



# FOREIGN WORKERS' RIGHTS HANDBOOK



January 2020

Population and Immigration Authority

[piba.gov.il](http://piba.gov.il)



## ◆ Introduction

This handbook contains a summary of some of the basic employment and visa rights and obligations of a foreign worker in Israel. This summary is provided for general informational purposes only, and is not a substitute for the wording of the relevant laws, regulations, procedures and extension orders, which are binding.

The visa conditions and obligations set out in this handbook are the general conditions applicable to most foreign workers in the major sectors in which foreign workers are employed in Israel. Additional rules or conditions not mentioned herein may apply to foreign workers in specific sectors or in special circumstances.

The employment conditions described in this handbook are minimum conditions. If the employer and the employee agree to better employment conditions concerning a particular matter, or if better conditions are set out in a collective agreement or in an extension order that applies to the employee's workplace, the better conditions will apply to that worker instead of those specified below.

In general, a foreign worker in Israel is entitled to the same working conditions as an Israeli employee. In addition to these basic rights, employers must provide foreign workers with a written employment contract, private health insurance and proper housing.

The sums in this handbook are updated from time to time. This handbook reflects the state of the law as of January 2020.



## Contents:

### 1. Legal Employment

#### A. General

#### B. Foreign Caregivers – Special rules and limitations

1. Special Obligatory Period of Prior Written Notice for Caregivers
2. Geographic Limitations on Change of Employment of Caregivers
3. Special Supervision of Foreign Caregivers who have Frequent Changes of Employment
4. Requirement Concerning Foreign Caregiver Placement Agencies

#### C. Foreign Construction Workers- special rules and limitations

### 2. Visas and Visa Extensions

#### A. General

#### B. Additional Permitted Periods of Stay

1. Foreign Agricultural Workers and Expert Chefs
2. Foreign Construction Workers and Hotel Workers
3. Foreign Caregivers

#### C. Special visa limitation rules for Foreign Caregivers

1. Unemployed Foreign Caregivers.
2. Registration as a Substitute Caregiver (between 51-63 months)
3. Employed Foreign Caregivers
4. Special Visa to care for Extremely Severely Handicapped Individuals

### 3. Permitted Sectors

### 4. Withholding of Passports

### 5. Health Insurance

### 6. Social Security

### 7. Housing

### 8. Written Employment Contract

### 9. Salary and its Components

### 10. Deductions from Salary



11. Weekly Rest Day and Leave
12. Ending Work Relations
  - A. Prior Notice- General
  - B. Prior Notice- Caregivers
  - C. Severance Pay
  - D. Foreign Worker Deposit
13. Filing Complaints
14. Sexual Harassment
15. Slavery and Trafficking in Persons
16. General Contact Information

For convenience, this handbook has been written in the masculine form, but all the information applies to both men and women equally. The words “worker” and “employee” are used interchangeably.



## 1. Legal Employment

### A. General:

Only employers who hold valid employment permits from the Population and Immigration Authority in the Ministry of the Interior (hereinafter: PIBA) may employ foreign workers, and only foreign workers with valid work visas and permits (hereinafter: B/1 visa) for the relevant sector as issued by PIBA may be employed by these licensed employers.

Licensed employers of foreign workers must register their employment of the foreign worker according to the PIBA procedures for the relevant sector before beginning the employment.

Foreign workers must be employed in a full time position by their legal employer. Part time employment of a foreign worker is prohibited.

Foreign workers may only work for their current registered and licensed employer. They may not work for another employer, even during breaks from work, on holidays, rest days or after regular working hours. A foreign worker found working for an employer other than his currently registered employer may be deported, and an employer found illegally employing a foreign worker may be fined or have criminal charges brought against him.

A foreign worker receives a visa allowing him to enter Israel from abroad on the basis of an employment contract with a particular licensed employer whom he has agreed to work for in Israel. Thus, the worker's B/1 visa is conditional upon the worker making a sincere effort to work for the employer who invited him to Israel. If a foreign worker arrives in Israel with prior intent to leave the employer who invited him to the country within a short time after his arrival, without making a faithful attempt to work for that employer, he may face deportation for abusing his visa, after a hearing.



Foreign workers wishing to leave or change employers, after making a sincere attempt to work for the employer who invited them to Israel, do not need “permission” from the original employer. However, the workers must give their current employers (and their Registered Placement Agencies, if relevant) written advance notice of their intent to change employers. For details concerning required advance notice see "Ending Work Relations" hereinafter. Agencies, Manpower Companies or other parties may not charge the worker any fees for help with finding new placements in Israel.

Unemployed foreign workers who have not completed their maximum permitted stay in Israel, have up to 90 days from the date they leave their former employment to find and register for alternate employment with a licensed employer in the sector specified in the worker's B/1 visa. A worker who is not legally registered in PIBA's registry as legally employed within 90 days must leave Israel, and if he does not do so, may be subject to detention and deportation.

Important! A foreign worker can receive information concerning his current registered status in PIBA's registry, by searching for "**Online information for foreign workers and their employers**" on the PIBA website, clicking on the "**get info**" button on that website, choosing the "**foreign workers**" option and filling out the relevant information in the "**Information – foreign workers**" form that will open on the screen, and then clicking on the "**view information**" button. The direct link for the above online information is: [https://www.gov.il/en/service/foreign\\_workers\\_data\\_files/](https://www.gov.il/en/service/foreign_workers_data_files/)

## **B. Foreign Caregivers - Special Rules and Limitations**

Following are three additional limitations concerning changes of employment in the caregiving sector, enacted to avoid harming the elderly and disabled employers of such caregivers:

### **1. Special Obligatory Period of Prior Written Notice for Caregivers:**

Before leaving the elderly or disabled employer for whom he is currently employed, a foreign caregiver must give prior written notice to the Placement Agency with which he is



registered as well as to the employer or the employer's representative or relevant family member.

The minimum prior notice that a foreign caregiver must give his elderly or disabled employer, as set out in special PIBA procedures, is as follows:

- a. If the caregiver was employed by the elderly or disabled employer for a period of at least 7 days, and up to 3 months: prior notice of 7 days.
- b. If the caregiver was employed for a period of 3 to 6 months: prior notice of 14 days.
- c. If the caregiver was employed for a period of 7 months to one year: prior notice of 21 days.
- d. After the first year of employment: prior notice of one month must be given by the caregiver.

A foreign caregiver who leaves employment caring for an elderly or disabled person without giving prior written notice as above, or who leaves the employment before the end of the minimum notification period may be liable for deportation from Israel, subject to a hearing. Nonetheless, the obligation to give prior notice will not apply in special circumstances such as abusive situations, in which it is unreasonable to require the caregiver to continue that employment.

## 2. Geographic Limitations on Change of Employment of Caregivers:

The visa issued to a foreign caregiver sets out the geographic regions of Israel in which the caregiver is eligible to request employment, as follows:

A foreign caregiver with a visa notation of "**Peripheral Region**" is only permitted to register for caregiving work for elderly and disabled persons living in the outlying areas of Israel, in both the North and South of the country.

A foreign caregiver with a visa notation of "**Central Region**" is not allowed to register for work in the Tel Aviv Region, but may work in other central areas of Israel, as well as in the outlying areas.

A foreign caregiver with a visa notation of "**Tel Aviv Region**" may register for caregiving work in any region in Israel.



Notwithstanding the above, when a foreign caregiver who cares for an elderly or disabled person in the Peripheral or the Central Regions as set out in his B/1 visa, remains in the job until that elderly or disabled person dies or moves permanently to an old age home, the geographical limitation in the caregiver's visa will be erased, and he will be allowed to care for elderly or handicapped employers anywhere in Israel, as long as he hasn't yet completed the maximum legal period of work in Israel, and subject to legal registration of the employment by a licensed Recruitment Agency.

The purpose of the above limitation is to ensure that elderly and disabled employers living in peripheral regions of the country receive proper care from the foreign caregivers invited to Israel to care for them.

### **3. Special Supervision of Foreign Caregivers who have frequent Changes of Employment:**

If a foreign caregiver changes his place of employment in Israel at least three times within a two year period, and if, due to such changes, PIBA suspects that the caregiver is abusing his visa and work permit, the caregiver may be summoned for questioning by PIBA. A caregiver found to be abusing his B/1 visa may be deported from Israel, subject to a hearing.

Changes of employment due to the transfer of the elderly or disabled employer to an old age home or institution, the death of the elderly or disabled employer, dismissal of the caregiver by the employer or the end of a placement of the caregiver as a substitute for another caregiver on vacation abroad, will not be deemed changes of employment for purposes of the above supervision. Changes of employment due to circumstances in which a caregiver cannot be expected to continue his employment, such as abuse of the caregiver in the workplace or severe violations of the caregiver's working conditions, will not be considered abuse of the B/1 visa.

### **4. Requirements concerning registration by Foreign Caregiver Placement Agencies:**

Foreign caregivers must be registered throughout their period of employment in Israel with one of over 100 Israeli Agencies licensed and bonded for placement and supervision of foreign caregivers. Caregivers are not bound to a particular Agency and may change Agencies subject to registration of the Agency change in the PIBA registry by the new Agency.





Thus, all new foreign workers must be invited to Israel by a licensed Israeli Placement Agency, and a registered representative of the Agency must meet the new caregiver at the airport, bring the caregiver to the home of the elderly or disabled employer, and explain the caregiver's duties, as necessary.

In addition, an Israeli Placement Agency social worker or trained representative must visit the invalid employer and the foreign caregiver within 30 days of any new placement, and return to visit at least twice a year, to ascertain that the placement is going well, and to solve any problems that arise.

The responsible Placement Agency must also provide the foreign caregiver with the telephone number of the Agency representative who can be called in case of questions or problems as well as a "letter of placement" stipulating the details of the worker, the employer details, and the Placement Agency with whom the worker is registered.

The Placement Agency must notify PIBA within 7 days of any change in the placement of the caregiver, must arrange the extension of the caregiver B/1 visa annually through PIBA, and must assist the worker in finding alternate legal employment in the caregiving sector if the current employment has ended and the caregiver has not yet completed the maximum legal work period in Israel.

Placement Agency representatives must assist the caregiver as necessary when questions or complaints arise in the workplace, throughout the legal work period in Israel.

As per current Israeli legislation in force, Israeli Placement Agencies may not charge Foreign Caregivers any recruitment fee, and Foreign Placement Agencies which send Foreign Caregivers to Israel as per contracts with Israeli Placement Agencies, may require the Caregiver to pay a one time fee abroad of no more than 3744 NIS. In addition, the Caregiver must pay for his own airfare to and from Israel.

**Please note: Foreign Caregivers are required to reside in the homes of their elderly or disabled employers during the work week. "Live Out" arrangements or part time employment are prohibited.**



### C. Foreign Construction Workers- Special Rules and Limitations

Foreign workers employed in the construction industry may only change employers quarterly, on January 1st, April 1st, July 1st and October 1st of each year, after giving lawful advance notice in writing to their employers.

If a worker wishes to change employers between quarters, in cases where the current employer has violated the worker's rights, the worker can request permission to do so by contacting the Ombudsperson for Foreign Worker Labour Rights in the Ministry of Labour (see contact information in "Filing Complaints" section hereinafter).

Foreign construction workers who arrive in Israel as per an employment contract with a Licensed Manpower Company, and who wish to change employers as specified above, may only change to another employer who is also a Manpower Company licensed to employ foreign construction workers.

Foreign construction workers who come to Israel as per an employment contract with a Registered Foreign Contractor, as stipulated in their visa and work permit, may change employment between other such registered contractors only, and may not be employed by Licensed Manpower Companies.

Worker requests to change employers must be filed with PIBA by the new requested employer, and work for the new employer can begin only after receipt of a positive written answer from PIBA, which will be sent to the new employer, who must notify the worker.

Notwithstanding the above, in exceptional cases of severe employer violations towards the Foreign Construction Worker, construction workers employed by a Registered Foreign Contractor may file a special request with PIBA for transfer to a licensed Construction Manpower Company, or vice versa, and after investigation of the complaint, PIBA will rule on the request.



## 2. Visas and Visa Extensions

### A. General

As set out in Israeli law, foreign workers are permitted to work in Israel for a temporary period only, after which they must leave the country promptly or be subject to detention and deportation.

Visas for work in Israel (B/1) are issued by Israeli Consulates abroad, based on the requests received by PIBA from eligible permit holding employers using the services of licensed Israeli placement agencies, or as stipulated in a bilateral agreement between Israel and the worker's country of origin - subject to the relevant procedures, checks and approvals of PIBA.

A foreigner who enters Israel on a visa other than a B/1 visa, such as a tourist or student visa, will not be allowed to convert the visa into a work visa or work permit after entering Israel.

The length of each B/1 visa issued by PIBA to a foreign worker is limited to a maximum period of one year. Therefore, even if the employer's permit is valid for a longer period, the foreign worker's B/1 visa will be issued for no more than a one year period.

Extension of the B/1 visa is subject to PIBA procedures and discretion, and with the exception of Caregivers (see below), the visa will not be extended for additional periods once 63 months have passed from the date of the worker's first entry to Israel.

Please note that the maximum temporary work period in Israel may be shorter for certain types of workers, such as seasonal workers, project related workers and workers arriving under special agreements, and in these cases the shorter work period will be in accordance with the circumstances of the worker's arrival in Israel and the relevant PIBA procedures.



A foreign worker may be liable for deportation from Israel or non extension of visa, after a hearing, for reasons such as abuse or violation of Israeli laws or relevant procedures, including having made false claims on his visa application, arriving in Israel with prior intent to leave the employer with whom he has signed an employment contract, proving unqualified to work in the sector for which he arrived in Israel, or if he is found to have first degree relations (other than declared siblings) in Israel. In addition, PIBA may refuse to issue or extend a B/1 Visa or may cancel such a visa, after a hearing, if it appears from the relevant circumstances that the applicant may intend to settle in Israel or does not intend to leave Israel at the end of his permitted stay.

A foreign worker with a valid visa and work permit who wishes to return to Israel after a visit abroad must, before leaving Israel, visit one of the district PIBA offices in person, to obtain an "inter-visa" allowing him to return to Israel, as per the relevant PIBA procedures. The cost of the "inter-visa", to be paid by the worker, is 175 nis (this sum is updated yearly as per the rise in the cost of living index). **A foreign worker who leaves Israel without a valid "inter-visa" will not be allowed to re-enter Israel.**

## B. Additional Permitted Periods of Stay

PIBA procedures allow some foreign workers a limited grace period in which they may remain in Israel after completing their maximum stay in the country as per their visa, in order to complete preparations to leave the country. It is important to note that a foreign worker is not permitted to work during the above grace period of stay, and this period is granted exclusively for preparations for leaving Israel. Following are the rules concerning the grace period of stay for particular sectors.

- 1. Foreign Agricultural Workers and Expert Chefs-** PIBA procedures allow foreign workers in the agricultural sector, as well as expert chefs who have completed their maximum legal periods of work in Israel, to remain in the country for an additional 60 days from the end of their last legal employment. The purpose of the additional grace period is to allow the worker to complete preparations for leaving Israel.



**2. Foreign Construction and Hotel Workers** – Foreign Construction workers and Hotel Workers are given 30 days from the end of their last legal employment to leave Israel. The shorter grace period for construction and hotel workers is due to the Foreign Worker Deposit system, which has been put into place in these sectors and allows workers to receive all employer deposits for severance pay and pension benefits in a lump sum from PIBA upon leaving Israel (details concerning the Foreign Worker Deposit are set out hereinafter).

**3. Foreign Caregivers** – A foreign caregiver who finishes his legal employment period in Israel has a grace period of 90 days counted from the end of the last legal employment, to prepare to leave the country.

Please note: A foreign worker who stays in Israel illegally, including staying in Israel after the above relevant grace period, is liable to deductions from his "foreign worker deposit sum" as set out in section "ending work relations" hereinafter. After 6 months of illegal overstay, the worker may forfeit the entire deposit sum.

**Beware of any parties who promise lengthy employment periods or criminal elements who issue forged visas or passports. Listings of the licensed Placement Agencies and Manpower Companies for Foreign Workers in various sectors, and their contact information can be found on the PIBA website.**

#### **A. Special visa limitation rules for Foreign Caregivers:**

##### **1. Unemployed Foreign Caregivers:**

Notwithstanding the 63 month rule specified above, unemployed Foreign Caregivers may not register for long term work with a new elderly or disabled employer if between 51-63 months have passed from the date of their first arrival in Israel. Therefore, unemployed foreign caregivers must leave Israel once 51 – 63 months have passed from the time of their arrival, unless they register via a licensed Placement Agency to work legally as



Substitute Caregivers for elderly and handicapped employers whose regular Caregiver is vacationing abroad, as per the conditions set out below.

2. **Registration as a Substitute Caregiver** - (between 51-63 months after arrival in Israel)- A special 11 month exemption is given to caregivers who have completed 51 months in Israel, but who wish to register to work as short term substitute caregivers for elderly or disabled employers whose regular caregivers have gone on vacation abroad. Thus, caregivers who have not yet completed 63 months from their first date of entry to Israel, including caregivers who have completed 51 months in Israel and who are therefore not allowed to begin a new permanent placement, may work as substitutes, subject to registration of the temporary placement with PIBA through their Recruitment Agency, and on condition that they do not remain without a legally registered substitute placement for more than 30 days during that period. Once the substitute caregiver reaches 63 months from the date of his first arrival to Israel, he is no longer eligible to work in Israel, including as a substitute, and he must leave the country within 90 days after the end of his last legal employment, or be liable for arrest and deportation
  
3. **Employed Foreign Caregivers:** An easing of the visa limitation rules is allowed for a foreign caregiver who has been legally employed by a specific elderly or disabled employer for at least 12 months immediately prior to the 63 month cap. In such cases, the invalid employer must apply to PIBA, via his registered Placement Agency, to request a special extension of the caregiver's visa, and must attach a social welfare or medical opinion as stipulated in the law, stating that stopping the continued employment of the current foreign caregiver would be highly detrimental to the invalid. Subject to approval of the request, the B/1 visa of the foreign caregiver may be extended for additional one-year periods even after 63 months have passed from his first date of entry to Israel, as long as he continues to work for that employer (or for the spouse of his deceased employer, if such spouse also receives a permit to employ a foreign caregiver and lived with the deceased employer at the same address during the original employment period).



4. **Special Visa to Care for Extremely Severely Handicapped Individuals:** Notwithstanding the above, in a limited number of special humanitarian cases, a Foreign Caregiver who has completed at least 63 months from the time of entry into Israel on a B/1 Visa for the caregiving sector, may receive a special visa extension to care for a new, especially severely handicapped disabled or elderly person, as per the decision of PIBA's Advisory Committee. Only applications which fulfil all the following preconditions will be considered by the Committee, and all applications which do not fulfil the preconditions hereinafter will be summarily rejected:

- a. The application for the Special Humanitarian Visa is filed with PIBA by the severely handicapped person or by the relevant Placement Agency, within 90 days from the end of the Foreign Caregiver's last legal employment in Israel.
- b. The Foreign Caregiver's last legal employment ended due to the death of his last employer or the permanent move of the last employer to an old age home.
- c. During his period of legal work in Israel, the Foreign Caregiver was legally employed with at least one employer for a period of at least two years.
- d. No decision to award the Special Humanitarian Visa to the Foreign Caregiver for care of a different employer (excepting the spouse of the present employer) was given by PIBA in the past.
- e. No more than 8 years have passed since the first entry of the Foreign Caregiver to Israel.

Notwithstanding the above, if the application for the Special Humanitarian Visa is filed by a severely handicapped applicant who is under 67 years of age, who has been found by the relevant authorities to have the highest level of physical handicap as set out in the relevant law, the conditions under subsections **b, c, and d**, above will not apply to the foreign caregiver requested in the application, and concerning subsection **e**, instead of the 8 year limit, there is a 13 year limit. **If a special humanitarian application is summarily rejected, or rejected after discussion by the Advisory Committee, the Foreign Caregiver will have 30 days to leave Israel, and he does not do so, he may be subject to arrest and deportation.**



### 3. Permitted Sectors

A foreign worker receives permission to work in Israel in one of the sectors open for employment of foreign workers, such as caregiving for the elderly or for the disabled, agriculture, hotel housekeeping, construction, , or as an expert ethnic chef or other type of expert. The sector for which the worker's employment has been approved is stipulated in the worker's B/1 visa.

After arriving in Israel to work in one permitted sector, the foreign worker will not be allowed to change to a different permitted sector. Thus, for example, a worker who arrived in Israel to provide home based caregiving will not be permitted to change employers in order to work as an expert chef, and a worker who arrived as an expert will not be permitted to work in the construction sector.

Beware of unethical recruiters who offer to arrange for you to enter Israel to work in a trade for which you are unsuited, promising that you will change jobs once you arrive in the country. Such a situation may result in immediate deportation of the worker, as well as criminal and administrative sanctions against the employer and the agency.

### 4. Withholding of Passports

Under Israeli law, every person must carry an official identity document such as a passport.. Withholding a worker's passport against his will is a criminal offence. An employee whose passport is being held against his will by an employer, Manpower Company, placement agency or any other person, may file a complaint with the Israel Police.

### 5. Health Insurance

Proper health insurance is of the utmost importance for the foreign worker, as without such insurance, the worker will not be covered for doctors' visits and hospitalization, which can be very expensive. Any person needing emergency medical care will receive it in Israeli hospitals unconditionally, but will be billed for the coverage if he lacks proper insurance.

Employers of foreign workers are obligated to provide foreign workers with private medical insurance throughout the employment period. The employer must give the employee a summary of the insurance policy in a language the employee understands.

The private medical insurance issued to Foreign Workers usually does not cover pre-existing conditions, and will not cover additional medical treatment in cases in which an expert





medical opinion finds that the worker will not be able to return to work after 90 days of medical treatment. In such cases, the worker must return to his country of origin for treatment. Therefore, it is very important for the foreign worker to take all steps necessary to retain his rights to medical treatment in his country of origin during his period of work in Israel.

If your insurance company refuses to cover certain conditions or treatments, you can appeal this decision. In many cases, this appeal must be filed within 21 days of receiving notice of refusal from the insurance company. You may apply to the NGO's listed at the end of this brochure for assistance in this matter.

## **6. Social Security**

The National Insurance Institute (in Hebrew, Bituach Leumi) provides foreign workers with insurance in case of work injuries or maternity, as well as compensation for unpaid wages and severance pay in cases of liquidation or bankruptcy of the employer.

The private health insurance mentioned above covers only non-work related injuries. An employee who is injured at work must file a claim with the National Insurance Institute to receive medical treatment and compensation.

It is important that the foreign worker ask his employer for the number of the file opened in the worker's name at the National Insurance Institute, which will be required in the case of hospitalization or claims resulting from work injuries.

## **7. Housing**

An employer must provide the foreign worker with suitable housing that meets the conditions specified in the relevant regulations, throughout the entire period of the worker's employment and for a minimum of 7 days after the employment has ended.

The housing must include: at least 4 square meters sleeping space per worker, no more than 6 workers per room, personal cupboards and bedding for each worker, heating and ventilation, reasonable lighting and electrical outlets in each room, hot and cold water in the bathroom, kitchen and showers; sinks, kitchen counters and cupboards, stovetop,



refrigerator, table and chairs, a washing machine for 6 workers, and a fire extinguisher. There must be reasonable access to the living quarters as well as to toilets and bathrooms.

In the caregiving sector, reasonable housing arrangements for the foreign caregiver will be in the home of the invalid employer.

## 8. Written Employment Contract

An employer is required to give his foreign employee a signed employment contract in a language the employee understands, specifying the details of his employment.

The employment contract must include the following information: the identities of the employer and the employee, the job description, details of the salary, its components and the linkage terms, payment dates, details of any deductions from the salary, details of the parties' contributions towards social benefits, the date on which the employment begins and the length of the employment, the normal working hours and weekly rest day, details of paid leave, including vacation, festive holidays and sick leave, and details of the health insurance and housing provided by the employer. The contract must also include contact information for filing complaints with the Ombudsperson of Foreign Worker Labour Rights in the Ministry of Labour.

## 9. Salary and its Components

A worker employed in Israel is entitled to the minimum wage.

In addition to this minimum wage, which is updated from time to time, further monthly amounts are paid for overtime work, and for travel allowance if the worker must travel from his home to the workplace (this allowance is not relevant for the caregiving sector as the foreign caregivers must reside in their home of their elderly or disabled employer, which is their workplace).

Once a year, after completing his first year of work, each worker is entitled to an additional amount known as "convalescence pay" from his employer, calculated on the basis of the worker's seniority in the work place.



The salary of foreign workers must be paid by authorized deposit into a bank account in the name of the foreign worker only, as set out in PIBA procedures.

**If the worker agrees in writing, and if this condition is stipulated in the employment contract, collective agreement or is customary practice in his workplace, a portion of the salary may be paid in the form of food and drink (not including intoxicating liquor) provided by the employer for consumption in the workplace. The value assigned to such food and drink cannot exceed their ordinary market value.**

**Following are details of these payments:**

a. **Minimum Wage:** the monthly minimum wage of an employee working in a full time job (a maximum of 182 hours per month) is NIS 5300. The minimum wage per hour of work is NIS 29.12.

It is emphasized that for foreign workers in sectors or workplaces where wages that exceed the minimum wage apply as stipulated in a Collective Agreement or Extension Order, such as the construction sector, the higher wages and better work conditions will apply.

Workers are advised to keep a written record of their daily working hours and their hours and days of rest.

b. **Payment for Overtime:** an employee who works 6 days a week is entitled to additional payment, above the minimum wage, if he works more than 8 hours a day. An employee who works 5 days a week is entitled to additional payment for every additional hour worked beyond 9 hours a day.

For each of the first two hours of overtime per day, the employee is entitled to payment at the rate of 125% of his regular hourly rate. For each additional working hour, the employee is entitled to payment at the rate of 150% of his regular hourly rate.

As decided in case law, the above rules regarding overtime pay do not apply to a caregiver who lives in the home of an elderly/handicapped employer.

c. **Travel Allowance:** in addition to salary, an employee who needs transportation to reach the work place is entitled to a travel allowance from his employer for this expense. Reimbursement is up to a ceiling of NIS 22.60 per day, or the cost of a pre-paid bus pass or



ticket, whichever is less. An employee who lives at the workplace, or an employee whose employer drives him to work at the employer's expense, is not entitled to this allowance.

d. **Convalescence Pay:** an employee who has completed at least one year of employment is entitled – once a year – to an amount known as “convalescence pay” (in Hebrew, “dmei havraah”) from his employer. This amount is based on a rate of NIS 378 per day, multiplied by 5 or more days, depending on the number of years the worker has been employed at that place of work, as follows:

**For the first year of employment: 5 days**

**For the second and third years of employment: 6 days**

**From the fourth to the tenth year of employment: 7 days**

Convalescence pay is paid once a year, between the months of June and September, unless the employer and the employee agree on a different payment date.

e. **Payday:** an employee employed on a monthly basis is entitled to receive his salary no later than the 9th of the month, for the previous month.

## 10. Deductions from Salary

An employer may deduct the following amounts from the salary of a foreign worker:

- a. Payments required by law (income tax and national insurance).
- b. Deductions for housing and related expenses, but no more than the limit stipulated in the regulations (see details below).
- c. Deductions to cover a portion of the cost of the private medical insurance arranged by the employer for the worker (up to the limit stipulated in the regulations)
- d. Set amounts on account of debts owed by the employee to the employer, if the employee has agreed in writing to such deductions. Fees and taxes imposed by law on employers of foreign workers may not be deducted from the worker's salary under any circumstances.

No other amounts may be deducted from the worker's salary (for information concerning agreement for partial payment of salary as the market value of food and non alcoholic drinks provided by employer in the workplace, see above).



The maximum permitted monthly deduction for health insurance, suitable housing and related expenses, and debts owed to the employer, is 25% of the employee's salary. It must be emphasized that this is not an automatic deduction and the employer may only deduct actual expenses. Thus, when the permitted deductions add up to less than 25% of the salary, the employer may not deduct the entire 25%. In addition, in cases where the actual permitted deductions exceed 25%, an employer is not entitled to deduct more than 25% monthly. An exception is made for the final month of employment in which all permitted expenses may be deducted.

An employer who employs a foreign worker in his business must give his employee, every month, an itemized wage slip, setting out the salary, its components and all deductions from the salary prescribed by law. An elderly/handicapped individual employing a Foreign Caregiver in his home is not required to issue the Caregiver a payslip.

**Following are details of the above permissible deductions:**

**Income Tax:** income tax payments are deducted from the employee's salary by the employer and transferred to the tax authorities. For more information see the Israel Tax Authority website.

An employer is not entitled to deduct from the foreign worker's salary any levies or fees imposed on employers of foreign workers, and these amounts must be paid to the authorities by the employer over and above the worker's salary.

**National Insurance (in Hebrew, Bituach Leumi):** for the purposes of this insurance, an employer may deduct 0.04% of the first 6,331 NIS of a foreign workers' salary, and 0.87% of every shekel of the salary over that amount. The amounts deducted must be transferred by the employer to the National Insurance Institute. The above sums are updated yearly.

Additional rules and deductions may apply to foreign workers who are citizens of countries that have signed social security treaties with Israel. For more information, contact the National Insurance Institute.

**Deduction from salary for health insurance:** The health insurance must be paid for by the employer, and the employer may deduct a part of the expense from the foreign worker's



salary up to the maximum amounts specified below which are updated yearly as per the rise in the cost of living index:

**For a foreign worker employed in the caregiving sector:** up to half of the amount that the employer paid for the insurance, or 143.97 NIS, whichever is lower.

**For a foreign worker employed in any other sector:** a maximum of one-third of the amount paid by the employer for the insurance, and no more than 125.47 NIS, whichever is lower.

**Deduction from salary for housing expenses – agricultural sector:** For a foreign worker in the agricultural sector, the monthly permitted deduction from salary for housing expenses, including related expenses for electricity, water and property tax is 547.72 NIS per month, or as updated from time to time.

**Deduction for housing- non agricultural foreign workers:** For foreign workers employed in sectors other than agriculture, the permitted deduction for housing and related expenses will be figured as follows:

When the residence supplied to the worker is not owned by the employer, the employer may deduct from the worker's salary amounts for housing in accordance with the area of the country in which the employee lives, as specified in the following table:

**Area of Residence:** amount of the monthly deduction for non agricultural workers:

Jerusalem: 423.91 NIS

Tel-Aviv: 482.02 NIS

Haifa: 321.37 NIS

Centre: 321.37 NIS

South: 285.69 NIS

North: 262.87 NIS

Important: if the residence of a non agricultural worker is owned by the employer, the maximum permissible amount deductible from the salary of a non agricultural worker, is only half of the amounts specified above. The above sums are updated year as per the rise in the cost of housing index.



### **Deduction for Related Expenses-non-agricultural foreign workers:**

An employer may deduct a monthly amount from the foreign worker's salary for the use of water and electricity, and for property tax, not exceeding the following amounts (as updated from time to time as per the rise in the cost of living index):

- A foreign caregiver: 80.47 NIS
- Any other foreign worker: 93.65 NIS

## **11. Weekly Rest Day, Holidays and Sick Leave**

**Weekly Rest Period:** Under the Hours of Work and Rest Law, 1951, workers are entitled to a weekly rest period of at least 36 hours, which must include Friday or Saturday or Sunday.

As set out in case law, the above 36 hour rule does not apply to live-in caregivers, who must nonetheless receive a weekly day of rest of at least 25 consecutive hours.

**Paid Vacation:** every worker is entitled to an annual quota of paid vacation days as detailed below:

- For each of the first five years of work for the employer - : 16 paid vacation days per year.
- For the sixth year of employment by the employer: 18 paid vacation days per year
- For the seventh year of employment by the employer: 21 paid vacation days per year
- For the eighth year of employment by the employer onwards: one additional paid vacation day for each year of work up to a maximum of 28 paid vacation days per year.

**Please note:** the number of vacation days listed above refers to actual calendar days, which also include weekend days, which are not actual work days Therefore, a person working five days a week will actually receive 12 paid vacation workdays during the first five years of employment, while a worker working six days per week will actually receive 14 paid vacation workdays during the first five years of employment etc.

Usually the vacation entitlement must be used by the end of the year for which the vacation days are given. Nonetheless, if the worker would like to save up his vacation and use it the following year or the year after that, and if the employer agrees, the worker can use only 7 vacation days each year and save the rest for use in the following year or in the third year.



**Religious holidays:** all workers employed on a monthly basis are entitled to payment for up to 9 religious holidays days a year, when the said holidays do not fall during the weekly rest period.

The holidays can be those of the worker's religion, or the Jewish holidays, as the employee chooses.

**Sick Pay:** employees are entitled to sick pay according to the length of their employment with the current employer (a day and a half for each month worked) up to a total of 90 days, upon presenting a doctor's note stating the need for absence from work.

Employees are not entitled to payment for the first day of illness. For the second and third days of illness, the employer must pay the employee 50% of his regular salary, and from the fourth day on, pay the regular salary, up to the maximum period.

## 12. Ending Work Relations

### A. Prior Notice- General

A foreign worker who is not a caregiver, employed on a monthly basis, who leaves his place of work, must give prior written notice to his employer as follows:

- In the first 6 months of employment: one day for each month worked.
- From the seventh month of employment to the end of the eleventh month: 6 days plus extra two and a half days for each additional month worked.
- After one year of employment: one month.

An employer who wishes to dismiss a worker must similarly give prior notice, the length of which is as specified above.

An employee or employer who does not give prior notice must pay the other party compensation amounting to the regular salary that would have been paid to the employee for that period.





## **B. Prior Notice – Caregivers:**

Due to the special needs of their elderly and disabled employers, a condition of the B/1 visa issued to foreign caregivers is that they are required to give their employers a longer period of prior written notice, and must not leave the employer before the end of this period, except in special circumstances in which it is unreasonable to require the caregiver's continued employment. Please see details of the longer prior notice period in the "Special Obligatory Period of Prior Written Notice for Caregivers" section above.

Abandonment of a helpless or incapacitated person without prior notice and/or in circumstances in which alternate help is not available may constitute a criminal offense and may lead to prosecution and/ or deportation.

## **C. Severance Pay (in Hebrew, pitzuyim):**

An employee who is dismissed after working for one employer, or in one place of employment, for a period of one year or more, is entitled to severance pay (pitzuyei puturim). The rate of severance pay is one month's wage for each year of employment with the employer or in one work place. A worker whose employment is stopped after one year of employment as a result of the death or bankruptcy of the employer – or, in the case of a corporation, on account of its liquidation – is entitled to severance pay as if the worker had been dismissed.

A general extension order concerning pensions is binding on all Israeli employers. For information, please see the Ministry of Labour website at [www.molsa.gov.il](http://www.molsa.gov.il).

## **D. Foreign Worker Deposit:**

Employer payments on account of severance pay, pension fund, and continuing education fund etc.,(hereinafter: employer work condition payments) for foreign construction workers, hotel workers and workers employed in projects requiring special technology, as well as for foreign caregivers who receive part of their salary from Caregiving Companies, must be



deposited by those employers into a deposit account held by PIBA in the name of each worker.

The amount to be transferred monthly to the deposit fund by each employer is figured according to the amount each employer is required to pay for the above employer work condition payments as set out in the relevant Collective Agreement or Extension order, or a higher sum if set out in a relevant contract. The current minimum deposit to the deposit fund by employers of foreign workers is no less than 12.5% of the worker's regular monthly salary for full time work. Nonetheless, for the first and last months of a worker's employment only, the employer may deposit a proportional sum figured as per the number of days worked by the foreign worker in that first or last employment month.

The above employer deposit for foreign workers is over and above the employee's salary and may not be deducted from the salary.

The foreign employee shall receive the accumulated amount in the deposit fund, including interest accrued, less bank fees and less tax of 15%, upon legally and permanently exiting Israel. The money may be received by the employee in US dollars or in Euros at the bank in the airport in Israel after passing through border control (if the employee or his employer filed an application for such with PIBA at least 10 working days in advance of departure) or via bank transfer to the employee's bank account abroad, within 30 working days of the filing of the application.

If the employee does not exit Israel at the end of his legal period of stay in the country, amounts will be deducted from the deposit by PIBA for each month of illegal overstay in

Israel by the employee, as stipulated below, and after 6 months of illegal overstay the employee will forfeit the entire amount.

The deduction for illegal overstay will be as follows: between one to two months of overstay, 15% deduction; 2 to 3 months, 25% deduction; 3 to 4 months, 35% deduction; 4 to 5 months, 50% deduction; 5 to 6 months, 65% deduction; and after 6 months, the entire amount will be deducted, unless the worker files an application within 18 months of



the date he should have left Israel, proving that his illegal overstay in Israel was due to reasons beyond his control or due to a mistake made in good faith.

Foreign workers with worker deposit funds, may see the monthly deposits to their account and their current fund balance as per PIBA records by searching for "[Online information for foreign workers and their employers](#)" on the PIBA website, clicking on the "get info" button on that website, choosing the "foreign workers" option and filling out the relevant information in the "Information – foreign workers" internet form that opens, and then clicking on the "view information" button.

### [The Deposit Procedure details in English](#)

For additional information about work conditions as well as instructions concerning employer work condition payments for foreign workers in other sectors, please see the website of the Ministry of Labour at [www.molsa.gov.il](http://www.molsa.gov.il).

## **13. Filing Complaints**

An employer who has not fulfilled his obligations under labour law, including an employer who has not paid a foreign worker the minimum wage, who has deducted from the worker's salary amounts beyond those which are permitted, or not fulfilled his obligations concerning the employment contract, housing, health insurance, detailed wage slip or prior notice of dismissal, is liable for the administrative penalties or criminal charges as set out in law.

A worker whose employer has not fulfilled the above obligations, or who has a complaint concerning breach of other employment conditions prescribed by law, can file a complaint with the Ombudsperson for Foreign Workers' Labour Rights in the Ministry of Labour by calling Tel: 074-7696161, by sending a text message to : 0506-290758 or by emailing: [foreignr@labor.gov.il](mailto:foreignr@labor.gov.il).

A complaint can also be filed with the ombudsperson through an [online form](#) on the Labour Ministry website: [www.molsa.gov.il](http://www.molsa.gov.il).



The law prohibits an employer from dismissing an employee or reducing his salary or terms of employment as a result of any complaint or claim filed by the employee, or as a result of the fact that he assisted another employee, in good faith, to file such a complaint or claim. An employer who behaves in this manner towards his foreign worker has committed a criminal offense for which a complaint can be filed as above.

Foreign workers who came to Israel under bilateral agreements with their country of origin (currently in the Agriculture, Construction and Hotel sectors as well as pilot programs in the Caregiving sector) or who are employed by a Licensed Foreign Construction Companies, may also contact the PIBA call center to receive information or to file complaints concerning employers or Placement Agencies. The call center phone number is: 1-700-707-889.

#### **14. Sexual Harassment**

An employer or other person who sexually harasses an employee has committed a criminal offence. If you encounter any type of sexual harassment, you can file a complaint with the police. For emotional support, you can call the emergency hotline for Victims of Sexual Assault at \*1202 (for women) or \*1204 (for men)

#### **15. Slavery and Trafficking in Persons**

If you are employed in extremely harsh conditions, or if you were denied basic freedoms or basic human conditions, you may be a victim of the serious crime of slavery or trafficking in persons. Victims of such crimes are eligible for free legal help from the Legal Aid Department of the Ministry of Justice. For more information, contact the Department: Tel: 1-700-70-60-44 Extension 4

Address: 16 Henrietta Szold St., Tel Aviv.



## 16. General Contact Information

### Emergency Telephone Numbers

Police: 100

Ambulance: 101

Fire Department: 102

Non-Governmental Worker's Rights Organizations:

### Kav La'Oved

**Tel Aviv:** 75 Nahalat Binyamin St., 4th floor

Tel: 03-6883766 Fax: 03-6883537

**Haifa:** 18 Herzl St. (Beit Hakranot), 2nd floor, room 224, Haifa 33121

Tel: 04-8643350, Fax: 04-8644238

**Nazareth:** Mercaz Habesora, tel: 04-6082228

Reception Hours: Wed and Fri; 9:00-15:00

Or as per website: [kavlaoved.org.il](http://kavlaoved.org.il)

### Physicians for Human Rights (Israel)

Free medical clinic, advice and representation in matters of health rights and health insurance.

Clinic hours: Sunday, Tuesday, Wednesday - 15:00

Tel: 03-5133120

4 Baruch Sapir St., Yafo

Or as per website: [phr.org.il](http://phr.org.il)

### Hotline for victims of sexual assault

Women: 1202 - Arabic language: 04-6566813

Men: 1203



## Embassies

You can also contact your embassy in Israel. For information, see the Ministry of Foreign Affairs website: [www.mfa.gov.il](http://www.mfa.gov.il).

## PIBA Call Center 1-700-707-889

The center deals with questions and complaints of foreign workers who arrived in Israel under a bilateral agreement and foreign construction company employees in Israel.

## National Insurance Institute

(Bituach Leumi - Social Security) National information Centre: Tel: \*6050, 04-8812345

## PIBA (Population and Border Administration)

National Service and Information Centre - \*3450

Website: [www.piba.gov.il](http://www.piba.gov.il)

Deposits Unit of PIBA – [Pikdonot@sa.piba.gov.il](mailto:Pikdonot@sa.piba.gov.il) --- Tel: 074-7085060

Online Information concerning worker status and deposits:  
[https://www.gov.il/en/service/foreign\\_workers\\_data\\_files](https://www.gov.il/en/service/foreign_workers_data_files)

For updates or corrections to this Handbook, please check the PIBA website at [www.piba.gov.il](http://www.piba.gov.il)