

PEOPLE LIVE HERE:

**VIOLATIONS OF THAI MIGRANT WORKERS' RIGHTS TO
ADEQUATE ACCOMMODATION**



Survey of living conditions among migrant agricultural workers in Israel - June 2020

Following the proliferation of complaints received from migrant workers in agriculture in Israel concerning very poor living conditions, Kav LaOved conducted in June 2020 a FaceBook survey among migrant workers from Thailand. ¹

In the survey we asked workers whether they enjoy minimum standards for housing. Questions were based on the minimum requirements as specified in the Israeli regulations on fair conditions for migrant workers.² The results of the survey are presented to you in the following pages and they clearly confirm our impressions based on the complaints that we receive on a regular basis: many workers' residences do not meet the minimum legal requirements.

Migrant workers in agriculture come to Israel for a period of five years and three months. The workers stay in farms across the country. Their number in each farm depend on the number of permits for the employment of migrant workers that each employer, farmer or kibbutz is able to obtain. The number of workers who work and live on a farm range from one or two to as many as 50 workers and more.

According to the latest data, there are about 23,000 migrant workers working in Israeli agriculture today.³ All of them come from Thailand and only 3% of them are women. During their period of work in Israel workers live in accommodations provided by their employer. These accommodations are usually located within the employer's farm, close to his home or in the fields, and are their place of residence throughout their period of employment with the same employer.

Employers of migrant workers in agriculture have the right to deduct from their wages every month a maximum amount of NIS 547.72 for accommodations and related expenses (a maximum amount of NIS 232.82 for housing and NIS 308.90 for related expenses).⁴

NIS 547.72 constitute approximately 10% of the monthly minimum wage in Israel, which as of October 2020 was NIS 5300 gross. A regular check of pay slips carried out by Kav LaOved indicates that a large number of workers receive as monthly salary an amount very close to the minimum salary. In practically all of the cases, the maximum allowed amount is deducted from the worker's pay. Many workers therefore pay about 10% of their salary to their employer as rent and related bills. (There are also many workers who do not receive a monthly pay slip, in violation

¹ The survey was carried out in June 2020 in the Thai language Facebook page of Kav LaOved with 15,000 followers, 178 workers answered the 40 questions. To the question "in what type of community do you work?", 74.2% answered that they work in a Moshav, 10.7% in a Kibbutz and 6.1% were unsure.

² Foreign Workers Regulations (Prohibition of Unlawful Employment, Ensuring Fair Conditions) (Appropriate residence).

³ https://www.gov.il/he/departments/general/foreign_workers_stats

⁴ https://www.gov.il/he/departments/policies/tariff_changes_foreign_workers_2020

of the law. In these cases, it is not possible to know exactly what the workers' salary is and what is deducted from his salary.)

The body responsible for enforcing the Foreign Working Regulations is the Population and Immigration Authority in the Ministry of the Interior. In a separate survey conducted by Kav LaOved in January 2020, 95% of 734 workers who answered the survey said that they never saw an enforcement agent visiting their farm.

Bedroom

<i>Survey questions (minimum legal requirements)</i>	<i>Survey results</i>
The sleeping area of each worker shall not be less than 4 square meters.	52.8% of workers were assigned less than the indicated area.
Each worker will receive bedding including a mattress, a pillow, a sheet, a wool blanket as well as a pillow and blanket cover.	51.1 % of workers did not receive some or all of the required bedding.
Each worker will have a separate closet or compartment whose volume is not less than 0.5 Cubic meters; The closet or compartment will have a locking mechanism.	68.5% did not receive a closet at all or received a smaller space. 87.5% cannot lock their closet.
The accommodation in the building will be ventilated and heated according to the need and the season.	56.2 % have no heating. 52.8 % have no ventilation.

Other common complaints Kav LaOved receives:

- Workers live in metal containers or makeshift structures they have built themselves.
- Workers sleep in rooms with no windows.
- Workers, also female workers, cannot lock their room.



Kitchen and dining room

<i>Survey questions (minimum legal requirements)</i>	<i>Survey results</i>
Hot and cold water available in the kitchen.	42.9 % of workers do not always have hot water in the kitchen.
Storage cabinets.	49.2% of workers do not have storage cabinets whatsoever.
Dishes and cutlery for all the workers living in the accommodations.	59.9% of workers do not have enough dishes and cutlery.
In the accommodations there is a room or other space allocated to eating meals.	48.9 % of workers have no room or other space assigned to eating meals.
Each worker has his own separate sitting place around the table.	61.8% of workers do not have a separate sitting place around the dining table.
The building will have a supply of drinking water from the water network or other source.	43% of workers do not have enough drinking water available.

Other common complaints Kav LaOved receives:

- Workers have to buy equipment that was not provided to them, including refrigerators and ventilation and heating facilities.
- Workers complain that they do not have enough gas for cooking



Toilets, showers and laundry

Survey questions (minimum legal requirements)	Survey results
The sanitary equipment and fixtures shall be in working and in proper conditions.	52% of workers answered that the sanitary equipment in their accommodations is not functioning properly.
Appropriate arrangements will be made in the accommodations to allow workers to wash and dry their laundry; in accommodations where six or more workers live a washing machine will be put at their disposal.	38.4 % of workers were not given laundry arrangements, 18.6% of workers answered that there are more than six workers in the farm but they did not receive a washing machine.
The building must be connected to the public sewage system or to an approved private sewerage system.	36.2% of workers answered that their accommodations are not connected to any legal sewerage system.

Other common complaints Kav LaOved receives:

- Water in the accommodations heated only by a solar water heater and in winter there is no hot water for washing dishes and for showering.
- There is no water heating system in the accommodations and workers must boil water to have hot water.



Safe living environment

<i>Survey questions (minimum legal requirements)</i>	<i>Survey results</i>
Employers must ensure the integrity of the plumbing in the building and take care to prevent any leakage.	33.1% of workers answered that plumbing in the accommodations building lacks proper conditions.

Other common complaints Kav LaOved receives:

- Accommodations are close to hazardous materials such as chemicals and fuel.
- The electrical system in the accommodations is dangerous.
- The living environment is unsafe.



APPENDIX

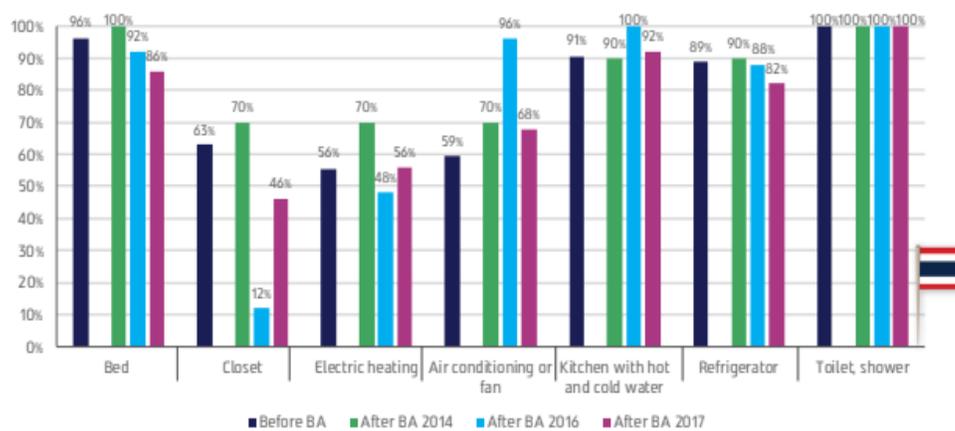
Excerpt on *Living conditions of migrant workers in agriculture* from "The Effectiveness of the Bilateral Agreements: Recruitment, realization of social rights, and living & employment conditions of migrant workers in the agriculture, construction and caregiving sectors in Israel, 2011-2018" jointly published by CIMI, the Rupin Academic Centre and the Population and Immigration Authority. Available online.

1.2.7. LIVING CONDITIONS

Figure 1.17 indicates that after a temporary improvement in living conditions that occurred right after the implementation of the BLA, there was a slight decline in the living conditions of the respondents from Thailand. In 2017 only 86% of the respondents were provided a bed by the employer, compared to 96% prior to the implementation of the agreement, 100% in 2014, and 92% in 2016. In addition, in 2017 the employers provided a refrigerator to only 82% of the respondents, compared to 88%-90% in previous years. Also, in 2017 54% did not receive a closet and 44%

of them did not receive electric heating. Most of the respondents who were not equipped with electric household appliances (despite the requirement by law) purchased them on their own and at their own expense.

FIGURE 1.17: LIVING CONDITIONS OF MIGRANT WORKERS FROM THAILAND



Israeli law determines that if the place of residence is provided by the employer, a maximum of 6 workers may reside in one room. In 2017 all of the respondents reported that the number of their roommates did not exceed 5 (8% share a room with only one worker; 27% with two workers; 41% with three workers; 16% with four workers; and 8% with five workers). Prior to the implementation of the BLA, approximately 6% of the respondents reported on living in one room with more than 6 workers.

However, in 2017 the workers described their living conditions as mostly poor:²⁷ 22% of them indicated that the living conditions were very poor, 52% indicated that the living conditions were poor, 22% reported that the living conditions were not good and not poor, and only 2 workers (4%) assessed their living conditions as good or very good on average. The women assessed their living conditions as even worse than the men: 80% indicated that the living conditions were poor or very poor, and not even one assessed the living conditions as good or very good. Additionally, seven out of ten women reported that they share their place of residence with men. Three female interviewees reported that also the toilet and shower in their place of residence was not for women only and their use was shared with men. One out of ten women reported that the lock for the room she resided in could be easily broken.²⁸ Three women reported that

²⁷ An average of 2.1 on a scale from 1 (very poor) to 5 (very good).

²⁸ According to PIBA regulations, before approving the invitation of a female foreign worker to the agriculture sector in Israel, the employer must declare that s/he will provide the worker with a room that is separate from men, as well as a separate toilet and shower.

there were no other women in their workplace. As a result, the women felt unsafe in their place of residence: out of 10 female migrant workers who participated in the 2017 sample, 4 indicated that they felt unsafe (40% of all the women), compared to 23% of the male migrant workers who felt this way. This indicates that women's living conditions need to be given special attention, and the demand for these conditions and their enforcement must be increased.