

Policy Impacts on Micro-Aggression and Micro-Resistance: A Comparative Study of Domestic Workers in Shenzhen and Hong Kong

Abstract

This study investigates the complexity of micro-aggression and micro-resistance dynamics within the migrant domestic worker industry. Specifically, it looks at how local government policies shape this dynamic. Using qualitative data, we conducted 25 interviews with migrant domestic workers across Shenzhen and Hong Kong. The findings highlight a significant influence of the 'two-week rule' and 'live-in policy' on the power dynamics between employers and workers, which indirectly shape the aggressive behaviour exhibited by employers and subsequently influence the ways in which the worker's response to such aggression.

Introduction

In 2015, the story of Erwiana Sulistyarningsih shocked the world. An Indonesian worker who worked as a domestic helper in Hong Kong, she faced some of the most horrifying and dehumanizing abuses that one could ever imagine. She was being treated like an animal. In her case, she was hit so hard that her teeth fractured, had a vacuum cleaner tube shoved down her mouth, and was starved, forcing her to escape and knock on a neighbor's door at 2:30 a.m. to beg for help. Her prosecutions against the abuser quickly raised public attention and, after her stories were heard, led to public outrage.

In the era of globalisation, domestic workers have gradually become an integral part of the global economy. Over the past few years, we've witnessed a surge of domestic work across national borders. They now constitute a significant portion of the global workforce. These workers, predominantly women, have become a lubricant oil that ensures the functioning of modern economies. However, despite their pivotal role, domestic work remains one of the most undervalued and least regulated sectors, often entailing significant challenges and violations of workers' rights, a direct consequence of the interplay of patriarchal thoughts and traditional values. Through work, not only do they have to contribute their physical labor, but also their emotional labor as they attempt to navigate the aggression displayed by the employers.

This research examines the domestic worker industry in two regions, Shenzhen and Hong Kong. Hong Kong is a thriving global city where the demand for domestic work has surged, driven by a rise in dual-income families and a growing elderly population. Hong Kong now has more than 340,000 migrant domestic workers (MDWs) that mostly come from Southeast Asian and South Asian countries, such as the Philippines, Indonesia, Thailand, and India. This group of labour now constitutes around 10% of the region's labor force. There are two special policies in place in Hong Kong that will be the primary focus of the report, the "live-in policy" and the "two-week policy," which are related to the residential requirement and travel visa, respectively. In short, the "live-in policy" mandates that MDWs in Hong Kong must live in their employer's residence. They cannot live outside or have their own separate accommodations. The two-week policy states that when an employment contract of a foreign domestic worker in Hong Kong is terminated by either party before its expiration, the domestic workers have two weeks (14 days) to find a new job and get a

new visa, or they must leave Hong Kong and reapply for their working visas. Both policies play a crucial role in shaping the work and life aspects of the workers' experience.

Shenzhen, on the other hand, is a major mainland city in China that is located in close proximity to Hong Kong and has a starkly different domestic work landscape. Shenzhen's domestic helpers are primarily internal migrants from rural areas, a demographic shift fueled by the rapid urbanization of China. Similar to Hong Kong, the industry is quickly thriving, and it is very common to have domestic workers. However, the sector is often more fragmented and flexible, often encompassing part-time or hourly work helpers and live-in nannies. Because of the workers' status as internal immigrants, the so-called "two-week policy," or any form of policy related to the worker's migration, is absent in Shenzhen. Workers also have greater flexibility in choosing their residence. They can choose to be a full-time live-in nanny or a part-time domestic worker.

The role of domestic workers in enabling the smooth functioning of the modern economy cannot be overstated.

Hence, the two cities, in such close proximity to each other geographically, serve as two representation case studies to investigate the influence of governments' policy implementations on the lives of migrant domestic workers. Building on the backdrop of the diverse experiences and challenges faced by domestic workers in Shenzhen and Hong Kong, this research aims to answer two critical questions: 1) How do policies related to the domestic worker industry differ in Shenzhen and Hong Kong? 2) How does the existence of policy differences influence the power dynamics, as illustrated through the process of micro-aggression and micro-resistance, in the workplace?

Domestic work is historically undervalued and marginalized, a trend rooted in patriarchal societal structures that perceive household work as 'women's work' and, therefore, unskilled and low-status. This often leads to the normalization of poor working conditions and exploitation. The work setting, which is a family setting, reinforced this patriarchal thought despite the fact that society widely praises gender equality, such an ideal is absent in the private sphere. Media reports have highlighted a myriad of issues faced by domestic workers, including physical and verbal abuse and denial of basic rights. These are examples of micro-aggression encountered by domestic workers. This research paper, therefore, seeks to examine the living and working conditions of domestic workers in Shenzhen and Hong Kong in a comparative framework, with the aim of shedding light on the systemic issues at play. Thus, it is suitable to apply the idea of micro-aggression and micro-resistance to this investigation. Micro-aggression is commonly defined as the daily, common-place insults committed against an oppressed group (Sue et al., 2017; Torino et al., 2018). These acts usually happen in a subtle manner, often unidentifiable as insults. As in the case of domestic workers, micro-aggression is seen in the familial setting in the employer's house. Micro-resistance is the workers' resistance to the objectification of their labor in order to emotionally protect themselves from the damaging consequences of patriarchal thoughts (Evans and Moore, 2015).

Traditionally, the framework of micro-aggression and micro-resistance has been applied to black-white interaction (Evans and Moore, 2015). In these years, the concept has been applied to multiple other marginalized communities. Our research paper thus builds upon the framework by applying it to the study of migrant domestic workers.

To gain a comprehensive understanding of the subject matter, this study draws on qualitative data from interviews. The qualitative component includes semi-structured interviews with domestic

workers in Shenzhen and Hong Kong. These interviews aim to explore the workers' lived experiences, including their working conditions, relationships with employers, perceptions of policies, and power dynamics within families. To gain additional insights, I have also conducted interviews with representatives of Non-Governmental Organizations (NGOs) who work closely with domestic workers in both cities. Their perspectives will add depth to the findings, providing a broader socio-political context to the experiences of domestic workers.

The following sections will outline the content of this paper. In section 2, we will explore previous studies on MDWs in Hong Kong and Shenzhen and present our hypothesis accordingly. Section 3 will provide details on the method of data collection and the sample we selected. In section 4, we outline the result of the study, accompanied by the analysis of our interview transcript. Section 6 is a discussion of the result. Finally, we conclude this paper with section 5.

Literary Review

The nature and value of domestic work are deeply embedded in the social fabric of a society, influenced by cultural norms, economic imperatives, and political frameworks. For migrant domestic workers (MDWs) in cities such as Hong Kong and Shenzhen, the sociopolitical environment not only determines the nature of their work but also shapes their daily lives.

Historically, domestic labor has been undervalued due to the patriarchal structure of societies that prioritize men's work over women's. Domestic labor, particularly women's work, has often been perceived as requiring fewer skills and being less intellectually stimulating (England, 2010; Acker, 1990). This undervaluation is not merely cultural but has tangible economic and policy implications, particularly for migrant domestic workers. This is especially the case when it comes to Filipino and Indonesian migrant workers in Hong Kong, whose migration is driven by economic need and limited job opportunities in their home country, which, again, is a reinforcement of their subordinating status. (Parreñas, 2005)

Hong Kong's legislative landscape presents distinct challenges for MDWs. Under the 'New Conditions of Stay' or the infamous "Two Week Rule," MDWs must find a new contract or depart the country within two weeks if their existing contract is terminated for reasons excluding documented abuse or exploitation (Immigration Department of HKSAR, 2008). This policy significantly hampers the ability of MDWs to challenge any injustices they face. It has been observed that the pressures of these policies often result in MDWs settling for considerably less than their legal entitlements, with some receiving as little as 40% of their claims. Moreover, legal actions against delinquent employers are seldom pursued due to the systemic challenges posed by these policies. In addition, once they arrive in their host countries, these workers often face power imbalances and vulnerabilities due to insufficient legal protections, inadequate regulation, and weak enforcement of labor rights (Anderson, 2000). These challenges are made worse by cultural norms that view Filipinas as "natural" caregivers, making them more suitable for domestic work (Rodriguez, 2010).

Further compounding these challenges are the socio-economic dynamics of Hong Kong. High living costs, cultural expectations, and the prohibition against working during legal proceedings mean that MDWs are at a severe disadvantage, both economically and socially (Benitez, 2007). Basnyat and Chang (2017) delve deeper into the coping mechanisms adopted by caregivers in Hong Kong, highlighting how MDWs, despite their challenges, become instrumental in supporting families, particularly those with members suffering from conditions like dementia. This mutually beneficial relationship is built on trust and interdependence.

Unlike Hong Kong, the situation of domestic workers in Shenzhen can be traced back to the economic reforms of the 1980s that triggered a massive rural-urban migration (Alexander & Chan, 2004). Thanks to China's internal migration policy, migrant domestic workers face no restrictions on their movements, allowing them to avoid the visa complexities faced by their counterparts in Hong Kong. The majority of these migrant

workers are women engaged in domestic work, facing discrimination and the reality of informal labor due to their work nature (Meng & Zhang, 2001). The research in this field is limited, mainly because of the hidden nature of their work and the underrepresentation of migrant domestic workers in databases such as the Shenzhen Bureau of Labour and Society Security (SBLSS). Most of the existing literature investigates the working conditions of a domestic worker in Fuzhou and Jiangxi province (Liu and Liu, 2022; Xu and Huang, 2022).

Our paper adds additional insights to the literature as there's no existing research that works on a comparative analysis of the two particular case studies of Shenzhen and Hong Kong. I then proceed to illustrate the process by which the family setting creates a complex environment where domestic workers are treated as an outsider and must smartly navigate discriminatory and derogatory ideologies and discourses while simultaneously attempting to maintain their work and life balance to secure their employment. The process is an interplay of the micro-aggression actions from the employer and the micro-resistance actions from the domestic worker, which, when placed together, creates a balance.

Methods and Data Collection

Sample

The study engaged a diverse range of participants from both Shenzhen and Hong Kong. In Shenzhen, using the snowballing method, we contacted one domestic worker online, which led us to recruit seven others through referrals. Additionally, outreach to an employment agency introduced us to 4 more domestic workers and allowed an interview with the agency's manager. Meanwhile, in Hong Kong, 11 domestic workers were recruited directly from popular Sunday gathering spots, namely near footbridges in Central and areas around Victoria Park and Wai Chai District. Furthermore, by tapping into our personal networks, we secured interviews with three domestic worker employers. To broaden the perspective, two NGOs, the Mission for Migrant Women and the Hong Kong Federation of Asian Domestic Workers Unions, were also incorporated into the study, offering different perspectives on the domestic worker landscape in both regions.

Shenzhen Interviewees Information

	Age Group	Education	Marital Status	Shenzhen Domestic Work Experience
#1	32	Graduated Primary School	Married	10+ years
#2	29	Graduated Primary School	Married	10+ years
#3	34	1st year High School	Unmarried	16 years
#4	38	Graduated from middle school	Unmarried	3 years
#5	29	2nd year Middle School	Married	8 years
#6	43	Vocational school	Married	6 years
#7	33	Graduated from Middle School	Divorced	1 year
#8	19	1st year Middle School	Married	7 years
#9	22	Graduated from High School	Married	8 years
#10	34	Graduated from High School	Married	14years

Shenzhen Interviewees Information

#11	42	1st year Middle School	Unmarried	12 years
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Hong Kong Interviewees Information

	Age Group	Education	Marital Status	Hong Kong Domestic Work Experience	Country of Origin
#1	21	Graduated from middle school	Married	9	Philippine
#2	25	Graduated from middle school	Unmarried	13	Philippine
#3	41	Graduated Primary School	Divorced	4	Philippine
#4	33	Graduated from High School	Unmarried	14	Indonesia
#5	31	No Schooling Experience	Unmarried	2	Philippine
#6	27	Graduated Primary School	Unmarried	5	Philippine
#7	26	Graduated Primary School	Divorced	7	Philippine
#8	31	Graduated from middle school	Unmarried	1	Indonesia
#9	39	Graduated from middle school	Divorced	1	Indonesia
#10	19	Graduated Primary School	Divorced	21	Philippine
#11	42	Graduated from middle school	Divorced	17	Philippine
#12	23	Graduated from High School	Married	11	Philippine
#13	29	Graduated Primary School	Married	7	Philippine
#14	20	Graduated Primary School	Unmarried	4	Philippine

Interview Measures

Semi-structured interviews were used to solicit participants' views. Most of the structured questions were about the work and life aspects of their experience in Hong Kong and Shenzhen, and follow-up questions were asked if they mentioned a specific experience that was worth experiencing. Most questions were open-ended, focusing on personal experiences with the two-week rules, the live-in policy in Hong Kong, and the lack of such policies in Shenzhen.

Result

Residential Restriction

One of the most prominent features of domestic workers in Hong Kong is that they are often restricted to living with their employers. This is commonly known as the "live-in policy." The rule was established in 2013 to prevent domestic workers from taking part-time jobs, which in turn created competition with other local Hong Kong workers. Even if they were granted to live alone against the requirement of the law, the skyrocketing rent prohibits migrant domestic helpers from finding a separate home. Consequently, all of the interviewees in Hong Kong are live-in domestic workers who live with their employers.

For these workers, living conditions vary widely, and the experiences shared reflect this diversity. Some domestic workers have private rooms that provide comfort and privacy. Others must deal with rooms without windows, making the space feel cramped and depressing. Shared rooms are common, and while some workers have gotten used to this arrangement, others find it less satisfactory. In some extreme cases, the lack of available space forces workers to sleep in entirely inappropriate areas like toilets. The stories illustrate the broad range of living conditions provided to domestic workers, from acceptable and comfortable to inadequate and unsuitable.

HK#1 "I have a private room...But my friend isn't that lucky. Her employer's home only has two rooms, which are occupied by the employer and the kids, so the helper has to live in the living room."

HK#2 "The room I stayed in for my first employer is really bad because there's no window. It's really depressing. But at least I have two fans, so I later get used to it. But I'm satisfied because, for other domestic workers, from what I've heard, it is mostly a shared room. Mostly shared room. Seldom do they have a private room in the home."

HK#3 "I have a room with a toilet, but some of my friends have to live on the floor."

HK#7 "I'm not sleeping with the baby. The employer doesn't allow me to sleep with the baby inside her room, so I have to sleep in the toilet opposite the child's room. I have to bring my bedding set to the toilet."

HK#9 "I have a room. However, there are lots of belongings of the kids there and also belongings of my employer. So it is not necessarily my room."

The case is starkly different in Shenzhen, where domestic workers have the freedom to choose their location of residence. Take SZ#3 as an example, a domestic worker who had worked both as a live-in nanny and also a part-time cleaner. She mentioned how much flexibility gives her personal space and time, which she thinks is very important to her privacy. This also makes their living condition much more controllable. Unlike in Hong Kong, where the place you live in is completely dependent on the employer's preference, like how HK#7 is asked to sleep in the bathroom, workers have much more autonomy in choosing their residence in Shenzhen, as presented by the following interviewees.

SZ#3 "I used to live with my employer, but I feel like that's very tiring, so I decided to move out. If I want to be a live-in domestic worker, I can easily become one by sending my preference to the employment agency. I think this really helps. It gives me a lot of flexibility."

SZ#4 “I’ve never been a live-in domestic worker. I just feel very uncomfortable living with someone that’s not my family member.”

SZ#9 “You have greater control to your living environment. If you have your own private residence, you can decorate it however you like. But when you’re in your employer’s home, you feel a bit restricted.”

As illustrated by SZ#3’s response, privacy and personal space is really important for domestic workers. This can be very difficult to achieve when you’re forced to live with the employer in Hong Kong. Being constantly interrupted during their downtime, as their employer has unrestricted access to their personal space, can lead to a lack of consideration and disregard for the domestic worker’s wellbeing. This largely depends on how respectful their employers are. While some employers are considerate and honor their privacy, others may not be as accommodating. Ultimately, it varies from employer to employer.

HK#1 “My employer is very kind and very; they are very good. Once I’m inside the room, they will not disturb me anymore. They will let me have my rest until morning.”

HK#3 “It really depends on the employer. Some of my friends say the employer will still knock on the door when it is 8 pm. Can they do this to us even if it is our rest time? No. But you can’t say that to him because you’re staying with them. That’s your employer. So okay, no choice. It’s your job.”

This is a common situation for live-in workers in Shenzhen, where the home is also the workplace and residence. Employers may expect domestic workers to work during their off-hours. For example, SZ#9 had to take care of a baby to help her fall asleep, resulting in varying sleep schedules. This is very different for SZ#7, who works as a part-time worker. She got off from work at 6:00 pm every day, and the employer respect that.

SZ#9 “I have to wait until the child falls asleep so I can sleep. Sometimes, when she’s tired and falls asleep easily, it’s no problem. But when she’s energetic, it can be very difficult for me because I have to stay up very late and wake up early in the morning to do household chores.”

I also observed the same blur between the line of work and rest in Hong Kong. Because domestic workers have to reside in their employer’s house, they are almost 24/7 on-call. Thus, the working hours are usually not guaranteed, and it fluctuates from one employer to another depending on their expectations and requirements.

#4 “The good thing about living out is that if we’re not living with the employer, our work time is more fixed. It’s like, maybe you can just work eight to ten, and you can rest. But if we are living with the employer, we need to stay with them 24 hours a day, and anytime they need us, we need to work. Even if it is late, we still need to work.”

#10 “It’s really not free to live with your employer. It is like they are constantly watching you, watching what you are doing. It really limits your freedom. It also makes me wonder, what’s the line between work and rest?”

It is clear that the restriction on where domestic workers live influences the dynamics within the home. A clear example of the obscurity of work duration. Twelve out of the fourteen interviewees in Hong Kong reported experience of having to work over their regular work time, whereas only three out of the eleven interviewees in Shenzhen had such experience.

Migration Policy

The “two-week policy” is another contradictory policy in Hong Kong. Essentially, the policy states that, in the case where a foreign domestic worker terminates a contract before the expiration date, they only have 14 days to stay in Hong Kong. If they cannot manage to secure another job before the 14 days period, they will have to be sent back to their country and reapply for a working visa. They can ask for an extension, but an appropriate reason and explanation are needed for such an extension. If the domestic worker stays longer than two weeks after termination, they face the risk of legal punishment, as they are not allowed to do so by the Hong Kong laws.

The Hong Kong migrant domestic workers we interviewed have different and limited understanding of the rules and regulations surrounding the two-week policy. Only 7 out of the 11 interviewees have heard of the regulation. The interviews show knowledge of when the policy is applied, its exceptions, and confusion about who enforces it. Some respondents are aware of specific cases, while others show uncertainty about the administrative authorities involved. The differing levels of understanding might indicate a need for clearer communication of the policy to those affected.

#1 “I know the two-week policy only applies when the contract is broken by the domestic worker. But if you finish your two-year contract, you’ll be given a month to look for a new employer.”

#4 “The two-week policy really depends on the specific individual cases. It depends on how long you’ve worked here. If you have already worked for a long time, then you can stay here and wait for your visa. But if you haven’t worked for more than a year, like just a couple of months, you might have to go back to wait for your visa.”

#4 “I’m not entirely sure who decides whether we stay or go. Maybe the immigration bureau or the employment agency. I’m not sure.”

Clearly, the scenario is much more different in Shenzhen, where there’s no policy that restricts the movement of labor. When asked about it, every respondent mentioned how they are free to move between different provinces with ease, which is one of the main reasons why they chose to leave their hometown and become a migrant worker.

Also longing for such flexibility, some respondents in Hong Kong went further in expressing their desire to see the abolishment or reform of the policy. They believe that the policy fails to protect domestic workers and may even facilitate abuse. It represents a voice advocating for policy change, focusing on the need for a more compassionate and fair approach that recognizes the rights and needs of domestic workers. It indicates dissatisfaction with the current system and a plea for more humane treatment and consideration.

#9 “I think the government should really abolish the two-week rules because it is really not helping the domestic workers here. People are forced to take jobs and not report abuses for fear of having their contracts terminated. It is really not good.”

#11 “It would be better if the policy has given us a month to find a new employer. I think that’s more reasonable.”

The benefits are understandable. When Shenzhen domestic workers are asked about the major advantages of easily moving between different provinces, they unequivocally answered that it helps to ease their homesickness as they can easily see their family when they want to. In addition, they are also put under no pressure to find a new job when they become unemployed, for they can stay in Shenzhen for as long as they want without being forced to travel back to their hometown.

SZ#1 “It’s good because I can see my family members when I want to.”

SZ#10 “The good thing [about the lack of migration policy] is, I can visit my family very often, and I can do so whenever I want. If I don’t want to work and miss them desperately, I can just end the contract with my employer and go back, then come back when I find a new job. ”

The migration policy can result in micro-aggressions within families. For example, in Hong Kong, the two-week rule gives employers more power as they can terminate the contract without bearing the risk. Domestic workers are left in an undesirable position without employment and fear speaking up about abuses encountered. This fear allows employers to continue the abuse.

HK#9 “Sometimes, even if they hit me, I think it’s okay. I don’t say it because I don’t want to get into trouble.”

The dynamics of the micro-aggression and micro-resistance are thus changed as a result of the policy. In terms of aggression, employers have less to worry about, for they’re not the ones to bear the risk of contract termination. Micro-resistance also appears in a less subtle way as domestic workers want to avoid conflicts with their employers out of the fear of being deported home. They need to protect themselves from denigration while minimizing the risk of severe consequences.

Discussion

From the interview, it is obvious that the two policies implemented in Hong Kong have significantly shifted the interaction between family members and the domestic worker. Live-in policy obliges domestic workers to stay in the employer’s house, increasing the duration that domestic workers are under threat of micro-aggression. As micro-aggression becomes more common, the domestic workers might become accustomed to it and consequently choose not to react. This is when aggression and insults become the norm rather than the exception.

The two-week rule, on the other hand, influences domestic workers’ micro-resistance. Instead of confronting the employers for misdeeds, they choose to remain silent as their strategy to avoid contract termination.

Physical and verbal abuses, both examples of micro-aggression, are less common in Shenzhen due to the absence of related policies and the fact that most domestic workers are internal migrants. In instances of such misdeeds, migrant domestic workers are more likely to confront their employers directly.

It is evident that policies have both benefits and disadvantages. Thus, it is not the intention of the research to propose any policy reforms but rather to objectively analyze the influence of the policies on the lives of domestic workers and their interactions with employers.

Conclusion

In examining the complex experiences of domestic workers in the rapidly globalizing regions of Shenzhen and Hong Kong, this comparative analysis has shed light on the profound impact of migration and residency policies on the daily lives of domestic workers and their relationships within their workplaces. The differences in migration policies between the two regions, specifically the live-in policy and the two-week rule, have created an unintentional power imbalance that favors employers at the expense of the dignity and rights of domestic workers.

The policies have caused increased micro-aggressions from employers towards domestic workers, leaving them vulnerable and powerless, often resorting to silence as a coping mechanism. The subtle micro-resistances exhibited by domestic workers highlight their resilient spirit. However, their consistent use of non-confrontational strategies as a defense mechanism underscores the systemic challenges they face from institutionalized policies.

In summary, this research highlights the importance of reevaluating migration and residency policies for domestic workers in Shenzhen and Hong Kong. The complexities that arise within familial settings where domestic services are rendered require a more profound acknowledgment, prioritizing the welfare and dignity of the workers. Recognizing that policy dynamics shape personal interactions and workplace atmospheres is crucial for creating more equitable environments for all members of society. Only by addressing these structural disparities can we hope to foster an atmosphere of mutual respect and dignity for domestic workers in these cities.

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