MIGRANT INFORMATION GUIDE ISRAEL¹

How to use this guide

This leaflet is intended to provide Chinese citizens who wish to work abroad with information on the most important aspects of working and living in Israel and give general guidance to help them to make an informed decision by providing reliable sources of information about employment opportunities at abroad and help to better evaluate the actual costs and benefits of working abroad. The leaflet shall help potential migrants from China to better understand the risks involved in labour migration, to know their rights and to be better prepared to protect themselves. It offers an overview about administrative procedures, gives addresses of relevant authorities in China and Israel responsible for migration as well as a list of organisations that can be helpful in the migration process. This leaflet cannot explain every detail of the migration rules and of employment of migrant workers in Israel. It is rather a guide to the basics. The leaflet makes suggestions about where to get more help and information about the various aspects of migration.

I: Decision-making before departure

Many people want to work abroad because they lack income earning opportunities at home and the possibility to earn much higher incomes abroad. However, even if wages may seem very much higher in Israel than in China, one has to keep in mind the much higher living costs in Israel compared to costs of living in China as well as the costs for travel between China and Israel. In the end, there might not be as much money left from the higher income in Israel as expected.

Keep in mind:

- Base the decision to move on a realistic assessment of the costs and benefits of migration for employment.
- Returning migrants often give a very rosy picture of their experience, or are reluctant to publicly display the negative sides of their migration experience or the real nature of their work abroad.
- Be aware of the many hidden costs related, for example, to the conditions of work, the vulnerabilities and risks foreign worker are exposed to working and living in another country, and the impact of migration on the family left behind.
- Financial resources are essential for the migration move, to pay for the recruitment agent's fees, the passport, transportation and other expenses.

LABOUR MARKET IN ISRAEL

Israel has a technologically advanced market economy with substantial government participation. It depends on imports of crude oil, grains, raw materials, and military equipment. Despite limited natural resources, Israel has intensively developed its agricultural and industrial sectors over the past 20 years. Israel imports substantial quantities of grain, but is largely self-sufficient in other agricultural products. Cut diamonds, high-technology equipment, and agricultural products (fruits and vegetables) are the leading exports.

Industries: High-technology projects (including aviation, communications, computer-aided design and manufactures, medical electronics, fiber optics), wood and paper products, potash and phosphates, food, beverages, and tobacco, caustic soda, cement, construction, metals products, chemical products, plastics, diamond cutting, textiles, footwear.²

Labour force by occupation: agriculture, forestry, and fishing 2.6%, manufacturing 20.2%, construction 7.5%, commerce 12.8%, transport, storage, and communications 6.2%, finance and business 13.1%, personal and other services 6.4%, public services 31.2%. The official unemployment rate in Israel for 2005 was 9%. Population living below poverty line is 21%.

Foreign workers constitute about 13 per cent of Israel's workfoce. Migrant workers are mainly from the Philippines, Thailand, China and other Asian countries, Romania and other Eastern European countries, and a number of African and Latin American countries. They mostly work in low-paid and low-status jobs. About 65% work in construction, 20% in agriculture, and the remainder in domestic service and catering. Most Chinese migrants are employed in construction. An estimated 200.000 foreign workers in Israel work without work permit and live under constant threat of deportation.

ACCESS TO THE LABOUR MARKET

Migrant workers can work in Israel as specialists in one of the following trades:

- Nursing care
- Agriculture
- Construction
- Welding and industrial professions
- Hotel work
- Ethnic cookery⁶

Number of work permits for foreign workers in 2002 (rounded off):⁷

Sector of work permit for temporary workers	Number of work permits
Construction	45 000
Agriculture	27 000
Domestic work and care	38 000
Industry	3 000

Many Chinese working in Israel do so on an irregular basis without the required work and residence permit/visa. To work without work and residence permit in Israel is illegal. If authorities discover irregular workers they arrest them and deport them to their home countries. In the last year the pace of deportation of foreign residents residing in Israel without a permit has increased substantially. The government of Israel has created an Immigration Police, established an enforcement unit in the Ministry of the Interior, and fixed yearly deportation quotas. Everyone who works in Israel illegally can be subject to penalties such as a fine 17 USD per month of illegal stay and to deportation with a "deported" stamp in his/her passport that will make new visa application virtually impossible.

Chinese migrants working illegally in Israel risk to be exploited by their employers due to their insecure status in Israel. Many irregular Chinese migrant workers suffer from physical and psychological violence at the workplace. Some of them are not free to leave the workplace and are paid substandard wages or they receive no money at all due to the debts they have to repay to intermediaries for travel. Employers may offer jobs without paying insurance or tax. This is against the law. If they are breaking this law, it is very likely they will break other employment laws as well, especially those that protect workers. It is very hard to enforce any legal rights for people working illegally. Israel if he/she is detected by the authorities.

BILATERAL AGREEMENTS BETWEEN CHINA AND ISRAEL

There has been no formal agreement on overseas employment between China and Israel.

REQUESTED QUALIFICATIONS

Language skills: crucial for daily communications

Training experience and qualification requirements: please consult the agencies concerned on requirements of specific occupations and posts.

Contacts for information on requested qualifications

Ministry of Education - Department of Certification of Overseas Diplomas

Contact: Ms. Rose Braun

Tel: (02) 5602853 or (02) 5602836

II: Finding a job abroad

Recruitment is the engagement of a person in one territory on behalf of an employer in another country. It covers direct engagement by an employer, or his or her representative, as well as operations conducted by intermediaries, including public and private recruitment bodies. It refers to a process of hiring for a definite job or a promise by a recruiter to find a job for a potential migrant worker.¹⁰

A recruitment agency acts untrustworthy if it:

- Advertises without job order
- Forges documents
- Provides incorrect/false information about jobs and destination countries
- Uses contract substitution
- Exacts illegal fees
- Practises without an official licence or approvement¹¹

The maximum recruitment fee to charge foreign workers recruited abroad is 3,050 NIS, in addition to airfare to Israel. The above sum includes sums paid to agents abroad as well as the sum paid to the Israeli agency. It is illegal for a recruitment agency or any other person or company to collect recruitment fees from a foreign worker for a new placement, made after the worker arrived in Israel.

An employee who has been required to pay undue or extra recruitment fees above the above legal recruitment fee in connection, or who has any complaint against a recruitment agency, can contact the supervisor in charge of registration of recruitment agencies.¹²

Supervisor in charge of registration of recruitment agencies

Address: 86 Derech Menachem Begin, Tel-Aviv

Tel: 03-5634222 Fax: 03-5617513

Attention: Construction workers are only employed in Israel through employment agencies (LMC's, "Licensed Manpower Companies"). The LMC is the worker's employer in Israel, and it assigns him to work with various building contractors.¹³

Keep in mind:

- It is against the law to work in Israel without a work permit and it is very hard to enforce any legal rights for people working illegally.
- Using irregular channels for migration makes migrant workers more vulnerable to traffickers and puts them at greater risk of being abused and exploited during the journey and in the destination country.
- Untrustworthy recruitment agents and traffickers provide misleading information about job offers, conditions of work, the nature and type of the jobs, wages and benefits. Do not believe people who promise you an easy way to employment abroad.
- Only use the services of approved agencies.
- Employers who offer jobs to workers withouth work permit break the law. If they are breaking this law, it is very likely they will break other employment laws as well, especially those that protect workers.

Public employment agencies in China:

List of public employment agencies: http://www.labournet.com.cn/jixiao/zhijie/gedi/index_2.htm#

Private employment agencies in China:

List of agencies licensed by the Ministry of Labour and Social Security: http://www.molss.gov.cn/gb/ggfw/jwjy.htm

List of agencies in three targeted provinces:

- Fujian: http://www.molss.gov.cn/gb/zwxx/2006-08/07/content_107158.htm
- Zhejiang: http://www.molss.gov.cn/gb/zwxx/2006-10/11/content_107159.htm
- Jilin: http://www.molss.gov.cn/gb/zwxx/2006-08/07/content_107161.htm

PRE-DEPARTURE TRAINING OFFERED BY LOCAL EMPLOYMENT OFFICES AND PRIVATE RECRUITMENT AGENCIES

Pre-departure programmes can be an important means of better protecting migrant workers from discrimination, exploitation and abuse in the destination country. Pre-departure trainings should:

- Present the entire process of becoming a migrant worker;
- Inform migrant workers of their rights and obligations and enable them to uphold and fulfil them:
- Give migrant workers knowledge and skills in handling crisis situations.

LEGAL REQUIREMENTS FOR EMPLOYMENT IN ISRAEL

1. Work contract¹⁴

Details of an employment contract:

- Worker's and name of the employer
- Job description
- Beginning and length of employment period
- Salary, payment dates, and deductions
- Working hours and rest days
- Paid vacations, holidays, and sick days
- Details of health insurance and housing

2. Work permits for temporary employment in Israel

Procedure for application: The designated employer (including employment agencies) needs to obtain a valid work permit for the foreign worker certified by the Ministry of the Interior. The workers passport will be stamped with a working visa carrying the name of the employer.

Note: The High Court of Justice has given the State until March 31, 2007 to provide the court with a program for a new system of employment.¹⁵

3. Visas

Working visa may be obtained either when the applicant is still in his/her home country, or already in Israel with a tourist visa. It is forbidden to work in Israel without a working visa. The working visa will be limited to the period set out in your employment permit and must be extended after a year, even if the permit is for a longer period. The Ministry of the Interior alone has the authority to issue and extend visas. Note that your working visa will be valid only for one specific trade, and that it is illegal for you to work in another trade. ¹⁶

Required documents for a visa application:

- 1. Passport or travel document valid for at least 6 months
- 2. One application form
- 3. One recent passport photograph
- 4. A confirmed return air ticket
- 5. Company guarantee letter with bank endorsement
- 6. Visa fee
- 7. Invitation letter preferrable.

Application for entry visa to Israel:

 $\frac{http://www.moin.gov.il/Apps/PubWebSite/services.nsf/all/34A7DB80EC3A9A39422569D7003FB}{9BF/\$File/ServiceHeb.pdf?OpenElement}$

Application for the extension of visa / change of visa category:

http://www.moin.gov.il/Apps/PubWebSite/services.nsf/all/BB84369C2E104F8B422569D7003FE753/\$File/ServiceHeb.pdf?OpenElement

Keep in mind:

- The issuing of visa(s) requires at least 5 10 working days.
- Application must be submitted in person.

COSTS

Air plane ticket China – Israel – China (estimate/average price): please consult major licensed travel agencies

Recruitment fees: Maximum recruitment fees: 3,050 NIS¹⁷ – Other information: New regulations allow for a recruitment fee between 10,000 US\$ up to 15,000 US\$. 18

Keep in mind:

- Always store copies of your documents (passport, visa, work contract) at a secure place and leave a set of these documents with your family and/or trusted friends;
- Memorize your employer's name, address and telephone number;
- Get and read a copy of travel advisories and handbooks published by government agencies;
- Get and read books on the country of your destination;
- Try to learn some basic words in the language of the country of destination and some basic behaviours expected in the culture;
- Secure addresses of fellow migrant workers leaving with you.
- Israeli law requires every foreigner to carry a passport: Foreigners without passport risk deportation and difficulties when returning home.

Addresses of Israeli consulates in China

T. 1	
Embassy of Israel in Beijing	Consulate General of Israel – Hong Kong SAR
This consular district includes the following provinces/regions of China: PCR and Mongolia Address: No. 17, Tianzelu, Chaoyang District, Beijing 100600 Hours: 9.00 am -12.00 am; Monday – Friday, closed on Jewish and Chinese holidays Tel: 85320506 Fax: 85320613 Email: consul-sec@beijing.mfa.gov.il Web: http://beijing.mfa.gov.il	Address: Room 701, Admiralty Centre Tower II, 18 Harcourt Road, Hong Kong Hours: Monday to Friday, 09.30-12.30, closed on Jewish and Chinese holidays Direct Tel: (852) 2821 7510 Fax: (852) 2865 0220 Email: consular@hongkong.mfa.gov.il Web: ttp://hongkong.mfa.gov.il/
Consulate General of Israel – Shanghai This consular district includes the following provinces/regions of China: City of Shanghai and the provinces of Jiangsu, Zhejiang and Anhui. Address: 7F New Town Mansion, No.55 Lou Shan Guan Road, Shanghai 200336 Hours: 9.00 am 12.00 am; Monday – Friday, closed on Jewish and Chinese holidays. Tel: 0086-21-61264500 Fax: 0086-21-61264555 Email: culture_consular@shanghai.mfa.gov.il Web: http://shanghai.mfa.gov.il/	

III. Conditions of employment/legislation: What are my rights and duties?¹⁹

TERMS OF EMPLOYMENT

A foreign worker in Israel is entitled to the same working conditions as an Israeli employee. In addition to these basic rights, employers must give foreign workers a written employment contract, private health insurance and proper housing.²⁰

Foreign Workers' Rights Handbook:

http://www.moital.gov.il/NR/rdonlyres/AFD24118-67A7-4DEF-9650-25C80FC90501/0/Chinese Final April2006.pdf

INCOME

The **minimum wage rate per month** in Israel for full-time employment (186 hours /month) is NIS 3,585.18, the **minimum wage per hour** is NIS 19.28 (in 2006). The **average monthly wage** was NIS 7,636 (about \$1,660) in 2005. Wages are determined mostly through negotiations conducted between three parties: the government as the largest employer in the country, the Histadrut (General Federation of Labor) and the organization of private sector employers.²¹

Average monthly wage rates for selected activities:

- Agriculture: 4,946 NIS
- Gardening 4,481 NIS
- Restaurant and dining services: 3,143 NIS
- Manufacturing textiles: 6,785 NIS
- Food processing: 7,188 NIS
- Construction: 6,390 NIS
- Security and cleaning: 3,549 NIS
 Welfare and social work: 3,648 NIS²²

Workers have to be reimbursed by their employers for **travel expenses** to work up to a maximum of NIS 20.74 per day.²³ After one full year of work every worker is entitled to five days of **recuperation pay** at a rate of NIS 306 per day and from the second year for six days.

Keep in mind:

- An employee who is employed on a monthly basis is entitled to receive his salary by the 9th of the month, for the previous month.
- An employer who employs a foreign worker in his business must give his employee, every month, a itemized wage slip, setting out the salary and the deductions.
- It is illegal for the employer to withhold salaries.

DEDUCTIONS FROM WAGE

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

- Payments required by law (income tax and national insurance)
- Deductions for housing and related expenses (maximum amounts for <u>accommodation not owned by the employer</u> for Jerusalem: 326.82 NIS,Tel-Aviv: 371.91 NIS, Haifa: 247.97 NIS, Center: 247.97 NIS, South: 220.42 NIS, North: 202.83 NIS; and half of these maximum amounts for <u>accommodation owned by the employer</u>)
- Deductions to cover private medical insurance payments (maximum NIS 103.14 per month).
- Use of water and electricity, and for property tax, not exceeding the following amounts: A worker providing nursing care- NIS 65.68, any other worker- NIS 76.60
- Sums on account of debts owed by the employee to the employer, if the employee has agreed in writing to such deductions.

Workers who suspect their employer for making illegal deductions from the salary can bring their pay slip to **Kav La'Oved** or **Ministry of Labor** to be examined.

Keep in mind:

- 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 sums may be deducted from the worker's salary.

- 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, and an employer is not entitled to deduct any sum above this amount.

WORKING TIME AND HOLIDAYS

The **limit for working time** in Israel is 47-hours of work per week. The actual 2005 average in the business sector was under 40 hours a week.²⁴ Workers are entitled to a weekly rest period of at least 36 hours, which should include either Friday, Saturday or Sunday, depending on the worker's religion.²⁵

Compensation for overtime work: An employee who works 6 days a week is entitled to additional payment, above the minimum wage, if he/she works more than 8 hours a day; an employee who works 5 days a week is entitled to additional payment for every working hour over 9 hours a day. For each of the first two overtime working hours per day, the employee is entitled to payment at the rate of 125% of his/her regular hourly rate. For each additional working hour, the employee is entitled to payment at the rate of 150% of his/her normal hourly rate.

Every worker is entitled to 14 **paid vacation days** each year. The number of these vacation days calendar days, which include weekends, and not work days. A person who works 5 days a week would receive 10 working days of paid leave in practice, and someone who works 6 days a week would receive 12 working days of leave in practice. The vacation should be given at the end of the year of employment to which it relates, or in the course of the following year of employment, where agreed between the employee and the employer. After three months of employment, an employee is entitled to payment for up to 9 **religious holidays** days a year, according to his/her religion, or following the Jewish calendar, at the employee's choice. The worker is not paid if the holiday falls on Shabbat. An employee is entitled to **sick pay** according to the length of his/her employment (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. The employee is not entitled to payment for the first day of his/her illness. For the second and third days of illness, the employer must pay the employee 37.5% of the regular salary, and from the fourth day and onwards – 75% of the salary. ²⁶

Official public holidays:

Purim (普耶): 14 March

Pesach (Passover) (蹌螂: 13-18 April

Yum Ha'atzmaut (National Day) (以色列國慶日): 3 May

Shavuot (扭節): 2 July

Rosh Hashanah (Jewish New Year) (漢執新: 23-24 September

Yom Kippur (贖嗣: 2 October Sukkot (胡順: 7-12 October Shemini Atzeret (国記: 14 October

Simchat Torah Eve (Hakafot): 15 October Hanukkah (敬節: 15-22 December²⁷

Every week: Shabbat (运制: Commences at sundown on each Friday and ends on Saturday night at sunset

INSURANCES AND TAXES

Every worker is entitled to take out **medical 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 which he understands. 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 sums set out below:

- For employees working in nursing care: Up to half of the amount that the employer paid for the insurance, or NIS 103.14, whichever is lower.
- **For any other employees:** Maximum **one-third** of the amount paid by the employer for the insurance, and no more than NIS 103.14.

Women workers with valid work permit are entitled to coverage for hospitalization when giving birth, a one-time birth grant; and three months of paid maternity leave.

Keep in mind:

- The worker is the owner of the insurance policy. This means that he/she can deal with the insurance company directly, without mediation by the employer.
- Proper health insurance is very important because doctors visits and hospital services can be very expensive. Any person needing emergency medical care will receive it in Israeli hospitals unconditionally, but he/she will be billed for the coverage if he/she lacks proper insurance.

Income tax payments are deducted from the employee's salary by the employer and transferred to the tax authorities. An employer is not entitled to deduct from the foreign worker's salary any levies or fees imposed on **employers** of foreign workers. These sums must be paid by the employer to the authorities **over and above** the salary of the worker.

National Insurance (in Hebrew: Bituach Leumi): For the purpose of this insurance, an employer may deduct 0.04% of the first NIS4,430 of a foreign workers' salary, and 0.87% of every shekel of his salary over NIS 4,430. The deducted sums must be transferred to the National Insurance Institute by the employer.

SAFETY AND HEALTH

Many of the industries in which migrant workers are over-represented involve dangerous working conditions. Workers injured during the course of their work or in transit to their work who have valid work permit are entitled to compensation from the National Insurance Institute. After a minimum of 3 months workers absent from work due to illness should be paid 75% of their wages (starting with the third day) upon presenting a doctor's note.

ISRAEL

Mrs Varda Edwards Deputy Chief Labour Inspector Ministry of Labour and Social Affairs PB 915 91008 Jerusalem ISRAEL

T: (+) 972 2 6752 306 F: (+) 972 2 6752 891 E: vardae@molsa.gov.il

DISMISSAL

A worker employed on a monthly basis, who leaves his place of work, must give prior notice to his employer as follows:

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

An employer who wishes to dismiss a worker must similarly give prior notice, whose length is as set out 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 during that period.

Severance Pay (pitzuyei piturim): 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. The rate of severance pay is one month's wage for each year of employment with the employer or in the work place. A worker whose employment is stopped after one year of employment as a result the death or bankruptcy of his employer – or, in the case of a corporation, on account of its liquidation – is entitled to severance pay as if he/she had been dismissed. Special rules regarding severance pay apply to foreign construction workers employed by Licensed Manpower Companies.²⁸

Keep in mind:

- Check your contract and any other documents you are asked to sign and make sure you really understand what you are agreeing to before you sign it. If it's not clear, ask the agency to explain. Do not sign anything you do not understand.
- It is illegal for employer to keep the workers' passport and money, but he may make copies of them for his records.
- At the workplace, foreign workers are entitled to the same basic rights as national worker.
- Every worker, authorized or unauthorized, has the right to get paid for work that he/she has already performed
- Keep a record of the hours you worked each day and what you are paid
- Keep any business cards or letterhead with your employer's contact information.
- Keep any payroll stubs or receipts you get from your employer.
- It is illegal for an employer or agency to deport you against your will.

Kay LaOved: Worker's rights in Chinese:

http://www.kavlaoved.org.il/katava main.asp?news id=686&sivug id=26

TRADE UNIONS IN ISRAEL

Histradut is the General Federation of Labour in Israel, with 700,000 members, and unites 78 trade unions that are concerned with the local organization of labor, signing collective agreements and seeing to their implementation.²⁹ Migrant workers cannot join the national union due to internal regulation of trade unions. Histadrut has allowed migrant workers to get some services in exchange for membership fees, but not as members.³⁰ According to local NGOs, trade unions in Israel do not provide any support at all to migrant workers.³¹

Histadrut (General Federation of Labour in Israel)

Address: 93 Arlozoroff Street, Tel Aviv 62098, Israel

Fax: +972-3-6921512

Phone: <u>+972-3-6921513 3-6921511</u> E-mail: <u>avitals@histadrut.org.il</u> Web: <u>www.histadrut.org.il</u>

IV. Problems and difficulties

Industries that frequently employ migrant workers such as construction, agriculture and domestic work are known for frequent violations of wage, hour, and overtime payment laws. There are many obstacles that prevent migrant workers, especially unauthorized workers, from filing a claim. Fear of being deported and the need for substantive proof makes it very difficult for undocumented workers to obtain needed protection. Other obstacles such as language barriers and the cost that lawsuits can amount to also create serious barriers. ³² NGOs and trade unions can support workers e.g. inform them about their rights and about legal services to file compensation claims against exploitive employers or recruitment agencies.

LABOUR COURT

Labour courts provide workers, who do not have the economic means or legal knowledge, with access to justice. Labour court udges are specialized in labor law. In the past, labour courts have often denied migrant workers their rights. It was often only with the help of NGOs such as Kav LaOved that migrant workers were able to bring their cases to the National Labour Court that enforced the migrant workers' rights.³³ However, in the last few years, labour courts have taken a number of very effective steps on behalf of migrant workers in Israel.³⁴

Every migrant worker whose employer has not fulfilled the obligations laid down in the work contract (wage, deductions, housing health insurance etc.) can file a complaint with a labour court or with the Branch for the Enforcement of Labor Laws in the Foreign Workers Department. Even migrant workers without valid work permit who have not been paid or have suffered from other forms of exploitation have the right to file complaints against their employer.³⁵

The law prohibits an employer from dismissing an employee or reducing his salary or terms of employment due to any complaint or claim filed by the employee, or due to the fact that he assisted another employee, in good faith, to file such a complaint or claim.³⁶

It is very difficult for migrant workers to file a complaint after return to China. However, they might provide someone in Israel with a power of attorney to follow up the complaints and /or suits in their name. If their testimony is required, they are likely to be requested to return to the country in order give it if they have not given testimony before returning to China. Court cases can go on without their presence until a verdict is given (which in some cases can take years). If they are awarded compensation, then provided they made sure to provide their lawyer with up to date contact information, the money will be sent to them.³⁷

Branches of the Enforcement of Labor Laws in the Foreign Workers Department:

Israeli Ministry of Industry, Trade and Labor - Foreign Workers Department

Address: 34 Ben Yehuda St. Jerusalem 94230

Tel: 972 2 6229843 (5) Fax: 972 2 6229865

Haifa Office	Jerusalem Office	Tel Aviv Office	Beer Sheva Office
Address: Pal Yam 7/9	Address: Ben Yehuda 34,	Address: Derech Shlomo	Address: Alumot 12, Park
Zim Building, First Floor	Migdal Hair, 13th floor	53	Taasiya, Omer
Hours: Sunday to	Hours: Sunday to	Hours: Sunday-Thursday,	Hours: Sunday to
Thursday, 8:30 - 16:00	Thursday, 8:30-16:00	8:30-16:00	Thursday, 8:30-16:00
Tel: 04-8606700	Tel: 02- 6229835/41	Tel: 03-5125428/40	Tel: 08-6253005
Fax: 04-8606735	Fax:02- 6229867	Fax: 03-5125492	Fax: 08-6253000

Workers employed in the construction (building) industry can file a complaint with the Foreign Workers' Rights Ombudsman in the Foreign Workers Department: 03-5125460, 050-6240546.

Information for foreign construction workers:

http://www.tamas.gov.il/NR/exeres/B15F4EA4-F34B-4324-AEFB-FC1AC09623CF.htm

CONSULAR SERVICES

The Chinese Embassy in Israel protect the rights and interests of Chinese citizens in their consular areas. The Foreign Ministry of the People's Republic of China has published a protection guide for Chinese abroad that informs about the consular services in emergency situations, emergency phone numbers, legal advice, and Israeli law regulating foreign workers. The protection guide can be accessed on embassy's website at: www.chinaembassy.org.il - consular service - consular protection. The Embassy offers services to Chinese citizens in accordance with the protection guide e.g. in case of a Chinese citizen's death or injury in a work accident. The Embassy will help to contact his family in China, recommend a lawyer to take care of his case with the prior consent from the person or his family, and hitherto supervise the process of the case. If a Chinese has sufferered from unfair treatment by his employer or Israeli authorities, the embassy would take care of the workers complaint and negotiate with relevent Israeli authorities. The commercial section of the embassy takes care of the interests of Chinese workers in Israel.

ASSISTANCE FOR TRAFFICKING VICTIMS

Israel is a destination country for low-skilled workers from Asia who migrate for contract labour in the construction, agriculture, and health care industries, some of whom are subsequently subjected to conditions of involuntary servitude; many labour recruitment agencies in source countries and in Israel require workers to pay large up-front fees that often lead to debt bondage and vulnerability to forced labour.³⁸ Special assistance is offered to victims of trafficking for sexual exploitation.³⁹

Keep in mind:

It is illegal for anyone to...

- Force you to work against your will;
- Collect a debt by using threats or forcing you to work to pay the debt;
- Force you to work using threats to harm you or your family;
- Force or pressure you into prostitution or to do other sexual acts;
- Take away your passport, birth certificate, or identification card to control you or your movements.

If any of these things has happened to you, you might be a victim of trafficking!

Contacts of assistance services, NGOs, national authorities, and consulates

Embassy of the People's Republic of China in the State of Israel – Commercial section

Address: 219 Ben Yehuda Street, Tel Aviv. 61060.

Israel

Working hours: 09:00 to 12:30 from Sunday to

Thursday (except official holidays)

Tel: +972 03 5465922 Fax: +972 03 5465926

Email: chinaemb il@mfa.gov.cn
Web: http://www.chinaembassy.org.il

Association for Civil Rights in Israel (ACRI)

Email: mail@acri.org.il

Hotline for Migrant Workers (HMW)

Address: 75 Nahalat Binyamin St., Floor 2.

Tel. 03-5602530 Fax. 03-5605175

Email: info@hotline.org.il
Web: http://www.hotline.org.il

Opening hours: Mon.-Thurs. 09:00-17:00, Fridays

09:00-12:00.

The HMW provides direct assistance and legal aid to undocumented migrants, particularly those detained and slated for deportation. HMW operates a telephone hotline during opening hours and accept calls in all languages. If a Chinese speaking volunteer is not available at the time of a call, we will take down the caller's number and have a Chinese speaker call back.

Kav La'Oved

Email: <u>info@kavlaoved.org.il</u>
Web: <u>http://www.kavlaoved.org.il/</u> **Tel Aviv:** Y.L. Peretz St. 17, Tel Aviv.

Tel: 03-6883766 Fax: 03-6883537

Hours: Sunday, Monday Tuesday - 9:00-16:30,

Thursday- 12:00-18:00

Information in Chinese: Monday - 18:00-20:30 **Haifa:** 18 Herzl St. (Beit Hakranot), 2nd floor, room

224, Haifa 33121

Tel: 04-8643350, Fax: 04-8644238 **Jerusalem:** Shlomzion Hamalka St. 18

Tel: 02-6242801 Fax: 02-6232868

Be'er Sheva: 197 Kakal St,

Tel: 08-6239619 Fax: 08-6230531

Kav LaOved helps migrant workers with problems the workers encounter with their employers such as withheld of passports, salary issues and problems with social benefits. Kav LaOved provides low wage earners with legal advice and representation. Legal aid is available for issues of labor rights, social security, work related accidents, workers' legal status and work permits.

Physicians for Human Rights (PHR) Israel - Open Clinic for migrant workers

PHR Israel offers medical help for migrant workers living in Israel without health insurance as well as legal help in demanding basic rights from health insurance companies, ministry of health etc., visa extensions due to medical problems and other different issues

concerning immigration policy. Address: 52 Golomb St., Tel Aviv

Tel: (+972) 03 - 6873027 Fax: (+972) 03-6873029 Email: mail@phr.org.il Web: www.phr.org.il/phr/

Another department of PHR Israel is offering help for migrants who have been in detention and need medical treatment. PHR Israel offer help to migrants of all

nationalities every language.

Hotline for legal help: (+972) 03-6873718

IV. Living in Israel

GENERAL INFORMATION

The **capital** of Israel is Jerusalem, but embassies are usually situated in Tel Aviv. The **official language** is Hebrew, Arabic is used officially for/by the Arab minority, English is the most commonly used foreign language. Israel has about 6,352,000 million **inhabitants. Ethnic groups** living in Israel are Jews 76.4% (of which Israel-born: 67.1%, Europe/America-born: 22.6%, Africa-born: 5.9%, Asia-born: 4.2%), non-Jews 23.6% (mostly Arab). The **size of the country** is 20,770 sq km. Israel has borders with Egypt, the Gaza Strip, Jordan, Lebanon, Syria, and the West Bank. The **climate** is temperate; hot and dry in southern and eastern desert areas. Sandstorms may occur during spring and summer as well as droughts and periodic earthquakes. The arable land and natural fresh water resources are limited, and desertification pose serious constraints. **Religions** in Israel: Jewish 76.4%, Muslim 16%, Arab Christians 1.7%, other Christian 0.4%, Druze 1.6%, unspecified 3.9%.

NATIONAL EMERGENCY NUMBERS

Police: 100

Fire Department: 101

Ambulance (Magen David Adom): **102** – Every worker (registered or not) is entitled to receive emergency medical care at all hospitals in Israel, with or without medical insurance.

V. Money issues and remittances/money transfer

Prior to departure, it is helpful to open a bank account in China for two reasons. Firstly, opening a bank account in a financial institution either in Israel or in China is a good way to ensure that a worker's savings are secure. Secondly, it can ease money transfers from US to China as some money transfer operators request a bank account to be able to use their services. Migrants should not remit their entire earnings home for family spending, but should keep part of their earnings regularly in order to have some savings for the return to China and to fall back on. Government and non-government agencies often provide training services to help returning migrants start a business. It may be helpful to speak to former migrants who successfully started their own business after their return to China.

OPENING A BANK ACCOUNT

Every migrant worker (legal or not) can open a NIS bank account at any bank in Israel upon presentation of a passport and another identity document.⁴¹

Banks in Israel: http://www.bankisrael.gov.il/deptdata/pikuah/snifim/snifhane.htm

SENDING MONEY FROM ISRAEL TO CHINA

General recommendations:

- To make the process as easy as possible it is advisable to carry passport and proof of address when sending money (this may not be necessary for every transaction with every provider)
- Take into account the exchange rate as well as transfer fees; market price for currencies can be checked e.g. at www.xe.com, or www.oanda.com to be able to compare the offers of different banks and money transfer operators
- Keep in touch with the recipient to find out/make sure if money has arrived
- Keep hold of receipt/proof of sending in case of problems⁴²

Some examples of money transfer operators

MoneyGram

Coverage: Worldwide money transfer network with over 75,000 agent locations and over 1000 outlets, which include branches of Bank of Communications, Industrial & Commercial Bank and Citic Industrial Bank. In Israel MoneyGram services are provided by Best Connections, Money Change International, LBM, and at all branches of Change Spot, Change Stop and Israel Discount Bank. Fees: For sending 100 US\$ the fee is 10 US\$ and for sending 1000 US\$ the fee is 45 US\$.

Web:

http://www.moneygram.com/Market/Market.htm?CC=US&LC=ZHS (in Chinese)

Moneybookers

Coverage: Worldwide online money transfer network to and receive money via email. The sender and receiver need to be registered and have an account with Moneybookers.

Fees: Upload money to the Moneybookers account (from a local bank or per cheque): no fee; send money: 1% of the amount.

Web: http://www.moneybookers.com (homepage also in Chinese).

Western Union

Coverage: The Western Union money transfer network for sending and receiving money has over 170,000 agent locations worldwide. In Israel Western Union offices are located in post offices. The sender and receiver do not need a bank account to use the service of Western Union. The only requirement to use the service is a valid identity card for both the sender and the receiver.

Fees: For sending 100 US\$ the fee is 12 US\$, for sending 1000 US\$ the fee is 47 US\$.

Web:

http://web02.postil.com/postshirut.nsf/misparide/107?ope ndocument&L=EN

iKobo

Coverage: Online money transfer service per credit card to a debit card.

Fees: Money transfer fees: \$5.00 per transaction + 3% of amount sent; shipping fees for an iKobo Visa Debit Card (has to be paid once): \$9.95, costs for iKobo Visa Debit Card: per withdrawal: \$1.99, monthly fee \$0.99. iKobo's homepage offers a fee calculator showing also the exchange rate.

Web: http://www.ikobo.com

Some examples for providers based in China also offering remittances services to China

Industrial & Commercial Bank of China

Costumer hotline in China: 218 95588 www.icbcasia.com

enquiry@icbcasia.com

The ICBC has links to banks worldwide offering fund transfers in all major currencies by Telegraphic Transfer or Demand Draft and can also assist in the purchase and collection of cheques.

Overseas Chinese Banking Corporation

List of branches in China:

 $\underline{http://www.ocbc.com.cn/html_english/html/contact_us.s}$

htm?bcid=M4

Official website: http://www.ocbc.com.cn

VI. Return to China

The employment contract should include a clause regarding provisions for the return following completion of employment abroad. To ease return and reintegration in China, it is important to maintain constant linkages with the family through frequent correspondence and to keep up with national and local developments in China.

Irregular migrants who are detained for deportation have the right to:

- A copy of the expulsion order in his/her language and an explanation of his/her rights, including the right to inform family, lawyer and his/her country's consul of the arrest.
- A hearing before a border control officer within 24 hours from the time of his arrest. The officer has the authority to release the detainee if he is convinced that he/she is in Israel legally, or that he lost his legal status in good faith, and may also set conditions for the detainee to be released on bail.
- Be given 72 hours from the moment that he/she is handed the expulsion order in order to appeal the order.
- Be brought as soon as possible, and not later than 14 days since the arrest, before an administrative tribunal operating in prisons, and be given the possibility of being released on bail until he/she leaves the country independently. 43

VOLUNTARY DEPARTURE

The Immigration Police Department encourages illegal migrants to leave voluntarily. The fine for overstayers of US⁴⁴ \$17 per month will be waived for those who leave voluntarily. The Police also pay for the flight home.

Addresses of authorities and organisations offering reintegration programmes and assistance/services to returning migrants

Hotline for Migrant Workers (HMW)

Address: 75 Nahalat Binyamin St., Floor 2.

Tel. 03-5602530 Fax. 03-5605175

Email: info@hotline.org.il
Web: http://www.hotline.org.il

Opening hours: Mon.-Thurs. 09:00-17:00, Fridays

09:00-12:00.

Immigration Police Information Center

Hotline: 08-9189444

Organisations in China that can offer support after return

List of public employment agencies:

http://www.labournet.com.cn/jixiao/zhijie/gedi/index_2.htm#T

Public agencies in targeted provinces:
1) Zhejiang Employment Service Center:

Website: http://www.zjhr.com/

Address: No 91, Baijingfangxiang, Hangzhou City

Zip: 310003

Tel: 0571—56792506

2) Jilin Employment Service Center

Address: 1/F, Yatai Street, Nanguan District,

Changchun

Tel: 0431-8690900

3) Fujian Employment Service Center

Tel: 0591-87677529

Address: 2/F, No. 44, Gudonglu, Fuzhou

Zip: 350001

Website: http://www.fj91.com

- Ministry of Industry, Trade and Labour: Hhttp://www.moital.gov.il/H; Ministry of Interior:
- Hhttp://www.moin.gov.il/H Regulation of personal and legal status of Israeli residents in matters of citizenship and registration, immigration, entrance to and exit from the country, censuses, and the dissemination of census information; Ministry of Justice: Hhttp://www.justice.gov.il/H; Ministry of Social Affairs: Hhttp://www.molsa.gov.il/H
- Hhttps://www.cia.gov/cia/publications/factbook/geos/is.htmlH
- Hhttps://www.cia.gov/cia/publications/factbook/geos/is.htmlH
- Hhttp://www.hotline.org.il/english/about_detained.htmH
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- http://www.acri.org.il/english-acri/engine/story.asp?id=182#sub_2
- Ellman, Michael; Laacher, Smain (2003): Migrant workers in Israel a contemporary form of slavery, International Federation of Human Rights, Paris.
- ¹⁰ Hhttp://www.ilo.org/public/english/employment/gems/download/mbook2.pdfH
- 11 Hhttp://www.ilo.org/public/english/employment/gems/download/mbook2.pdfH
- ¹² Hhttp://www.moital.gov.il/NR/rdonlyres/DF7B8EC1-C998-47EE-B087-
- B207645ADD93/0/English_Final_April2006.pdfH
- 13 Hhttp://gov.il/FirstGov/TopNavEng/EngSituations/ESMigrantWorkersGuide/ESMWGComing/H 14http://gov.il/FirstGov/TopNavEng/EngSituations/ESMigrantWorkersGuide/ESMWGRights/
- ¹⁵ Email sent by Shevy Korzen on 09.01.2007, Executive Director, Hotline for Migrant Workers, 33 Hachashmal Street, Tel Aviv 65117, Israel, Tel. 972.3.5602530 Fax. 972.3.5605175 Mobile 972.54.5920668, shevyk@hotline.org.il
- Hhttp://gov.il/FirstGov/TopNavEng/EngSituations/ESMigrantWorkersGuide/ESMWGComing/H
 Hhttp://www.moital.gov.il/NR/rdonlyres/DF7B8EC1-C998-47EE-B087-

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 Email Adriana Kemp (11.01.2007): Associate Professor, Dept. of Sociology and Anthropology, Tel Aviv University, Israel, akemp@post.tau.ac.il
- ¹⁹Hhttp://www.dol.gov/esa/whd/immigration/index.htmH
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- Hhttp://www.kavlaoved.org.il/katava_main.asp?news_id=720&sivug_id=26H
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- ²⁹ Hhttp://www.mfa.gov.il/MFA/Facts%20About%20Israel/Economy/ECONOMY-
- %20Wages%20and%20Working%20ConditionsH

 Email Adriana Kemp (11.01.2007): Associate Professor, Dept. of Sociology and Anthropology, Tel Aviv University, Israel, akemp@post.tau.ac.il
- Email from Dana Shaked, Kav LaOved, Chinese Workers Coordinator, Hdana@kavlaoved.org.ilH, 972-52-5349876
- ³² PICUM (2005): Ten Ways to Protect Undocumented Migrant Workers, Brussels. See also H<u>www.picum.org</u>H
- ³³ Ellman, Michael; Laacher, Smain (2003): Migrant workers in Israel a contemporary form of slavery, International Federation of Human Rights, Paris.
- http://www.acri.org.il/english-acri/engine/story.asp?id=182#sub_2
- Email sent by Shevy Korzen on 09.01.2007, Executive Director, Hotline for Migrant Workers, 33 Hachashmal Street, Tel Aviv 65117, Israel, Tel. 972.3.5602530 Fax. 972.3.5605175 Mobile 972.54.5920668,
- shevyk@hotline.org.il
 ³⁶ Hhttp://www.moital.gov.il/NR/rdonlyres/DF7B8EC1-C998-47EE-B087-B207645ADD93/0/English Final April2006.pdfH

³⁷ Email sent by Shevy Korzen on 09.01.2007, Executive Director, Hotline for Migrant Workers, 33 Hachashmal Street, Tel Aviv 65117, Israel, Tel. 972.3.5602530 Fax. 972.3.5605175 Mobile 972.54.5920668, Hshevyk@hotline.org.ilH and Email from Dana Shaked, Kav LaOved, Chinese Workers Coordinator, Hdana@kavlaoved.org.ilH, 972-52-5349876

³⁸ Hhttps://www.cia.gov/cia/publications/factbook/geos/is.htmlH

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- Hhttp://www.kavlaoved.org.il/katava_main.asp?news_id=720&sivug_id=26H
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