



2017

Data

of the Foreign Workers' Hotline
Established as Part of the Bilateral
Agreements

- Data on Agricultural Workers in the Framework of the Thailand Israel Cooperation Project -



Background

The aim of the bilateral agreements for the recruitment of foreign workers¹ in various fields is to put an end to the phenomenon of illegal recruitment fees, while recruiting highly suitable workers aware of their rights and obligations in Israel. The bilateral agreements contribute to the prevention of harm to workers, modern slavery, and human trafficking.

In 2010, the Israeli government signed a bilateral (inter-governmental) agreement with the government of Thailand, implemented as part of the Thailand-Israel Cooperation project (TIC) with the aim of preventing the collection of illegal recruitment fees from foreign workers in the agricultural sector. The agreement's terms came into effect in 2012. Later, similar agreements were signed with the governments of Bulgaria, Moldova, Romania, the Ukraine, and China in the construction sector. In 2015, agreements to implement a pilot project in the caregiving sector were signed with the governments of Nepal and Sri Lanka. To this day, about 27,000 male and female agricultural workers arrived in Israel from Thailand as part of TIC project, and 21,515 of them were still in Israel at the end of 2017. The bilateral agreements are currently under review and development, prior to the drafting of additional agreements for the future.

As part of the bilateral agreements, the Center for International Migration and Integration (CIMI) founded, in collaboration with the Population and Immigration Authority (PIBA), a telephone hotline for foreign workers in Israel in July 2012, providing a resource to workers in their native languages. This hotline is operated by CIMI; calls to the hotline are registered as inquiries or complaints and transferred to PIBA. PIBA then refers the inquiry or complaint to the relevant unit(s) in the authorized government ministries. The call data is compiled by a computerized system that directs the calls to their appropriate destinations; this system also allows for the systematic collection of call data and its analysis.

This booklet presents data on TIC workers collected since the establishment of the hotline and specifically since the launching of the computerized system in 2014.²

CIMI, a non-profit organization founded by JDC-Israel, operates in collaboration with PIBA, governmental, and non-governmental organizations in the workers' countries of origin. The organization assists in advertising the possibility of arriving to work in Israel as part of the bilateral agreement, sorting the suitable workers, and coordinating their trips to Israel. CIMI also provides instruction to workers and information about their rights.

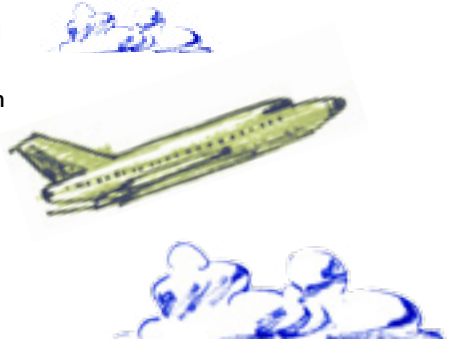
1 The terms in this booklet refer to the different groups as formulated in Israeli law. They do not necessarily reflect the terms used by CIMI and the way in which the organization views the use of these terms.

2 The data in the different parts of the booklet is accurate as of 31.12.2017.

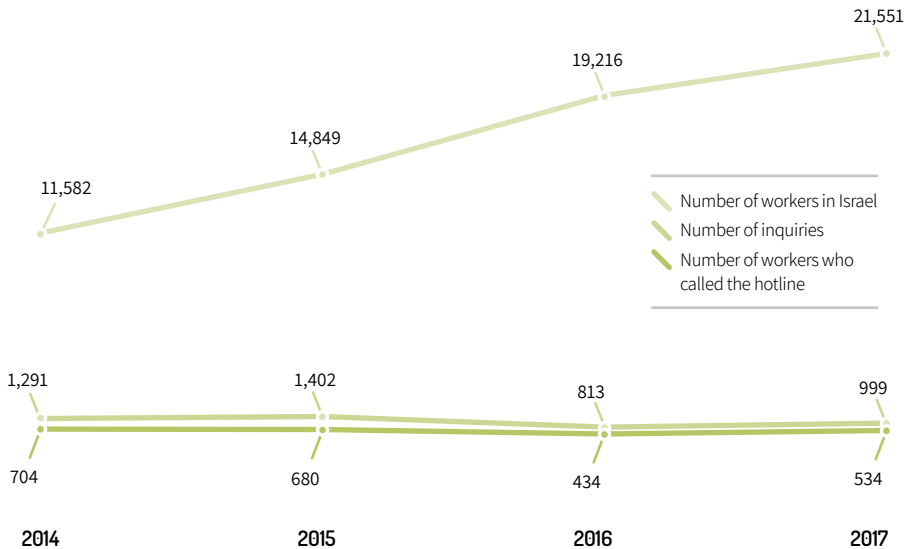
The bilateral agreements have significantly reduced the collection of illegal recruitment funds, and, as a result, the cost of arriving in Israel has dropped from tens of thousands of dollars to several hundred dollars paid legally. As part of the agreements,

a sum of nearly \$190,512,000

has already been saved by agricultural workers from Thailand.³



Inquiries and Complaints⁴ Received by the Hotline

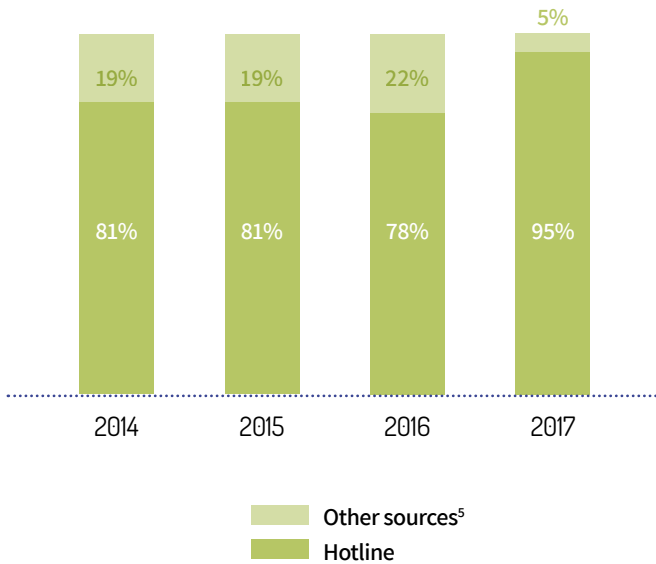


3. For regulations on the sums that can be legally collected by a recruitment agency in the agriculture sector, according to the law on collection from foreign workers in lieu of recruitment services, see the website of the Israeli Employment Service, https://www.nevo.co.il/law_html/law01/500_818.htm

4. The hotline receives inquiries on various subjects. Some of the inquiries are complaints that are transferred to other bodies for handling. See page 8.



Source of Complaints



5. Other sources include: the Thai embassy in Israel, TIC Project in Thailand, Kav La'oved and more.

6 Complaint Handling Procedure



6. The enforcement units include: PIBA Enforcement Unit, the Regulation and Enforcement Administration of the Ministry of Labor, Welfare and Social Services, the Ombudsman for Foreign Workers' Rights at the Ministry of Labor, Welfare and Social Services, the Israel Police.

Example of complaint handling procedure by the PIBA complaint coordinator:



“I would like to change my employer immediately. Our work manager nearly attacked me without reason. I want an immediate transfer, although the employer proposed that I stay. I tried to call the manpower agency several times but they never answer the phone.”



The hotline transferred the case to the PIBA complaint coordinator, marking it as urgent.



After being contacted urgently by the coordinator, the agency promised to transfer the worker the next day, but then reported that the worker said that “now everything is fine and he would prefer to stay with the employer.”



A translator spoke with the worker, and he confirmed the agency’s report, saying that “the employer mediated between me and the other worker and separated us at work, and now I prefer to stay.”

Example of complaint handling procedure by the Regulation and Enforcement Administration of the Ministry of Labor, Welfare, and Social Services:



“My employer didn’t pay my February wages.”

The hotline transferred the case to the PIBA coordinator.



The PIBA coordinator transferred the complaint to the Inquiries and Complaints Department at the Ministry of Labor and Welfare, and from there it was transferred for handling by the Administrative Enforcement Branch.



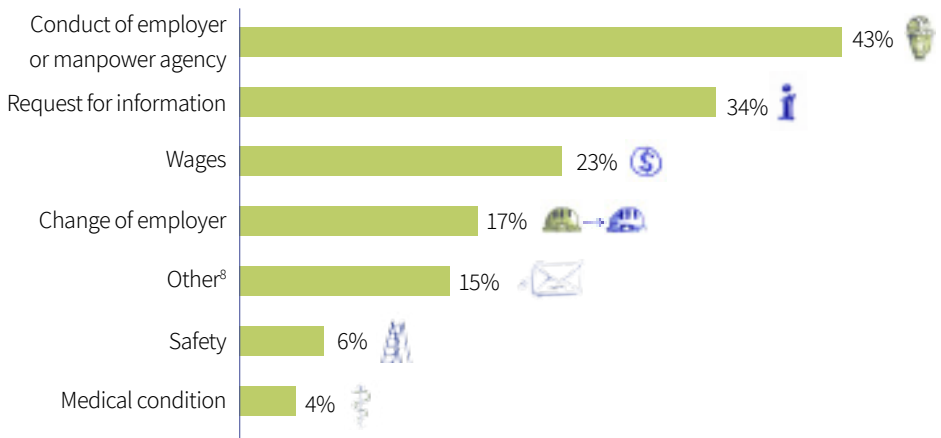
The Administrative Enforcement Branch opened an investigation, which found that the employer had not paid the worker a minimum wage. Following the investigation procedure, the employer was issued a notice requiring him to pay a fine. In addition the employer was issued two administrative warnings regarding non-provision of a wage slip and holding back wages. The Inquiries and Complaints Department at the Ministry of Labor informed the hotline.



The hotline contacted the worker and informed him of the developments. He was also provided with information on how to submit a lawsuit in a civil court demanding the sums the employer owes him.

8 Issues of Inquiries and Complaints⁷

Number of times an issue appeared out of total inquiries and complaints



Breakdown of calls on employer or manpower agency conduct:

- 15% employer conduct
- 8% manpower agency or employer unavailable
- 7% accommodation



Breakdown of calls requesting information:

- 24% questions regarding workers' rights in different fields
- 23% request of information on severance pay
- 21% request of information on employer transfer



Breakdown of wage complaints:

- 57% wages do not comply with the law
- 38% unpaid wages
- 37% wages paid without slip



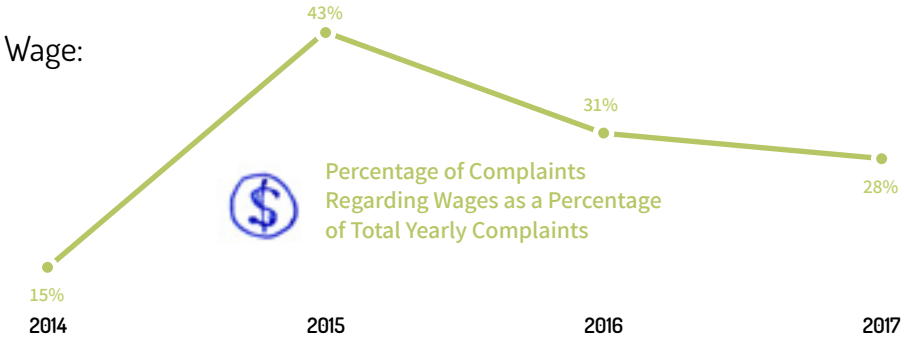
Breakdown of calls on other subjects:

- 27% worker without a work permit
- 25% unemployed worker
- 7% drug-related

7. The percentage represents the number of times the issue arose out of the total number of inquiries and complaints.

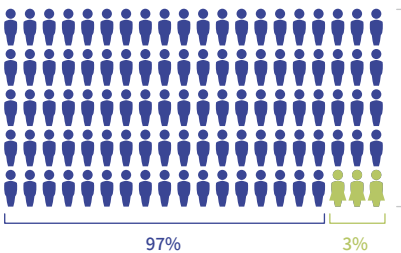
8. Other issues include: unemployed worker, no visa, harassment of worker, drugs, violent behavior of coworkers.

Characteristics of Complaints

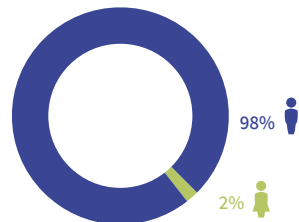


Women:

Workers in Agricultural Sector, by Gender:



Inquiries in the Agricultural Sector, by Gender:



Example of Complaint by Female Agricultural Worker, and its Handling:

The worker called the hotline asking for assistance in transferring to a different employer immediately. She said that she was the only woman on one farm, and that she lacked privacy: the bathroom was shared with the men and was too far away from the living quarters to visit at night. In addition, she could not close the door to her own room. Furthermore, the work itself was very difficult for a woman, and sometimes the employer would tell her to work in gardening chores in his own home. She had already contacted the agency a week ago and had yet to receive any answer. The PIBA coordinator spoke with the agency, which reported they had not received any earlier inquiry, but that there was a place to which the worker could be transferred immediately. The hotline called the worker the next day to ascertain her condition. She reported that conditions with the new employer were satisfactory and thanked the hotline for its assistance.

Summary of the Handling of Inquiries and Complaints

Inquiries and complaints are referred to the responsible bodies according to their subject. The length of time needed to address the complaint varies in accordance with the content and subject. For the most part, the hotline assists in providing information; PIBA handles employer/manpower agency conduct and changing employers; and the Ministry of Labor, Welfare, and Social Services handles complaints regarding wages⁹ and work safety.

Out of the 999 inquiries and complaints that reached the hotline in the past year:



9. In the case of complaints regarding wages, the Regulation and Enforcement Administration at the Ministry of Labor cannot return sums of money owed to the worker, but can only issue an administrative or criminal sanction to the employer after completing an investigation into the case. Therefore, regardless of whether the handling of the case with the employer has ended or is ongoing, in order to receive legal aid and compensation the worker must, in parallel, submit a lawsuit through a civil court.
10. The responsible bodies are: PIBA hotline coordinators, the Enforcement Unit, the Administrative Enforcement Branch, and the Payment Branch.
11. Other reasons include: the worker rescinded the complaint, the complaint lacks details, the worker is uncooperative, the complaint was already received through other channels.

The Population and
Immigration Authority
www.piba.org.il

The Center for International
Migration and Integration
www.cimi.org.il