

Agricultural Students Rights January, 2022

Kav LaOved – Worker's Hotline is a non-profit organization that provides advice, guidance and legal aid to workers. The following rights are guaranteed by Israeli law to all workers in Israel whether Israeli or not, with or without a visa. Agricultural students who work are legally considered workers.

If any of the rights where not given/ paid to you, please contact Kav LaOved at least a month before you leave Israel. We cannot help you receive your money from the employer if you contact us a few days before you leave.

Tuition	Students programs are allowed to collect tuition for studies that actually happen. The tuition amount should be identical to the tuition that was mentioned in the student contract before the student year started, and cannot increase during the year. The studies should be conducted in a language that the student can understand. The studies program is not an agency, and therefore cannot ask for money for placement or re-placement of workers at employers. Students should receive a training from the farmers that employ them, in the student's language. If any problem arise concerning the studies, the training or the payments, you can contact Kav LaOved.
Minimum Wage	5300 NIS for a full-time job (182 hours per month) 29.12 NIS per hour, 233 NIS for a day (8 hours)
Payment Time	Wages must be paid no later than the 9th of the month (for the previous month).
Overtime (OT)	Overtime (OT) must be paid for every hour after 8 hours of work per day. OT is calculated by hour worked on <u>one day</u> and not according to any other days. Payment for OT in the first two hours is 125% (36.40 NIS per hour); payment for any hour after the first two hours is 150% (43.68 NIS per hour). Legally, workers are not allowed to be employed over 12 OT hours per week. For rates of overtime worked on rest days, see 'Weekly Rest Days' below.
Daily Breaks	The employer must allow 45 minutes break per workday for rest and refreshment, out of which one continuous break of not less than 30 minutes for lunch. The employer may deduct from the worker's salary the daily break time, unless the employer requires the worker to stay in the workplace during the break. In this case the break time will not be deducted.
Weekly Rest Day	Workers are entitled to 36 consecutive hours of rest per week, which includes a rest day according to the worker's religion. If you worked on your rest day, you should get 175% pay for the first 10 hours and 200% for every hour after. In addition, you should get a different rest day.
Salary Slip	The employer must provide a salary slip with details of the salary and deductions. It is very important to save all salary slips. We strongly advise each student to keep a personal record of daily work hours (mark start and end hour of work), making note of sick days and also noting work hours for Saturday and holidays when payment is higher.
Salary Deductions	A. Income Tax and National Insurance: a percentage of the salary depending on the amount earned B. Health insurance: not more than 125 NIS per month C. Residence (assuming employer owns residence): up to 242.87 NIS per month. D. Related expenses (electricity, water, property tax): up to 314.44 NIS per month E. It is legal to reduce debts of students from their work salary (tuition, grocery, etc.) only if the student agreed in writing, and only if reductions are less than 25% of the salary.
Annual Vacation	Workers are entitled to 16 paid vacation days each year (in addition to the weekly rest days). A student that came to Israel for an 11 months program is entitled to receive 14.5 vacation days. Payment: The worker taking vacation will receive the normal monthly salary. The worker who does not take vacation will receive payment for the days not taken at the end of the employment period. The worker must notify the employer at least one week before taking vacation. The employer has the authority to decide and confirm the vacation days.
Paid Holidays	After 3 months of employment, the worker has the right to 10 paid holiday days per year according to the worker's religion, as long as they do not fall on the workers' weekly day of rest. The worker who took the holiday off has the right to be paid a full month's salary. If the

	worker worked on his/her holidays, payment will be 175% of the normal payment per day and the worker has the right to take a different day off.
Sick Pay	Employers must pay the worker's salary when the worker is sick and when the worker gives the employer a note from the doctor . The rate of payment is the following: There is no payment for the first sick day; For the second and third sick day, the pay is 50% of the daily salary; From the fourth sick day and onwards the pay is 100% of the daily salary. A worker accumulates 1.5 days of sick leave each month of work.
Pension	When the student terminate his work period he is entitled to receive compensation equal to the pension: the amount of 6% for the first 6 months of working' and 12.5 % of the student's monthly salary (6.5% for pension, 6% separation), from the beginning of the seventh month until the end of his working period.
Convalescence	A student who has completed 1 year work in Israel is entitled to 7 convalescence days per year at a rate of NIS 378 per day.
Subsistence Allowance	In accordance with Article 37 of the Extension Order in the agriculture sector, the worker will receive 100 NIS a month subsistence allowance.
Resignation / Dismissal Notice	A student who has been employed for 7 days or more and who decides to resign must give prior notice to the employer: <ul style="list-style-type: none"> - during the first six months of employment: one day for each month of employment; - from the seventh month until the end of his first year of employment: 6 days, plus 2.5 days per month for each month from the seventh month onward. - after the first year of work: one month. If the employer wants to dismiss the student, the same prior notice applies.
Health Insurance	The employer must pay health insurance for the worker during the entire employment. If the worker stops working for one employer and begins working for another, it is best to stay with the same health insurance company in order not to lose accrued benefits.
Residence	The employer must provide suitable residence. The residence building must be reasonably accessible; each student must be provided with a separate bed, mattress, pillow, sheets, woolen blankets, and a separate compartment for storing clothes; the residence must include a kitchen with a refrigerator, stove, lunch room or a designated area for eating; toilets and showers with hot water in the building or not too far away, one toilet and shower for every eight people in the same building; there must be sufficient electric lighting, and a washing machine for every six workers. The employer must also provide residence for a week after the end of the contract between worker and employer. The employer is permitted to deduct from the worker's salary a maximum sum as described below.
Sexual Assault	Sexual assault and sexual harassment is illegal under Israeli law. This includes a threat to fire a worker if she or he refuses to have sex or suffers indecent assault or offers of a sexual nature. Any worker who has been harassed can contact Kav LaOved or Sexual Assault Crisis Center (see below).
Recruitment Fees	It is illegal to collect recruitment fees from a worker for finding him an employer / settling visa issues.
Passport	It is against Israeli law for an employer or school program to hold a worker's passport. This is a criminal offense. In such a case, please contact Kav LaOved immediately.
Organization Time	Workers who are at the end of their stay in Israel are allowed to remain in the country 60 days after the expiration of the visa.
A Worker Cannot be Forced to Return to Country of Origin	Only the police have the authority to expel anyone by force. If you have been taken to the airport, you have a right to object to check-in to the flight and you have a right to ask for help from the police. It is advised to contact Kav LaOved as listed here below. You can leave the airport and contact Kav LaOved later to request assistance. It is important to note that the airport is a public place and if you refuse to check-in to the flight the employer is not able to make you do it by force or violence.

Important Phone Numbers:

Kav LaOved: 75 Nachalat Binyamin Street, Tel Aviv (Floor 4), www.kavlaoved.org.il. Contact: orit.r@kavlaoved.org.il or on WhatsApp -052-5349873

Health Center for Migrant Workers and Non-Status (Physicians for Human Rights): Monday and Wednesday 8:00-16:00, Thursday 11:00-17:00, 9 Dror St., Jaffa-Tel Aviv, 03-6873027

Hotline for Refugees and Migrants (HRM): 18 HaTzifira street, Tel Aviv, 03-5602530, WhatsApp 054-6270898

Sexual Assault Crisis Center: For Women: 1202, For Men: 1203