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Worker's Hotline

Construction workers' right – May 2024 update

Visa – Employment is permitted only with a valid visa. Visa could be extended for up to five years, sometimes longer. The employer is responsible for extending the visa. Please note that even if your passport includes a visa, it is not necessarily valid if you have left your employer, or if your employer reported to the Ministry of Interior that you have left.

The employer – You may only work for the employer for which you are registered. You may ask to change your employer once in a quarter (on January 1st, April 1st, July 1st, October 1st), but if there is an issue with the present employer, you may also request a transfer at any other time, through the foreign workers' rights officer at the Ministry of Labor, tel. +972-050-629-0758. If you came to Israel in order to work for an Israeli manpower company, you may transfer to certain other Israeli companies, from a given list. If you work for a Chinese / Turkish company, you may only work for another such company.

Important! If you are working for an Israeli manpower company, someone there should tell you where to work and when. It is important to know that there is such an individual at the company, and that the person that sends you to work indeed works at the company. If you work at a place arranged by someone else, it might be illegal, and you might not get paid for it. If it is difficult to know who in the company is giving you work, it is advisable to notify the foreign workers' rights officer at the Ministry of Labor, tel. +972-050-629-0758; or to the Population and Immigration Authority's call center at 1-700-707-889.

Contract: At the beginning of employment you should obtain a contract in your language, which details your terms of employment, the identity of your employer, your wages etc. It is important that you keep it.

Pay slips: Every month your employer should provide you with a pay slip that shows you your salary, the money that was deposited in the trust account at the airport, permitted deductions from you wages, and your vacation and sick days. It is important to keep the pay slips and request them from your employer, even if they are in a language that you do not understand; if you are able to read the pay slip, it is advisable to verify that what is written there is consistent with what you know.

Work hours report: The employer should have you sign an attendance sheet, so that there will be documentation of the days and hours you have worked. Just in case, it is advisable to document this yourself as well, so that you will be able to compare the two later.

Accommodation: the employer should provide you with appropriate housing with running water, electricity, and reasonable area per person. You may leave the premises and are free to get around as you wish.

Return of travelling expenses: If the employer does not provide you with transportation to and from the workplace, he is obligated to return up to 22.30 ILS a day, according to the cheaper rate, for your transportation. When the distance between the workplace and the worker's home is 500 meters or 2 bus

stops or more, you need to receive compensation for travel. It is prohibited to deduct transportation fees from your salary.

Medical insurance: The employer must purchase medical insurance for you, from a private insurance company, from which you will be able to obtain medical services in the HMOs. He should give you your HMO card.

Bank account: You should open a bank account in Israel, to which your salary will be transferred. The employer is prohibited from paying you via cash or check.

Minimum wages: The minimum hourly rate is 32.3 ILS. (5,880 ILS per month) The employer should pay you no later than the 9th of the month (for the past month's work).

Deductions from salary: The employer must deduct taxes and national insurance contribution from your salary. In addition, it is permissible to deduct a permanent payment for health insurance fee and for housing and living expenses, and if you are provided with food, also up to 10% of your wages for food. The total optional deductions cannot exceed 25% of your wages.

Payments to the employer: The employer is not permitted to take money from you: not for travelling to Israel, and not for your continued work here. If you are required to pay money, make sure to keep the receipts and proof of that.

Work week: A regular work month is 182 hours (5,880 ILS). You are entitled to additional payment for each hour you work beyond that. Important: if you work for an Israeli manpower company, the company must pay you at any case wages for 182 regular hours, in addition to payment for at least 54 extra hours at least (for extra hours see below), even if you did not work them.

Work breaks: An employer is permitted to deduct break time from the worker's wages, provided the worker is allowed to leave the work place, and the break is at least 30 consecutive minutes. Short breaks are not at the worker's expense, and his wages cannot be deducted due to them.

Extra hours (OT): A worker that works 5 days a week is entitled to additional compensation for every working hour beyond 8 hours and 36 minutes a day (8.6 hours), net, without breaks; and for every hour beyond 7 hours and 36 minutes (7.6 hours) during one day in the week (short day), as well as for every hour beyond 42 regular weekly working hours.

A worker that works 6 days a week is entitled to additional compensation for every hour beyond 8 hours on a regular work day, for every hour beyond 7 hours on Friday, and for every hour beyond 42 regular weekly working hours.

Night work: If you worked at nights (for at least two hours between 22:00 and 6:00), you will receive payment for every extra hour beyond 7 hours that day. A worker could not be employed on a night shift for more than one week in two weeks.

Weekly rest: You are entitled to a weekly rest day, 36 hours long, which will take place on Friday, Saturday or Sunday – as you choose. If you worked on your rest day, 50% should be added to the wages for every working hour.

Holidays: Every worker that completed 3 months with the employer is entitled to 9 paid holidays a year, provided that he had worked on the day before the holiday or after it, or if the employer permitted you not to work. If you had to work on the holiday itself, you will be entitled to a payment of 250% for the work. It is advisable to let the employer know the list of holidays for which you would like to get a paid leave.

Annual vacation: Workers are entitled to vacation days in accordance with their seniority: in the first 5 years – 12 days for those who work 5 days a week, and 14 days for those who work 6 days a week. The number of vacation days accumulated every month are noted on the pay slip, as well as the number of vacation days that you have used up. It is important to check in the pay slip if the vacation days that you have used are noted there, in case you have not in fact used them. In order to use a vacation day, you should obtain your employer's permission. If you make use of a vacation day, you deserve payment for it like a regular work day.

Sick days: In the first two years, you are entitled to 18 sick days a year. As of the third year of work, you are entitled to up to 25 sick days a year. You may accumulate up to 161 days a year. The number of sick days you have accumulated are noted on your pay slip, as well as the number of sick days you have used. It is important to check in your pay slip if the sick days that you have used are noted there, in case you have not in fact used them. In order to ask for a sick day, you need to present your employer with a medical document. The first day of illness will be unpaid; for the second and third day of illness you will be paid 50% of your daily wages; and from the fourth day of illness onwards you will be paid your regular daily wages. a worker on a sick leave cannot be fired.

Work accident: If you have been injured at work, your employer should assist you in submitting a claim to the National Insurance Institute. After a decision is made, the National Insurance should cover the medical expenses, as well as the injury benefit, constituting 75% of your salary, for the days of absence from work due to injury, and in certain cases also a disability benefit. If you are unable to continue working due to the accident, you may use up your sick leave. If you need to remain in Israel to complete medical treatment or procedures versus the National Insurance and the employer has terminated your employment, you may request a B2 visa from the Ministry of Interior for this purpose (which is not a work visa). It is important to arrange for a visa also in cases of work accident's injury.

Convalescence pay: Workers are entitled to convalescence pay, 418 ILS per day. During the first and second year, workers are entitled to 6 days, during the third and fourth year – 8 days, and during the fifth year – 9 days.

Trust account deposits: The employer should make a monthly deposit to a trust account managed by the Ministry of Interior, of a sum worth 15.43% of your wages (7.1% for pension, 8.33% for severance); after 3 years of employment with the employer, you will be entitled to an additional monthly allowance worth another 2.5% of your wages, for a further training fund (*keren hishtalmut*). You may track the sums in the Ministry of Interior's website. The money will be available only after you exit Israel altogether, at which stage, taxes and commissions will be deducted from it; a belated exit may lead to a further deduction of significant percentages from the sum – or even almost all of it, depending on the extent of delay in your exit.

Termination of employment: If you resign or are dismissed from your workplace, you must receive a letter of termination of employment. If dismissed, your employer must hold a hearing before deciding in regard to the termination of your employment. In case you resign, it is important that you state the reason for your termination of employment and the last day on which you will be working (see the following regarding early notice for termination of employment). Your employer is not permitted to dismiss you if you refuse to work when ill, on a rest day or a holiday. In case of resignation / dismissal, another employer for whom you are permitted to work must be found, or you will lose your visa.

Early notice on the termination of employment: If you resign or are dismissed, it cannot be with immediate effect, and a prior notice should be provided. In the course of the first year of work – one day early for each

month you have worked. In the course of the second year of work – prior notice should be given two weeks ahead, plus another day for every two months of work during this year. In the course of the third year of employment – prior notice should be given three weeks ahead, plus another day for every two months of employment during this year. After three years of employment - prior notice should be given a month ahead. During this time, you should work, and your employer should employ you and pay your wages.

In case the employer did not provide you with prior notice before the termination of your employment, you will be entitled to compensation for the early notice period, which will be your regular wages for that time. In case the worker did not uphold the early notice obligation, the employer is entitled to deduct a sum worth the regular wages the worker would have earned for the early notice period during which he did not work, from any sum payable to him. Please note – if you quit your work without notifying the employer, he might report you as a "deserter", which may be problematic when you seek to begin a new employment. It is important to make sure to leave your work properly, and obtain documentation about it.

Period of employment in Israel: In general, the employment period in Israel is up to 63 months. At times, employers may ask for an extension beyond this period, to be decided by the Ministry of Interior. If your employer has requested an extension, it is important to be updated regarding the request so you will not suddenly find out that your visa is no longer valid.

Claims and complaints: Complaints regarding breaches on the part of the employer could be submitted to the foreign workers' rights officer at the Ministry of Labor and to the Complaints' Center operated by the Population and Immigration Authority – see telephone numbers above. In addition, you could file a claim at the Labor Court, within **seven years** of the termination of employment. **Exceptions to the seven-year rule are: payment in lieu of annual leave** – for which a claim could be submitted only for the last three years of employment; **and convalescence pay for an employee whose work was terminated**, which could be claimed for the last two years of work only.