

Information for pregnant non-Israeli women

A. During Pregnancy

According to the "Employment of Women" law, if the worker worked for the same employer or at the same workplace **for at least six months**:

An employer can't dismiss the worker, reduce her income or number of working hours because of her pregnancy, unless he has a special permit from the Ministry of Industry, Trade and Labor. The ministry will not grant such a permit if the dismissal's reason is pregnancy. The prohibition applies to both permanent worker and temporary worker.

An employer can't dismiss or give notice of dismissal to the worker for a period of 60 days after the end of the maternity leave, without a special permit.

- Women without medical insurance
 1. A woman staying in Israel without a visa and/or medical insurance is not entitled to healthcare services during the pregnancy period, aside from "Tipat Halav" [Family Health Clinics] (see details in section below).
 2. It is possible to purchase a medical insurance policy from a private company at any time, even during the pregnancy period, but in this case the insurance company is not obligated to cover monitoring services during the pregnancy.
- Pregnant women with medical insurance: If the woman purchased an insurance policy at least nine months before becoming pregnant, or if she worked with a visa and was insured at least nine months before becoming pregnant, the insurance policy must cover pregnancy monitoring services.
- Women without visa: Even a woman living and working in Israel without a visa can purchase medical insurance. According to the new ruling of the Foreign Workers Law, employers are required to arrange health insurance for their workers, even those who are employed without visa. Warning: An employer who has not arranged health insurance for a worker (whether she is employed with a visa or without one), can be sued for medical expenses by the worker or by a medical institute that treated her.

For questions and complaints regarding the health insurance company contact:

Physicians for Human Rights- 9 Dror st., Jaffa, 03-6873027/03-6873718

B. Birth

Every woman, with or without a valid visa, that worked in Israel for at least six consecutive months immediately preceding the birth, is eligible for the National Insurance Institute's benefits.

The National Insurance law grants immigrants with or without a visa with:

1. **Hospitalization grant** to fund the delivery in any hospital
2. **Maternity grant** (for the first child in the family the grant is bigger, however, in order to receive the grant it is necessary to present an authorization from the embassy that the mother has no other children in her home country)
3. **Maternity leave** - a woman with a valid work permit is eligible also for maternity allowance to compensate for the loss of salary or income for a period of up to three months after delivery.

If the mother's spouse (her husband or life companion) is an Israeli citizen, or if he is a foreign worker and his employer pays for him the national insurance contribution, the woman is eligible for the (first two) birth related National Insurance benefits, even if she is not working.

National Insurance (Bituach Leumi)

1. Every immigrant's employer must pay the National insurance contribution for her at the rate of 2% of her salary (whether the employee has a valid visa or not).
2. It is recommended for the employee to ask her employer for copies of the payment receipts so she can present these at the hospital when she comes to give birth.

3. **Working period:** Pre-birth maternity leave is time limited. If the employee stops working too long before the time of delivery, she will not be eligible for the maternity and hospitalization grants. The rules are as follows: if the national insurance fee is paid for 6-10 months, the woman can stop working 24 days or less before the delivery date. If the fee is paid for more than 10 months, she can stop working 49 days or less before the delivery date.
4. A woman eligible for National Insurance benefits **don't need to pay** the hospital for the delivery and the included hospitalization. When admitted to the hospital she should refuse to pay or sign any document which includes a commitment to pay delivery expenses.
5. If the mother was under pressure and paid the hospital (some hospitals may withhold the birth certificate unless they receive the payment or commitment for payment), she can receive a refund. This requires receiving and keeping a receipt. Once the eligibility for National Insurance benefits is recognized, the hospital will be obliged to refund the mother.
6. Even if the National Insurance Institute refused to recognize the mother's eligibility to cover birth expenses, the mother is entitled to receive the birth certificate regardless of any payment given to the hospital. Unfortunately, occasionally it is necessary to use the assistance of one of Kav Laoved's lawyers or the assistance of Physicians for Human Rights.

Submitting the claims:

1. After giving birth, in order to actualize the benefits, it is necessary to fill the maternity and hospitalization grant form (bl/300) as well as a separate form for the maternity allowance claim (bl/355) on which the employer too must sign. The release paper from the hospital (a letter that sums up all the delivery details) must be attached.
2. The National Insurance Institution transfers the maternity grant and allowance directly to the mother's bank account. If she does not own a bank account she should open one on her name. We recommend to open the bank account in the Postal Bank (in any post office), where there's no requirement to deposit any sum of money. The bank account number must be filled in the National Insurance's forms.
3. After filling all the forms and attaching all the requested documents, the worker has to approach the National Insurance Institution branch closest to her residence with her passport. If the request is approved, the National Insurance will set the payment to the hospital, and will transfer the worker her due payments directly to her bank account (the payment should reach the bank within no more than 6 months).

Important

- **The eligibility for the National Insurance benefits might be revoked if there was a break in the National Insurance payments by the employer, if the mother had stopped working too early before the delivery, or if the National Insurance contribution was paid for less than 6 months.**
- **Hospitalization for delivery is considered an emergency. Even if the mother is not organized in advance with the insurance contribution payments and she stays in Israel without a permit – the hospital must admit her and take care of her throughout the delivery. After delivery the mother will be charged for the hospital expenses. The normal rate is about 8,000 NIS per regular delivery and 15,000 NIS or more for a longer hospitalization (caesarean section etc.).**

C. Baby's Medical Insurance

There is a subsidized program whereby the government covers half the price of the baby's medical insurance. It is recommended to sign in for this program immediately after birth to insure the baby. This is done in the Health Ministry (Lishkat HaBriut) 14 Ha'Arbaa st. Tel-Aviv (room no. 207, Sunday-Thursday 8:00-12:00), 86 Yaffo st. Jerusalem, 15 A Palyam St. Haifa, 4 Hatikva St. Beer-Sheva.

D. Pregnancy and Legal Status

According to the current regulations, a female foreign worker, who became pregnant while in Israel, is entitled to continue working until the date of birth, or alternatively receive a tourist (B/2) visa (if she is in her sixth month of pregnancy or onward).

- **Before the birth** – if she stopped working and is 6 months pregnant or more, she can go to the Ministry of Interior office closest to her last work place, with a letter from a doctor stating the expected delivery due date, and ask for a B/2 visa. This visa's expiry date will be 90 days after the expected birth date.
- **After the birth** – she can go to the Ministry of Interior office closest to her last place of work, with the birth certificate or the Hospital's release paper, and ask for a B/2 visa. This visa's expiry date will be 90 days after the birth date.

After receiving the B/2 visa, the woman can leave Israel before the visa expires and will be allowed to return to Israel for work anytime up to 2 years after giving birth. With her renewed entrance to the country, she will be eligible for a B/2 visa valid for 60 days, during which she will be able to seek employment independently or through an agency.

Alternatively, she can send the baby back home with someone else before the visa expires, and start seeking for employment independently or through an agency.

So long as she asks to exit Israel with her child, during the period that her B/2 visa is still valid, and to return to Israel without the child, she may be granted an intervisa for this purpose.