase in real wages, leads to increased
consumption, the tendency to combine goods and time which produces an increasing scarcity of time. Increased productivity leads to increased time scarcity because it takes time to consume and maintain an abundance of goods, and because as productivity and yield on time increases, it becomes more costly to abstain from work time. According to equilibrium theory all time must be kept in parity with yield on working time.

The decision to consider time a scarce resource is an important theoretical contribution. The once contraposited domains of production and consumption become linked because consumption requires time as does production. Time is a bridge which links work and production time, of traditional economic concern, with other spheres of activity. Work and production time become one form of time use among many. Linder identifies five categories of time use: work time, personal work (includes personal and household maintenance), consumption time, idleness and culture time.

Linder argues that the yield on time through all its uses is determined in the first instance by the level of productivity or aggregate level of real wages on work time. Stated simply, only work time is capable of generating new value, raising productivity and increasing the scarcity of time. According to Linder, housework (included in the personal work category) may increase in value in response
to a rise in productivity in "working time or, more specifically, time spent in specialized production" (Linder, 1970:13) and is not in itself economically productive.

In "The Household Economy" (1975) Scott Burns steps beyond Linder. In contrast to Linder, Burns' argues that the household is an economy. According to Burns, consumption goods produced in the marketplace, become, in the household, sources of capital investment. He argues that the combination of labour and capital investment in domestic work creates economic wealth. Because housewives are largely in charge of domestic work, Burns' successfully defines the household as a thriving locus of productivity. Furthermore, he provides facts which suggest the decline of the market economy, and a proportionate increase in the household economy. The causes of market deterioration "are simple and revolve around the maturation of a goods producing economy and concurrent rise in importance of the household economy" (Burns, 1975:9).

The most useful way of understanding Burns' view of housework is as a process. He relies implicitly on a process of demystification and translation. It is through Burns' approach that the "hidden" household economy becomes "visible". Housework, at first concealed and hidden, once brought to light, becomes overt and tangible.

The demystification of housework is accomplished by
translating the language of the marketplace, into the activities which take place within the social relations of the family. The contribution of housework as a visible and productive activity is determined by measuring the number of work hours in the household, distinguishing these hours by task, and matching time spent at various tasks with the wage labour of corresponding activities in the marketplace. Housework becomes visible when measured in terms of how much an equivalent service would cost in the marketplace. Burns' rests his case on the famous study by Walker and Gauger who estimated that "household income was some 212 billion in 1968, women were responsible for almost 75%, 155 billion. The largest single contributor was made by "unemployed" housewives, who were responsible for $124 billion" (Burns, 1975: 22).

This demystification and translation process is most easily understood through the statement "revealing the hidden work of housewives". The word hidden implies that housewives have always been workers. Their work has escaped recognition because it takes place in the household outside the formal marketplace.

A second tradition of thought which has contributed to the visibility of housework is the 'domestic labour debate'. Marxist's have responded to the rise of the women's movement by directing attention to women's work in the home (Miles, 1982: 36). The debate addresses the
following problems: (1) the exploitation and subordination of women under capitalism, (2) the relationship of housework to capitalist production, as either productive or unproductive labour, (3) the revolutionary potential of housewives (See Molyneux, 1979; Fee, 1976).

Contributors to the debate seem to agree that domination of husband over wife in the family is founded on a husband receiving and controlling a wage and being considered the main economic agent in capitalist production for exchange. Housework in contrast has been "hidden", it does not stand in a direct relation to market exchange. The point of contention is the question of how housework is related to the capitalist sphere of exchange, specifically, whether housework is productive or unproductive labour. Answers to this problem revolve around accounts of Marx's original definitions and ask: Does housework stand in a direct relation to capital? Does housework produce surplus value for a capitalist? In the literature housework has been deemed (1) unproductive, (2) productive, (3) unproductive but necessary. I will briefly review these accounts.

Benston (1969) is often credited with initiating the domestic labour debate. She begins by distinguishing use-value and exchange-value and placing them in a historical context. Over the past several hundred years, use-value,
production for use by family members, has been eclipsed by the growth of a market economy. The growth of a market economy, and men as the primary agents in the marketplace, led to the isolation and concealment of housewife and housework. She argues that housework is a precapitalist form of production: "women are responsible for production of simple use-values in those activities associated with home and family" (Benston, 1969:16). Production of use-value would include household production, childbearing and satisfying the emotional needs of men. Although Benston does not explicitly approach the question of whether housework is productive or unproductive, later contributors to the debate have considered the statement, women produce simple use-values, as an implicit statement that housework is unproductive. Housework is considered separate from a market economy, and incapable of producing surplus value.

In "Toward a Science of Women's Liberation" (1972:40-52) Isabel Lerguia and John Dumoulin argue that housework is productive labour. According to this account housework is hidden because it is segregated from the sphere of market exchange, where husbands are "visible agents", because they produce "economically visible objects destined to create wealth through exchange" (Lerguia and Dumoulin, 1972:43). Because housework is hidden women are described as "the invisible underpinning of class society" (Lerguia and Dumoulin, 1972:43). Women underpin class society by
replacing the economy's labour power, transforming raw materials to use-values, preparing food and rearing children. At a world level housework contributes "three thousand million hours of invisible labour every day" (Lerguia and Dumoulin, 1972: 43). Furthermore: "it can therefore be said that women's labour in the home is transformed into the creation of surplus value through the wage labour force" (Lerguia and Dumoulin, 1972: 43). In other words, taken from the perspective of the total economy, housework and wage labour, housework is productive because it is an integral part of the proletariat creating surplus value for a capitalist.

Finally, Wally Secombe has argued that housework is unproductive but necessary (Secombe, 1973: 3-24). He argues that domestic labour is unproductive because it fails to fit Marx's original definition of productive labour. Domestic labour is isolated from the sphere of market exchange and thus does not stand in a direct relation to capital. Because domestic labour does not stand in a direct relation to capital, it does not produce surplus value for a capitalist. However, domestic labour is necessary to the functioning of capitalist political economy. It functions to reproduce labour power: "(1) on a daily basis, (2) on a generational basis" (Secombe, 1973: 14). Secondly, domestic labour is necessary for the reproduction of relations of production. The mother performs an important ideological role by producing "willing par-
Participants for the social order through child socialization" (Secombe, 1973: 15). Thus, according to Secombe, domestic labour is unproductive but necessary to capitalism.

To conclude, the economist Scott Burns, and the domestic labour debate focus on housework as an unnoticed work contribution. However, they both share a limiting assumption: they assume that housework is performed by a housewife. A study of domestic service highlights a little known category of women and unnoticed work contribution in the household. The domestic is unmarried, hired from the official labour market and performs housework below a housewife. It is time to further our knowledge about housework and discuss the work contribution, work context and treatment of domestic servants. The chapters which follow attend to this task.
CHAPTER II

DOMESTIC SERVICE: WORK CONTEXT AND COMPONENT OF THE CANADIAN LABOUR FORCE

In this chapter, I will describe the decline of domestic service as a component of the Canadian labour force 1891-1971 and explain this decline relative to immigration and the growth of other feminized segments of the labour market. In addition, I shall focus on placing the domestic servant into her work context, the household.

I will introduce the prominence of domestic service as a labour trend through a comparison. Figure 1 shows changes in the per cent of women and men in agriculture from 1891-1971. Figure 2 shows per cent of women in domestic service and clerical occupations 1891-1971. Men are not included in Figure 2 because domestic service has always constituted about 1% or less of the male labour force. Domestic service is an almost exclusively female occupation.

Figure 1 is an appropriate place to begin a long-term account of the work history of Canadian men. As shown by Figure 1, the per cent of the male labour force in agriculture has declined 44 points, from 51.3% in 1891 to 7.1% in 1971. The reader will observe the similarity of trend, between the line domestic service (Figure 2) and men in agricultural occupations (Figure 1). Between 1891 and 1971, the per cent of women registered as domestic servants
Figure 1: % Labour Force in Agriculture

Figure 2: % of Female Labour Force in Live-In Domestic Service and Clerical Occupations
has declined 38.7 points, from 40.6% to 1.9%. Figure 2 is an appropriate place to begin a long-term account of the work history of Canadian women.

Two factors must be taken into consideration when explaining the decline of domestic service. The first factor is an aggregate displacement of working women from domestic service into growing feminized segments of the labour force. In Figure 2 the rise of clerical work roughly coincides with the decline of domestic service. The second factor is the increasing participation of women in the official labour market performing occupations other than domestic service. For all women the labour force participation rate has increased from 22.5% in 1951, to 45% in 1981. For married women the increase in labour force participation has been even more dramatic, growing from 4.5% in 1941 to 43.7% in 1976.

What follows is a brief historical explanation of the decline of domestic service (Figure 2) as a component of the Canadian labour force. During the explanation I will also focus on placing the domestic into her work context, the private household. For the sake of clarity the explanation is divided into three historical periods: 1891-1931, 1931-1951, 1951-1981.

1891-1931

Of the three historical periods to be considered, the period 1891-1931 marks the height of domestic service
in Canada. Between 1891 and 1931, the proportion of domestics declined from 40.6% to 20% of the female labour force.

The single "general servant" was a common feature of farm and upper-middle-class urban households. In 1911, one in every fifteen households had a domestic servant (Leslie, 1974: 75). The predominance of the single "general servant" distinguishes Canada from Britain, where large numbers of servants were divided by sex and task in a single household (Horn, 1975).

What is the appropriate context to initiate an interpretative account of the domestic servant 1891-1931? Take the following two characteristics of domestic work as given. A domestic servant worked and lived in a private household with her employers' family. Second, a domestic's work was supervised by a mistress, the wife of the household. Given these two facts, it would seem that the domestic servant must be understood in the context of the household, its division of labour and lines of authority.

1891 to 1931 was a time of transition in Canadian society. Canada transformed from a society which was 86% rural in 1886, to one which was 52% urban in 1921 (Census of Canada, 1921; Vol. 1, i. xxxi). Thus, there was probably a shift in numbers of domestic servants from farm to urban households.

Leslie (1975:76) argues that the urban and rural
household provided two distinct work contexts for the domestic servant. For the rural household she states "the farmer's wife was more of a companion to her than the urban mistress was to her servant" (Leslie, 1975:76). Furthermore, Leslie claims that some domestics "chose farm life because of the higher social status they would have within the household" (Leslie, 1975:88). Leslie's statements are based on the assumption that a domestic would experience higher social status within the farm household because women's labour was more highly valued in a rural setting and because mistress and servant shared work tasks. Missing from her account is exacting information about what people did and what people valued on the nineteenth and early twentieth-century farm. Leslie's account of the rural domestic is too abstract a formulation to rely upon in this paper.

In contrast, information about the role of the servant in the urban middle-class household between 1891 and 1931 is more reliable. According to Lenskyj (1981:4) in the urban household the primary role of the domestic was to relieve the housewife of her household responsibilities. The urban middle-class housewife was burdened with two conflicting responsibilities at the turn of the century. The first was to maintain Victorian middle-class standards of order and cleanliness, requiring extraordinary
time and care. The second was a woman's responsibilities to society - to women's charitable organizations. Women who devoted their time and energy to a charitable organization often worked full-time, and were unable to maintain the household at its required standards of cleanliness (Lenskyj, 1981:4). An obvious solution to this conflict was to hire a domestic.

It must be remembered that the household before 1920, was a place of demanding work. It was "accomplished with lots of muscle power and a few primitive tools" (Leslie, 1975:77). Wood and coal burning stoves predominated through the period. These stoves were awkward and dirty, requiring constant cleaning (Leslie, 1975:77). Electrical refrigeration did not appear until 1920. Laundry was done on simple washboards until the 1890's, when hand operated machines appeared (Leslie, 1975:77). Ironing was done with flat irons which needed to be heated on a stove (Leslie, 1975:77). Furniture was elaborate, requiring considerable care (Lenskyj, 1981: 4). There was also the responsibilities of childcare. Given the difficulty and drudgery of housework at this time, it is clear that a domestic servant was a necessity for a socially conscious middle-class woman.

In the middle-class household the division of labour was based on the division of work and home. The husband worked in the labour market and received a wage. The
Victorian wife was responsible for the household (Lenskyj, 1981: 4). Housework was considered a natural duty to husband and children (Lenskyj, 1981:5). It was hard work which received little status or recognition and no pay. Within the household pattern of authority the wife stood below the husband. The servant, in turn, was hired from the labour market to perform housework under the supervision of a mistress. Thus, the domestic servant stood third in a line of subordination: wife below husband and servant below wife. In short, the servant was hired to perform work which the housewife found unsavoury, freeing the housewife for involvement in more interesting activities. The domestic servant was a "housewife's housewife".

Several features of domestic work and the social status of the women who performed it help explain the low status of domestic service. The first feature is the social status of mistress and servant. While a mistress was a middle or upper-class woman, domestics were invariably of low class standing.

A second is the low status of a housewife and housework. The work context of a domestic servant was modelled on the work context of a housewife. Housework was considered a lowly activity by both mistress and servant. It was "women's work" "work for which women were believed to have a natural talent, and work routinely performed
without pay" (Lenskyj, 1981: 5). Thus, to perform housework below a housewife would be one of the lowest occupations imaginable.

In addition to low social status, domestics objected to the lack of freedom, isolation and loneliness of domestic service (Barber, 1980:151). Despite the fact that during this period domestics received slightly higher net wages than women in clerical or factory work, women almost always dreaded the prospect of domestic work (Barber, 1980: 151; Leslie, 1975: 85).

If the cries in the popular press of this period are to be trusted, the decline in the number of domestic servants from 40% in 1891 to 20% in 1931, was not the result of declining demand, but of unavailability of supply. The supply of domestic servants came from two categories of migrant women: rural to urban migrants, and immigrants from Great Britain and to a lesser extent, continental Europe (Barber, 1980:148).

In 1911 25% of domestic servants were immigrants (Urquhart and Buckley, 1965:25-29). A large proportion of the remaining 75% were likely rural-urban Canadian migrants. Unfortunately, the rural to urban migration of Canadian women is scantly documented. Evidence that "rural girls" entered the labour force as domestics is suggested by complaints in the popular press of the "unmannerly" and
uneducated demeanor of "farm girls".

The most reliable documented sources concern the case of immigrant women. Between 1891 and 1914 most immigrant domestics originated from the lower ranks of British society (Barber, 1980:155). In Britain, the British Women's Emigration Society was formed (1884) to solve the surplus of lower class and unemployed British women in the context of Imperial development (Barber, 1980:155). In Canada, recruitment of domestics was handled as a partnership between immigration officials and a number of "charitable organizations" (Barber, 1980:155). Provisions for such recruitment were set forth in the Canadian Immigration Act. These charitable organizations, which consisted of church and women's groups, supplied and provided reception, such as the Women's Welcome Hostel in Toronto (1905), which placed domestics into private homes and sent individuals to Britain to choose suitable domestic help (Barber, 1980:156).

The flow of domestic servants into the labour market continued without deviation until the unsettling events of 1914. During the Spring of 1914, there was the usual constant supply and desperate shortage of domestic servants (Barber, 1980:158). By midsummer the tension of pre-war uncertainty triggered an economic recession. The result was a sudden oversupply of domestic servants. Women had
been forced from their occupations in other segments of the labour force and as a result were searching for work as domestics (Leslie, 1975:91). After the outbreak of World War One, the oversupply trend suddenly reversed. The demand for domestics immensely increased. On the one hand immigration was severely restricted (Urquhart and Buckley, 1965: 25-29). On the other hand, women were pulled in large numbers into more attractive segments of the labour market because of wartime overproduction (Barber, 1980: 159).

Domestic service was always a last resort occupation; an occupation women despised, because of long hours, isolation, and lack of independence. Domestic service was the most marginal of female occupations. For these reasons the supply of domestics increased during periods of recession. During periods of economic florescence the demand for domestics increased to desperate levels as women shifted to preferred segments of the labour market.

After 1920, the demand for domestic servants remained high, but supply declined. Two factors conspired against the supply of domestic servants. In the Canadian economy, the shift from small companies to big corporations with large administrative staff and the growth of government bureaucracy increased the demand for women in clerical and service sectors of the economy. On the other hand, the
supply of available British women dwindled (Barber, 1980: 159). One solution to the supply problem was recruitment of "non-preferred" immigrants from continental Europe. In 1925, the Canadian government exercised this option and continental Europe was opened to Canadian immigration through a railways agreement reached by the Department of Immigration and the Colonization Branches of the C.P.R. and C.N.R. These domestics were part of an elaborate plan for settling the Canadian West (Barber, 1980:166).

By 1931, the domestic servant was still an important 20% of the female labour force. However, the heyday of domestic service in Canada had come to an end.

Before dealing with the period 1931-1951, I will assess the experience of the domestic servant from 1891 to 1931. I will argue that domestic service was the experience of a specific group of women at both an aggregate and individual level (McBride, 1974:63-78).

From an aggregate level, the rise and decline of domestic service marks an important phase of women's history. It was a bridge (Broom and Smith, 1963:321-334), for a specific group of women, between ways of life amidst a social transition; from rural to urban, and foreign to Canadian.

Domestic service was the experience of lower class, unmarried, foreign or rural Canadian women. As "housewife's
housewife", the domestic servant was a disadvantaged prisoner, in the domain of Victorian womanhood. The domestic servant stood below the housewife in a society where housework was considered a lowly and worthless activity. It was a world where the options of women were limited by an insoluble cultural logic linking women, housework, children and household (Oakely, 1974:43-59). Because the social relationship between housewife and servant was a relation of authority and subordination, it may be regarded a rare point of access for beginning to evaluate face-to-face inter-class relations between women in a world controlled by men.

At the level of individual experience, domestic service was a phase in the life-cycle of the group of women identified as domestics. What were the life chances and options that these women faced? An unmarried, uneducated, lower class rural or foreign woman would enter domestic service between the ages of 14 and 20. Domestic service was one of the few occupations in the labour market which suited her qualifications. From domestic service, a step higher on the ladder of status could only include marriage for which her time as a domestic servant served as an apprenticeship. Or she might enter the growing feminized segments of the labour market such as clerical or service work. Evidence that domestic service was officially viewed
as an apprenticeship is abundant. The introduction of
domestic service into the curriculum of Ontario elementary
schools was designed to prepare women for domestic service
(Barber, 1980:152). It was argued that domestic service
was the best preparation for their ultimate roles as wife
and mother (Barber, 1980:152).

The housewife has often been dramatically termed a
kind of "slave". If the analogy is extended, a domestic
servant was a "slave's apprentice".

1931-1951

From the depression of the thirties through the
postwar economic boom of the forties, domestic service is
difficult to document. Immigration, the major source of
documentation on domestic service was severely restricted
from 1932-1945 (Urquhart and Buckley, 1965:24-25). There­
fore, description of this period is carefully reasoned
speculation based on diverse and general evidence.

A glance at Figure 2 illustrates that the line for
domestic service levels between 1931 and 1941 at about 20% of the female labour force. Why does domestic service
level at this period, amidst a general trend of decline?

The pause in the decline of domestic service between
1931 and 1941 must be explained with reference to the
economic climate of the period. Domestic service was a
last resort occupation for women during hard economic
times. Therefore, during the economic depression of the thirties, when unemployment rates soared, women were pushed into domestic service for reasons of subsistence.

From 1941 to 1951, the proportion of domestic servants resumes its decline. The decline of domestic service between 1941 and 1945 is again explained by the labour-hungry wartime economy. Demand for domestic servants was high during this period because the depression related oversupply of female domestics disappeared as women were attracted to a wide range of available occupations due to wartime over-production.

The flavour of this period is clear in popular journals such as MacLean's and Saturday Night magazine. From 1944 through 1949, numerous articles appeared concerning the role of women in post-war reconstruction. The dialogue took place in a climate of uncertainty. Some political analysts anticipated that the pressure exerted by returning servicemen on the economy would precipitate complete economic collapse. The role of women in reconstruction was clear. Women were to be dutifully prepared to re-adjust their social roles, returning to the confines of the household as housewife or domestic servant, or limiting their labour force activity to established feminized occupations. In each article, the journalist would argue the same issues. First, that women must give up their occupations to men and be prepared to return to
the household. As compensation, it was argued the status of domestic work must increase.

Despite predictions of doom, the recession never arrived. However, it is likely that the decennial character of census data hides an increase in domestic service between 1945 and 1949. During the immediate post-war period, the rate of female labour force participation declined from 31.4% in 1945 to 22.7% in 1946 (Connelly, 1978:78). Thus, for a brief period, there was a large displacement of women by men in labour force occupations. A rise in domestic service is hinted at in a Saturday Night magazine in 1949: "Women are in their own words 'desperate' for work...The desperate situation for household employees has reversed, women are now desperate to become household employees." For a short time women were again forced into domestic service.

By 1951, the continued decline of domestic service indicates that the extent of post-war economic growth out-weighed the initial displacement of women from labour force occupations. Feminized segments of the labour market continued to increase. Clerical work almost doubles between 1941 and 1951. Due to increased demand for women in other segments of the labour market, Canadian women have not been forced to return to the drudgery of domestic service.
Between 1951 and 1981 the rate of female labour force participation increased from 22.5% to 45%. While the number of women entering the labour market increase, the proportion of domestic servants decreased to a minute percentage.

Facing persistent demand and a shortage of Canadian women willing to work as domestic servants the Canadian government initiated a "soft landing" program for recruitment of Jamaican domestic workers between 1955-1967 (Francis, 1968:180). The program was arranged by the Jamaican Ministry of Labour and Canada Employment and Department of Manpower (Canada, 1981:86). According to the plan Jamaican women were prescreened by the Jamaican Ministry of Labour. Women selected were between 18 and 40 years of age, had completed elementary school and were of "good health and character". They were eligible only if single, widowed, divorced, without small children, nor involved in a common law relationship (Canada, 1981:86). The plan exchanged landed immigrant status to the employee in return for a one year term as domestic in Canada.

From 1973 until present, Canadian immigration authorities initiated a "temporary employment authorization" plan. Under the plan women are issued a temporary work permit at the time of their arrival in Canada. A temporary employment permit restricts her activity to performance of
domestic labour in the private household of a designated employer (Canada, 1982:12). If her job terminates, the domestic is granted a two week grace period to secure a domestic position, or face immediate deportation. The domestic must leave Canada because a temporary employment authorization can only be applied for outside Canada.

The temporary authorization system is an efficient solution for solving the demand for "live-in" domestics in Canada. In many respects female domestics are indentured labour. Domestics are restricted to domestic work and loss of job means deportation. On the other hand, the domestic cannot expect to improve her status in Canada because the current point system for landed status virtually excludes domestic servants. Under the provisions of the 1976 Immigration Act, an applicant may become successfully established in Canada if awarded fifty units of assessment. The assessment criterion is divided into nine factors each with a maximum number of units available depending on the qualifications of the applicant. The factor "Specific Vocational Preparation", is "to be measured by the amount of formal professional, vocational, apprenticeship, in-plant or on-the-job training specified in the Canadian Classification and Dictionary of Occupations" (Canada, 1981:19) and the occupation "maid-domestic" is eligible for three of a possible fifteen units. In the
factor for "Experience" a "maid-domestic" is eligible for only two of a possible eight units. The low rating of domestic work indicates the attitude of the Canadian authorities to the value of domestic labour of all kinds.

The employers of domestic servants are now almost exclusively prosperous and urban. Distribution of employment authorizations are concentrated in "Toronto, Montreal and other Ontario cities" (Canada, 1981:35). Dubois (Canada, 1981:35) shows the following income distribution for employers of domestics and babysitters in several Quebec cities:

TABLE 1

<table>
<thead>
<tr>
<th>Employers' Income*</th>
<th>Per Cent</th>
</tr>
</thead>
<tbody>
<tr>
<td>10-20,000</td>
<td>.5%</td>
</tr>
<tr>
<td>20-30,000</td>
<td>8.3%</td>
</tr>
<tr>
<td>30-40,000</td>
<td>24.0%</td>
</tr>
<tr>
<td>40+ over 40,000</td>
<td>67.2%</td>
</tr>
</tbody>
</table>

*NOTE: Median family income for the metropolitan area of Montreal was $22,356 in 1979 (Statistics Canada, 1981)

While the employers of domestics have always been middle to upper-class Canadian, evidence suggests that the function of the domestic in the household has changed. Between 1891-1931, the "general servant" was hired to perform a number of tasks. Today the function of a "live-in" domestic is specialized. In Dubois' study almost all
households with domestics had children and 71.4% of the respondents answered the question "Reasons for Hiring a Domestic or Babysitter", with, "To free both spouses for the labour market" (Canada, 1981:38). Currently domestics are hired to provide child care for dual career professional families. At a take home pay rate of $78.69 per week in British Columbia (Canada, 1981:69), the domestic servant compares favourably with day care facilities.

By 1981 domestic servants represent a small percentage of the female labour force. Although the function of the domestic servant has become specialized her position in the household is similar to that described in the turn-of-the-century urban household. In the Victorian home the domestic servant was hired to free the housewife for community activities. Today, the domestic servant is hired to free the wife for labour force activity. From 1951 onward the domestic servant has been denied numerous freedoms. In liberal ideology the labourer is theoretically free to choose an employer. From the restrictions of the "soft landing" program initiated in 1953 through the "temporary authorization" system of 1973, the domestic servant has lost the small measure of freedom these rights provide. Domestic service is a marginal occupation. This becomes clear in the next chapter, a study of the treatment of domestic servants in British Columbia labour
A number of conclusions may be drawn from this chapter. The urban domestic worked to free her mistress for other activities. In the context of the urban family the domestic is a "housewife's housewife". Domestic service has always been a last resort occupation and entertains a special relationship with other segments of the labour force - during periods of recession women are pushed into this occupation. Over the period 1891-1981, the function of the domestic servant has become specialized. Since 1951, various immigration classifications have severely restricted the labour force activity of domestics.
CHAPTER III

A STATUTORY ACCOUNT OF DOMESTIC SERVICE IN BRITISH COLUMBIA

Chapter II is an aggregate statistical profile and explanation of the decline of domestic service as a labour force activity. A further account of domestic service is preserved on the legal record. In this chapter I will describe the treatment of the domestic servant in British Columbia labour statutes in the period 1900-1981. I shall also provide a general interpretation. Why has the domestic servant, until 1981, remained omitted and excluded from almost every provision of protective labour legislation? What does this type of treatment tell about the official view of the domestic servant, and the work in the household she performs?

I will begin by addressing the research process behind this chapter. This chapter is based on the information contained in the Appendix, an annotated statutory history of the domestic servant in British Columbia. The Appendix was compiled by reviewing British Columbia statutes, and investigating the status of the domestic servant in developing labour legislation. The second step was a review of the journals and debates of the legislative assembly, in the period during which the act or amendment was established. Unfortunately, my review of the legislative debates produced very little useful information. Finally for the purposes of definition I used the *Canadian Abridgement* and *Words and Phrases Legal*
Maxims (1825 to 1978), to provide a case law legal definition of domestic work. This chapter is not a complete legal study of the domestic servant in B.C. What is missing from this account, is a thorough analysis of B.C. Master-Servant case law. A study of Master-Servant case law would provide exact interpretation of the application of a statute. My level of expertise with legal materials prevented such an investigation.

The simplest way of presenting a statutory history of the domestic servant is to give an itemized account of each relevant statute. The following items summarize the Appendix, which contains a more detailed and fully referenced account:

(1) Domestic servants were explicitly excluded from the act to fix "minimum wage" for women when established in 1918. Domestic servants were explicitly included in minimum wage legislation effective March 14, 1981, at $29.20 flat rate per day.

(2) Domestic servants were explicitly excluded from the "Annual Holidays Act", when established in 1946. Domestic servants were not explicitly excluded from annual holidays legislation effective March 14, 1981.

(3) Domestic servants were not explicitly excluded from the "Workmen's Compensation Act" established 1902. In a 1916 amendment, domestic servants were explicitly excluded from the act. Since a 1954 amendment to the act, a domestic servant may be subject to the act through special application to the workers' compensation board.

(4) Domestic servants were not explicitly excluded from the "Hours of Work Act", when established in 1923. Domestic servants were explicitly excluded from hours of work provision, effective March 14, 1981.
(5) Domestic servants were not explicitly excluded from the original "Semi-Monthly Payment of Wages Act", 1917. Domestic servants were explicitly excluded from a semi-monthly payment of wages legislation in 1979. Domestic servants must be paid all wages semi-monthly effective March 14, 1981.

(6) Domestic servants were not explicitly excluded from the original "Maternity Protection Act", 1921. Domestic servants were explicitly excluded from the Maternity Protection Act 1966. Effective March 1981, domestics are not explicitly excluded from maternity leave.

(7) Domestic servants were explicitly excluded from the "Labour Relations Act", established 1954. Since 1975, the domestic servant has been defined as an employee and may participate in union formation and collective bargaining.

(8) Domestic servants were explicitly excluded from application of the "Fair Employment Practices Act", established 1956. Domestic servants are no longer explicitly excluded from human rights legislation 1979.

At least two patterns may be gleaned from the above description.

The first is a simple two stage process; exclusion - admission. At the time when an act was established the domestic servant was explicitly excluded from its application. The second stage is sudden recognition and admission of the domestic under application of an act. The history of minimum wage and labour relations legislation illustrates this two stage process.

The second pattern is a more complex three stage process; omission - exclusion - admission. The maternity protection,
and semi-monthly payment of wages act are examples of this experience. At the initial stage, when an act was first established, domestic service was not explicitly defined as a category of work exempt from the act's application. During this stage, although the domestic was not explicitly excluded from the act's application, it has been suggested that provisions of the acts were never actually enforced with respect to domestics. In other words, at this stage the domestic servant and her work were an omission. The domestic servant was not explicitly excluded from an act's application, but neither were the acts enforced. From a legal point of view, domestic service was invisible. The second stage of the process may be termed explicit exclusion. Domestic service first became visible as a kind of activity, through the decision to explicitly exclude domestic service from application of a statute. The movement toward explicit exclusion of the domestic, was probably a formal statement of standard practice, the fact that established statutory provisions were never enforced with respect to domestics. Explicit exclusion was in many instances likely the result of a case-law interpretation of domestic service, where domestic service was officially excluded by a bench decision from application of an act. The third stage effective in recent years is the explicit admission of domestic servants to various acts from which they were previously excluded.

A way of viewing the two patterns outlined is to assert that domestic service has been a subject of increasing
awareness in statutory materials. In the case of omission, domestic work was hidden, it was neither mentioned nor were the provisions of the statute enforced. Next, domestic service became visible as an explicit exclusion. Precise wording of the statutory text provides insight into the meaning of explicit exclusion. The domestic servant was excluded from one of two places in the statutory text, either "application of the act" or "definition of employee" to whom the act applies. The movement to explicit exclusion meant that domestic service had become a problem of classification, although it was decided that domestic work differed fundamentally in some way from other forms of labour force activity. The final stage is admission, explicit recognition that domestic service is similar to other labour force activities meriting some protection under the law.

Unfortunately, the final stage, complete admission and protection of the domestic servant under the law, has yet to fully mature. The Appendix shows a number of progressive steps. Between 1979 and 1981, the domestic has gained admission to numerous acts from which she was previously exempt: human rights, minimum wage, semi-monthly payment of wages, maternity leave. However, the recent legislation also provides a painfully regressive provision. Effective March 1981, the domestic servant is explicitly excluded from Part 3 of the Employment Standards Act, including hours of work and overtime, maximum hours of work, overtime pay, variation by director, eating periods and periods free from work, split
shift, minimum daily pay and hours free from work. Prior to 1981, the domestic servant had been omitted from hours of work legislation. She had not been explicitly excluded from the act, although the act was never enforced. The exclusion of domestic service from hours of work legislation subtracts from the benefits of admission to minimum wage legislation. According to 1981 minimum wage provisions the domestic must receive at least $29.20 per day flat rate. The amount $29.20 is calculated on the assumption of an eight hour work day receiving minimum wage. At the same time, the domestic is excluded from the hours of work legislation ensuring eight hour work periods, and appropriate overtime pay for work which exceeds the established maximum. Stated simply, a domestic may lawfully work fourteen or sixteen hours per day for $29.20.

A further concern which pertains to the most recent legislation is the problem of enforcement. Repressive immigration legislation softens the potential impact of progressive employment standards legislation. As discussed in Chapter II most domestic servants work in Canada under a temporary employment authorization permit. The permit allows a domestic to perform only domestic labour in the home of a designated employee. If a domestic loses her job, through dismissal or otherwise, she is granted a two week period of grace to secure a new position. Once this period of grace expires, her permit is revoked and deportation immediate. With the threat of immediate deportation, it is
unlikely that a domestic servant will readily report violations to the employment standards legislation.

Other provisions of recent legislation, while applicable, are of little practical concern to a domestic servant. One such provision is the right to unionize. Unionization is a common form of collective organization which workers create to improve their status, wage levels and working conditions. The domestic servant won the right to unionize under the 1975 Labour Code of British Columbia. In practice, application for union certification would be a difficult goal for domestic servants to accomplish. As noted previously, these are immigrant women under temporary authorization permits whose immigrant status is tenuous at best. In addition, domestic servants work in isolation, in private homes, rarely have the same time off, and lack a strong informal organization where a membership drive might begin.

Our historical account is not complete without answering the question: Why has domestic service received admission to employment standards legislation during the past several years? Neither the type and location of domestic work, nor the social status of the domestic servant in society has changed greatly and thus cannot account for the recent admission of domestics to labour statutes. A factor which has changed and provides explanation is an increase in the number of groups interested in the unique problems domestics experience. During the past decade women's organizations, labour research groups and journalists have acted as advocates
on behalf of domestics. The Canadian Advisory Council on the Status of Women, Intercede - International Coalition to End Domestic's Exploitation, British Columbia Status of Women and the British Columbia Labour Advocacy and Research Association are organizations which have drafted position papers and lobbied on behalf of the domestic. The pressure from lobby groups was responsible for the Government of Canada Task Force 1981, which states that the situation of foreign domestics has been "well-publicized", "there have been sufficient reports of mistreatment to focus public attention on their plight and their particular vulnerability to abuse" (Canada, 1981:12).

With a brief history complete, I may pose the question: Why, until recently, has the domestic servant been omitted and excluded from almost every provision of protective labour legislation? Two characteristics of domestic service provide an explanation.

The first concerns the type and location of the work the domestic servant performs. The following is a case law definition of the domestic servant, from a 1950 Ontario Workmen's Compensation claim. These passages are different summaries of the same case:
The terms "domestic servant" and "menial servant", taking into account their origin and history and the meaning ascribed to them for so long a time, denote hirelings employed in service in and about the house on household affairs, or whose business it is to assist in the economy of the family. They should not be applied, without words to that effect, to persons hired in the service of a commercial organization where they are far removed from the family atmosphere.


And, "Domestic or menial servants" - Application of Part II of Act - Workmen's Compensation Act, R.S.O, 1937, c. 204, sec. 120, 124, One who is employed in connection with a commercial industry is not within the term "domestic servant", even if the services performed are of such a nature.


A separate case example demonstrates the principle, that "one employed in connection with a commercial industry is not within the term "domestic servant", even if services performed are of such a nature." This example is from a 1942 B.C. Workmen's Compensation claim:

(B.C.) The Workmen's Compensation Act, R.S.B.C. 1936, c. 312, s. 2(2), excepts a "domestic servant" from the operation of the Act. From the decisions on the meaning of the phrase it would appear that each case must be decided on its own merits. Here, a woman who performed the duties of cook and housekeeper in a hospital, under the supervision of matron thereof, should not be regarded as a "domestic servant" so as to prevent
her claiming under the provisions of the Act.


The principle upon which this decision is based, is a conviction that domestic work which takes place in a private home is fundamentally different than work of the same nature which takes place in a commercial setting. This distinction highlights a conspicuous contradiction. When domestic types of work activity take place in a commercial setting they merit full recognition and protection under labour legislation. In the household, the same activity suddenly turns to non-work - it is excluded from the basic legislation designed to safeguard labour force activity.

That the domestic servant should be omitted and excluded from labour legislation is not surprising given the characterization provided in Chapter II. According to my definition, the domestic servant is a housewife's housewife. The domestic servant performs a range of household tasks, under the authority of a mistress. Because a domestic servant is a housewife's housewife, her work suffers the same fate as the work of a housewife, the work contribution of a domestic servant is not recognized from a legal point of view. The work contribution of the domestic servant is invisible when domestic work is omitted from a statute, and explicitly defined as non-work when formally excluded. It is because a domestic servant performs domestic work in the household,
under the authority of housewife, that domestic work is omitted and excluded from protective labour legislation.

A second feature of domestic work helps explain why domestic service has been omitted and excluded from statutory provisions. Careful reading of the statutes reveal a second group of workers whose treatment in legal materials is similar to that of the domestic servant. The Appendix indicates that "farm-labourers" and "fruit-pickers" are also excluded from numerous provisions of labour legislation. A brief discussion of the relationship between these two categories of work provides insight into domestic work. What does farm labour and domestic service have in common? Farm labour and domestic service each stem from pre-industrial types of production. Progressive labour legislation is largely a result of unionization. Unions which originated in the growing manufacturing and resource segments of the economy, during the 19th and 20th century fought and won limited forms of protection for employees. Agriculture and domestic work was in a sense "left behind". Domestic service and farm labour has not received full legal status as "work", as has manufacturing and resource activity. Agricultural and domestic service is associated with personal service, residue of a feudal view of work and production.

An associated reason for exclusion and omission of domestic service and agricultural labourers is the social status of the workers and work context of these occupations. Both domestic service and agricultural labour is performed largely
by lower class individuals, whose work context makes unionization difficult. Domestic work takes place in the isolation of a private home and agricultural labour is often of a seasonal nature. From a simple perspective of power, this group of disadvantaged and marginal workers has been unable to take collective action and gain concessions from their employers.

To conclude, until recently domestic service has been excluded and omitted from almost every provision of protective labour legislation. Since 1902, the statutory law of British Columbia has become increasingly aware of domestic service, first as an exclusion and later as an explicit admission to legislation. Despite recent progressive steps, the domestic servant still awaits full legal status in British Columbia employment standards legislation. The domestic servant has been excluded from labour legislation for two reasons. First, because she is a woman who performs housework in a household under the authority of a housewife, her labour has suffered the same fate as the work contribution of the housewife in the household; it is considered "non-work" from a legal point of view. Second, because a domestic servant is a woman of lower class and immigrant status, she has been unable to press for the reforms won by workers in other segments of the labour force.
CHAPTER IV

CONCLUSION

This paper begins to outline and explain the plight of domestic servants in Canada. A domestic servant is (1) a woman, (2) in a private household, (3) who performs housework, (4) below a housewife. The work context of the domestic servant is modelled on the work context of a housewife in a private household. The work of Canadian housewives is considered an almost worthless activity. As a result, the domestic servant has received substandard wages, been omitted and excluded from labour legislation, and been ignored by social science.

When examined carefully domestic service proves an interesting and important occupation. Domestic service is an important long-term labour trend. The height and decline of domestic service is a long-term labour trend for women which corresponds with the decline of male participation in agricultural occupations. It identifies the aggregate experience of a group of women in Canadian history. It is the experience of lower class immigrant and rural women during a period of social transition; from rural to urban and foreign to Canadian. Domestic service declined because of a shortage of supply of servants and the rise of other feminized segments of the labour force such as clerical work, which provided more attractive
opportunities for women entering the labour market.

Finally, the experience and treatment of the domestic servant is a statement about how housework is valued in Canada. Like the housewife, the work contribution of the domestic servant experiences the peculiar feature of becoming non-work. Domestic service was excluded from British Columbia labour legislation because it takes place in a private household; identical work in a commercial setting received legal application. This contradiction requires resolution. The work contribution of the domestic servant and housewife must be recognized as a valuable and worthy contribution to the Canadian economy.
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**Statutes**

Annual Holidays Act, S.B.C., 1946, C. 4, S. 1
Annual Holidays Act, R.S.B.C., 1948, C. 13, S. 3
Annual Holidays Act, R.S.B.C., 1960, C. 11, S. 3

Fair Employment Practices Act, S.B.C., 1956, C. 16, S. 1
Human Rights Act, S.B.C., 1966, C. 10, S. 1
Human Rights Code, R.S.B.C., 1979, C. 186, S. 1

Hours of Work Act, S.B.C., 1923, C. 22
Hours of Work Act, R.S.B.C., 1924, C. 107
Hours of Work Act, R.S.B.C., 1936, C. 122
Hours of Work Act, R.S.B.C., 1948, C. 154
Hours of Work Act, R.S.B.C., 1960, C. 182

Labour Relations Act, S.B.C., 1954, C. 17, S. 1
Mediation Commission Act, S.B.C., 1968, C. 26, S. 1

Minimum Wage Act, S.B.C., 1918, C. 109, S. 1
Minimum Wage Act, R.S.B.C., 1924, C. 173, S. 15
Minimum Wage Act, R.S.B.C., 1936, C. 48, S. 3
Minimum Wage Act, R.S.B.C., 1948, C. 221, S. 3
Minimum Wage Act, R.S.B.C., 1960, C. 143, S. 3

Maternity Protection Act, S.B.C., 1921, C. 37
Maternity Protection Act, R.S.B.C., 1924, C. 155
Maternity Protection Act, R.S.B.C., 1936, C. 169
Maternity Protection Act, R.S.B.C., 1948, C. 204
Maternity Protection Act, R.S.B.C., 1960, C. 235, as am., S.B.C., 1966, C. 25, S. 3, as am.

Semi-Monthly Payment of Wages Act, S.B.C., 1917, C. 73
Semi-Monthly Payment of Wages Act, R.S.B.C., 1924, C. 269
Semi-Monthly Payment of Wages Act, R.S.B.C., 1936, c. 303
Semi-Monthly Payment of Wages Act, R.S.B.C., 1948, c. 358
Semi-Monthly Payment of Wages Act, R.S.B.C., 1960, c. 350
Employment Standards Act (payment of wages), R.S.B.C., 1979, c. 107, s. 110, as am., S.B.C., 1980, c. 10, S.4

Workmen's Compensation Act, S.B.C., 1902, c. 74, s. 1
Workmen's Compensation Act, S.B.C., 1916, c. 77, s. 74
Workmen's Compensation Act, R.S.B.C., 1936, c. 312, s. 2
Workmen's Compensation Act, R.S.B.C., 1948, c. 370, s. 2, as am., S.B.C., 1954, c. 54, s. 2
APPENDIX: Treatment of Domestic Servants in British Columbia Labour Statutes

1. An Act to fix a minimum wage for women, short title, Minimum Wage Act, established S.B.C., 1918, C.56, S.1. According to S.15: "This act shall not apply to farm labourers, fruit pickers, or domestic servants or their employers." Domestic servants were explicitly excluded from minimum wage protection when the act was established.

Domestic servants were explicitly excluded from the Minimum Wage Act:
- Minimum Wage Act, R.S.B.C., 1924, C.173, S.15
- Minimum Wage Act, R.S.B.C., 1936, C.48, S.3
- Minimum Wage Act, R.S.B.C., 1948, C.221, S.3
- Minimum Wage Act, R.S.B.C., 1960, C.143, S.3
- Employment Standards Act, R.S.B.C., 1979, C.107, S.87

Domestic servants were admitted to Minimum Wage Provisions, through an amendment to the Employment Standards Act, R.S.B.C., 1979, C.107, S.87, as am., S.B.C., 1980, C.70, S.105. Effective March 1981, minimum wage for a domestic servant is 29.20 per day flat rate.

2. An Act to provide for Annual Holidays with pay for employees, short title, Annual Holidays Act, established, S.B.C. 1946, C.4, S.1. According to S.3: "This act shall apply to employers in every industry, business, trade, and occupation, except the following: (b) Domestic service
in a private residence." Domestic servants were explicitly excluded from the annual holidays provision when the act was established.

Domestic servants were explicitly excluded from the Annual Holidays Act:
Annual Holidays Act, R.S.B.C., 1948, C.13, S.3
Annual Holidays Act, R.S.B.C., 1960, C.11, S.3
Employment Standards Act, R.S.B.C., 1979, C.107, S.2

Domestic servants were not explicitly excluded from the Annual Holidays provision, through an amendment to the Employment Standards Act, R.S.B.C., 1979, C.107, S.2, as am., S.B.C., 1980, C.10, S.36, The 1980 amendment became effective March 1981.

3. An Act respecting compensation to workmen for accidental injuries suffered in the course of their employment, short title, Workmen's Compensation Act, established, S.B.C., 1902, C.74, S.1. Domestic servants were not explicitly excluded from the original act.

Domestic servants were explicitly excluded from the Workmen's Compensation Act, S.B.C., 1916, C.77, S.74: "This act shall not apply to farm labourers or domestic servants or to their employers." Domestic servants were further excluded:

Workmen's Compensation Act, R.S.B.C., 1936, C.312, S.2
Workmen's Compensation Act, R.S.B.C., 1948, C.370, S.2
In an amendment, Workmen's Compensation Act, R.S.B.C., 1948, C.370, as am., S.B.C., 1954, C.54, S.2, the section of the act excluding domestic servants was omitted. Since 1954, although domestic service is not among the industries specified by the B.C. statute, they may be included by special application.

4. An Act limiting hours of work in industrial undertakings, short title, Hours of Work Act, established, S.B.C., 1923, C.22, S.1. Domestic servants were not explicitly excluded from the original act.

Domestic servants were not explicitly excluded from application of the act:
Hours of Work Act, R.S.B.C., 1924, C.107
Hours of Work Act, R.S.B.C., 1936, C.122
Hours of Work Act, R.S.B.C., 1948, C.154
Hours of Work Act, R.S.B.C., 1960, C.182
Employment Standards Act, R.S.B.C., 1979, C.107

Domestic servants were explicitly excluded from Hours of Work provision in an amendment to the Employment Standards Act, R.S.B.C., 1979, C.107, S.87, as am., S.B.C., 1980, C.10, S.26. The 1980 amendment became effective March 1982. Domestic servants were explicitly excluded from Part 3 of the Employment Standards Act including, Notice of hours of work, Maximum hours of work, Order by director, Overtime pay, Variation by director, Eating period and periods
free from work, Split shift, Minimum daily pay, and hours free from work.

5. An Act respecting the employment of women before and after childbirth, short title, Maternity Protection Act, established, S.B.C., 1921, C.37, S.1. Domestic servants were not explicitly excluded from application of the act when established.

Domestic servants were not explicitly excluded from the Maternity Protection Act:
Maternity Protection Act, R.S.B.C., 1924, C.37
Maternity Protection Act, R.S.B.C., 1936, C.169
Maternity Protection Act, R.S.B.C., 1948, C.204
Maternity Protection Act, R.S.B.C., 1960, C.235

Domestic servants were explicitly excluded from the Maternity Protection Provision, through an amendment to the Maternity Protection Act, R.S.B.C., 1960, C.235, as am., S.B.C., 1966, C.25, S.3.

Domestic servants were no longer explicitly excluded from the Maternity Protection provision, in an amendment, S.B.C., 1980, C.10, S.51. This amendment became effective March, 1981.

6. An Act respecting the Semi-Monthly Payment of Wages, short title, semi-Monthly Payment of Wages Act, established, S.B.C., 1917, C.73, S.1. Domestic servants were not
explicitly excluded from application of the act when it was established.

Domestic servants were not explicitly excluded from application of the Semi-Monthly Payment of Wages Act:
- Semi-Monthly Payment of Wages Act, R.S.B.C., 1924, C.269
- Semi-Monthly Payment of Wages Act, R.S.B.C., 1936, C.303
- Semi-Monthly Payment of Wages Act, R.S.B.C., 1948, C.358
- Semi-Monthly Payment of Wages Act, R.S.B.C., 1960, C.350

Domestic servants were explicitly excluded from the Semi-Monthly Payment of Wages provision Employment Standards Act, R.S.B.C., 1979, C.107, S.110.

Domestic servants were admitted to the Semi-Monthly Payment of Wages provision in an amendment to the Employment Standards Act, R.S.B.C., 1979, C.107, S.110, as am., S.B.C., 1980, C.10, S.4. The amendment became effective March, 1981.

7. An Act respecting the Right of Employees to organize, and providing Mediation Conciliation, and Arbitration of Industrial Disputes, short title, Labour Relations Act, established, S.B.C., 1954, C.17, S.1. According to S.2: "Employee means a person employed by an employer to do unskilled manual, clerical, or technical work, but does not include-(d) A Person employed in domestic service, agriculture, horticulture, hunting, or trapping."

In 1968 the Labour Relations Act became the Mediation
Commission Act, S.B.C., C.26, S.1. The domestic servant was explicitly excluded from application of the act.

In 1973 the Mediation Commission Act became the Labour Code of British Columbia Act, S.B.C., 1973, C.122, S.1. Domestic servants were explicitly excluded from application of the act.

In an amendment to the Labour Code of British Columbia Act, S.B.C., C.122, S.1, as am., S.B.C., 1975, C.33, S.1, the domestic servant may participate in lawful activities with respect to union formation and collective bargaining.

8. An Act to prevent discrimination in regard to Employment and in regard to Membership and Trade-unions by reason of Race, Religion, Colour, Nationality, Ancestry, or Place of Origin, short title, Fair Employment Practices Act, established, S.B.C., 1956, C.16, S.1. According to S.2: "This act does not apply to the employment of prospective employment of a domestic servant in a private home."

In 1966 the Fair Employment Practices Act, became the Human Rights Act, S.B.C., 1966, C.10, S.1. Domestic servants were explicitly excluded from application of the act.

In 1979 the Human Rights Act, became the Human Rights Code, R.S.B.C., 1979, C.186. Domestic servants were not explicitly excluded from application of the act.