**Expert Panel on the International Day for the Abolition of Slavery**

**Statement by Ms. Meytal Russo**

Kav LaOved Workers’ Hotline

My name is Meytal Russo and I am the representative of Kav LaOved Workers’ Hotline (KLO) - an independent Israeli nonprofit organization committed to the protection and promotion of the labor rights of every worker, irrespective of nationality, religion, gender or legal status.

KLO is one of the oldest NGOs operating in the human rights sphere in Israel. Originally established in 1991 to assist Palestinian workers employed in Israel, KLO has since grown to reflect the changing labor force in Israel and currently runs various simultaneous programs in order to uphold the rights of the most vulnerable workers in Israel including Palestinians from the Occupied Palestinian Territories, migrant workers, refugees and asylum seekers as well as low-wage Israelis. With each of these populations, KLO works at several levels: providing individual assistance and legal support, human rights education efforts as well as public policy advocacy and promotion of reform at the legislative and regulatory levels. In 2017, the organization served over 50,000 individuals, and recovered and returned over 25 million NIS to workers.

I serve as the caregiving field coordinator in KLO. Most domestic in-house workers in Israel are migrant workers employed as caregivers for the elderly and disabled people. This approach to providing care is very wide spread phenomenon in Israel. In fact, in-home caregiving employs the largest group of migrant workers of any sector in Israel. According to the immigration authorities there are currently 50,650 documented caregivers and an additional 14,265 caregivers that are undocumented. Most of these caregivers are from South and East Asia (including the Philippines, India and Sri Lanka) as well as Eastern Europe. The vast majority of them are women.

The nature of caregiving, where the employee almost immediately becomes an indispensable part of the employer’s life, providing a constant companion for everyday life both in private and social settings, enables the patient to continue living within the community rather than a facility. This form of employment blurs the lines between work and home as well as family and business.

Currently, there are no bilateral agreements to regulate labour migration in the caregiving field. Most caregivers pay thousands of dollars in brokerage fees to placement agencies for the right to work in Israel. As a result, it is typical that the first months and sometimes entire first 2 years’ salary is dedicated to paying the debt they incurred simply to get the work placement. This debt bondage makes these workers extremely vulnerable to exploitation as few if any will report abuse if they are still in the process of paying back their debt.

While bringing tens of thousands of caregivers to Israel, the Israeli government does not provide them with any support or protection. Rather caregivers are required to work via placement companies that the Ministry of Interior has designated to carry this out, having privatized and relinquished the responsibility of connecting between employers to the caregivers. These same agencies are connected to, and in fact paid by the companies that collect the illegal brokerage fees. The outcome is that the same companies that have an incentive to bring more and more migrant workers and earn illegal profit, are the same ones the government has designated as the address for these caregivers to report their problems and ensure their wellbeing.

Kav Laoved Workers’ Hotline fills this void and is the only organization in Israel that migrant caregivers can contact with regards to their work and social rights, visa issues and other problems that come up with employers or manpower/placement companies. With the help of a devoted team of 20 volunteers dedicated solely to caregivers, we see thousands of workers every year and reach tens of thousands via social media. Most of the caregivers come to KLO at the end of their employment. In some cases, people come to to Kav Laoved after being fired and asked to leave immediately, spend the night at our doorstep. We provide para-legal and legal assistance, and also identify and assist those who are found to be working/living in domestic servitude and suffering from human rights violations including sexual harassment/assault as well as victims of human trafficking.

Although migrant caregivers in Israel work 24 hours per day they earn minimum wage for only 8 of those hours. The law and court rulings have exempted this type of worker from any required rest time during the day. Instead, they are entitled to 1 day off during the week although most of them do not take this day off because due to the special, complex and delicate nature of their work, and the lack of any adequate shift coverage system, they are often required to stay.

Caregivers are allowed to stay in Israel for 5 years and 3 months only or 63 months total. If they stay in Israel for longer they are bound to their final employer, which means that if they quit that job, even if it is to get away from an exploitative or abusive employer, they lose their work permit and are forced to leave. Within their 63 months’ timeframe if a worker is fired or resigns from a job more than 3 times in 2 years, his or her work visa is jeopardized. There is little if any consideration to the underlying reason why a caregiver might request to change employers.

A romantic relationship between two migrant workers in Israel is defined as “against regulations”, so if the Ministry of Interior becomes aware of a relationship between migrant workers, an intrusive investigation is launched into their private lives and one of them will be deported immediately.

If a migrant worker gives birth in Israel, she is required to send away the baby to be cared for by her family in accordance with the timeframe of her original arrival in Israel regardless of when in that timeframe she had the baby. If she gives birth in Israel after her original visa of 63 months, she will have to choose whether to keep working or to send the baby away 15 weeks after his or hers birth. Even if the employer would like to allow the caregiver a longer maternity leave with her new infant – the state does not allow it.

Furthermore, a portion of each caregivers’ pension and severance payments are held in a special bank account redeemable only once they leave Israel. If a caregiver overstays her visa in Israel by more than 6 months – they will lose the entire amount that was deposited there, money that they had earned through their hard work.

In Israel, all of the above is seen as legitimate legislation and regulations towards migrant workers and caregivers in particular, and it is clear to everyone that sits in this room that these conditions do not necessarily amount to domestic servitude. Caregivers hold onto their passports, are not usually held by force, they are entitled to minimum wage and to some social rights and benefits. But the underlying conditions present in this sector in Israel render domestic workers particularly vulnerable to domestic servitude, and it is something that is worth discussion as we talk about contemporary slavery.

Most of the caregivers we identify as subject to domestic servitude or victims of other human rights violations do not contact us to tell their story. Most of them are afraid for their work visa and social rights and come to make sure they get paid. But our volunteers are trained to ask every caregiver about the conditions of their employment, including checking if they have their passport, if they seem scared, frightened, restless or apathetic. We are also always on the lookout for wounds or any signs of violence or abuse. In cases where caregivers come with their employers, we ask to speak to each separately and are on alert to make sure that the worker is not “controlled” by the employer.

If we identify any of the signs above, or we suspect there is a good chance the caregiver has been subjected to any human rights violation, we invite him or her to discuss the issue with one of our lawyers in a more private setting. We will look at whether the caregiver has been subjected to sexual, physical or verbal violence, threats of violence to them or their significant others, threats of deportation or turning over to the authorities, withholding of salary, food or sleep, isolation or detention, if his or her freedom is controlled or constrained in any way or if his actions or communication with others is monitored or restricted.

If we identify the person as a victim of domestic servitude or human trafficking, we explain their options to them including our ability to remove them immediately from the abusive employer, the shelter available to them as well as the potential rehabilitation services that are owed to them once they are recognized as trafficking victims. With their permission, we collect an affidavit of their experience making sure to document every aspect of their employment and their abuse. Then we contact the detective in charge of human trafficking in the police as well as the immigration authorities. If the affidavit is deemed sufficient proof of trafficking, the victim will be recognized and will be accepted immediately to a shelter. The immigration authorities will give them a 1-year work visa outside of their usual visa timeframe and they will be provided with psycho-social care, as this year will be considered as a year of rehabilitation. The police will continue to investigate in order to criminally prosecute the employer, and victims will be protected during the trial, and will stay in the shelter if needed if they are asked to testify at court. Our volunteers will continue to accompany the victim through police investigations and all relevant meetings with authorities. KLO is currently working on a pilot program to prosecute these employers in civil court in addition to the more traditional criminal prosecution.

In conclusion, as there are 3 major objectives when discussing human trafficking and domestic servitude in particular: prevention, recognition and rehabilitation, the state of Israel is providing generous services for rehabilitation but completely neglecting the other two components. KLO and other human rights organizations are filling this void. The main issue KLO is fighting against are the problematic, sometimes inhumane underlying conditions these caregivers are forced to operate in, the very conditions that lead to more and more unrecognized victims, few of which will ever benefit from the rehabilitation services.