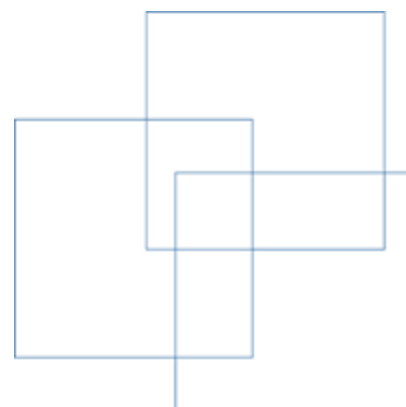




International
Labour
Organization

ASSESSMENT OF THE DOMESTIC WORK SECTOR IN WEST BANK GOVERNORATES



Regional Office for the Arab States

ASSESSMENT OF THE DOMESTIC WORK SECTOR IN WEST BANK GOVERNORATES

Based on research conducted by Amer S. Madi

May 2017

International Labour Organization
Regional Office for the Arab States

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LIST OF ACRONYMS

ILO	International Labour Organization
ISCO	International Standard Classification of Occupations
FGO	Focus Group Discussion
NGO	Non-Governmental Organization
NIS	Israeli New Shekels
OPT	Occupied Palestinian Territory
PCBS	Palestinian Central Bureau of Statistics
PLC	Palestinian Legislative Council
UN	United Nations
UNFPA	United Nations Population Fund

FOREWORD

To better understand the realities of the domestic work sector in the Occupied Palestinian Territory (OPT), the International Labour Organization (ILO) commissioned a study to explore the dynamics of the sector and the working conditions of domestic workers. Conducted in late 2016, the study is intended to provide an overview of the sector while calling for more extensive research.

As in all other parts in the world, domestic workers provide immense contributions to the national economies and societies. However, domestic workers, mainly women, remain primarily engaged in informal employment and are among the most vulnerable groups of workers. They usually work for private households, often without clear terms of employment, unregistered in any book, and excluded from the scope of labour legislation. Currently there are at least 67 million domestic workers worldwide.

This study is the first of its kind in the OPT and it was inspired by the Directive No. 2 issued by the Ministry of Labour in 2013 aimed at protecting the rights of domestic workers. The paper provides information on the legal framework regulating domestic work in the OPT and through quantitative and qualitative analysis provides information on the status of domestic workers, their working conditions and working relation with the employers. Finally, it provides some policy recommendations for improving knowledge on the sector and ameliorate the working conditions of domestic workers in line with the ILO Convention concerning Decent Work for Domestic Workers, 2011 (No. 189) and its Recommendation (No. 201).

This study has been conducted by Amer S. Madi supported by Charmaine Seitz and Omar Abu Ghosh. Extensive technical inputs and a review of the text were provided by Carla Calvo, Claire Hobden, David Cann, Emanuela Pozzan, Rasha El-Shurafa, Torsten Schackel and Yacoub Shomali.

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EXECUTIVE SUMMARY

Information on domestic work in the OPT is under-researched since there are no data on the working and living conditions of domestic workers. The Labour Force Survey, conducted quarterly by the Palestinian Central Bureau of Statistics (PCBS) using the International Standard Classification of Occupations (ISCO), estimates the number of domestic workers in both the West Bank and Gaza Strip to be around 1,600. However, this figure may substantially underestimate the situation since it is culturally shameful to work as a domestic worker. As a consequence, domestic work would be hardly captured by national surveys. From anecdotal evidence, the real total number of domestic workers in the OPT could be as much as three times the available statistics.

This study was conducted between September and December 2016. It collected quantitative and qualitative data from a total of 168 Palestinian domestic workers and employers in the West Bank, focusing on the Ramallah, Nablus and Hebron governorates and communities in Area C of the Jordan Valley. The study examined how workers negotiate their employment, what kind of wages and benefits they have, and outlined the possibilities for organizing or otherwise supporting domestic workers in the OPT.

Technically domestic workers in the OPT are excluded from the Labour Law. However, since 2013, Directive No. 2 issued by the Ministry of Labour is in force with the aim to protect this category of workers. The Directive defines a domestic worker as “any individual who performs domestic work within a paid employment relationship under the direct management and supervision of the employer” (Art. 1). It specifies that domestic work includes a range of domestic activities and includes domestic workers engaged on a part-time or full-time basis, nationals and non-nationals, as well as both live-in and live-out domestic workers.

The Directive also regulates the employment relationship between the worker and the employer setting out working hours, wages, health insurance and work injury insurance among others. As the study shows, the provisions of the Directive are neither known by employers and workers nor implemented. In practice, the large majority of domestic workers remain engaged in informal work with informal working arrangements. The Directive does not cover employment agencies and cleaning services placing domestic workers. These agencies are regulated under the Palestinian Companies Law (2008) and the domestic workers they recruit are covered by the Palestinian Labour Law.

In terms of the profile of domestic workers, interviews indicated that domestic workers are in large majority women, most commonly married and of an average of 31-40 years old. Their level of education is relatively low, and while some of them work in the Israeli settlements in the West Bank, the majority works in Palestinian households. The average monthly income of a female domestic worker is Israeli New Shekels (NIS) 2,545 (US\$ 709) higher than a male domestic worker's NIS 1,335 (US\$ 372). Average monthly income of domestic workers working in the settlements is also higher than for domestic workers working in Palestinian households in the West Bank. The large majority of domestic workers are live-out.

In terms of the profile of the employers of domestic workers, interviews indicated that they are also married, usually older than 40 years old, with higher level of education compared to the domestic workers. Most of the employers interviewed were homemakers or working in the private and public sector, with an average monthly household income between NIS 4,000 (US\$ 1,114) and 6,000 (US\$

1,671). Only Palestinian employers were interviewed as the researchers were not able to access the Israeli settlements.

Most domestic workers reported their economic hardship and the need to support their families as the main motivation to work as a domestic worker. For many, domestic work was the last resort as they were unable to find other jobs. Most domestic workers found the job through a referral, usually a friend or family member of the employer. Less than ten per cent were placed through an employment agency.

Almost all of the domestic workers interviewed indicated that they did not have a written contract with their employers reinforcing the informal type of employment relationship. Issues related to annual and sick leave, public holidays, working hours and working conditions were usually not part of the initial discussions when domestic workers start working. Nevertheless, both domestic workers and employers reported having a general understanding or a verbal agreement with each other setting out wages, working hours, scope of work, frequency and form of payment.

Both domestic workers and employers expressed concern over issues related to termination, dismissal and job security. Yet, while both sides agreed on the advantages of a written contract to regulate these aspects of the working relationship, they also both did not see the need to have written contracts. From both sides, there was an understanding that a written contract would limit the flexibility of the working relationship and employers, in particular, were afraid of additional costs related to the protection of the workers' rights.

Domestic workers' working conditions are particularly vulnerable in the areas of sick leave, rest days, public holidays and lack of maternity protection. Generally, in case of accident, the domestic worker had no health insurance. According to interviewed domestic workers, verbal abuse can occur and employers concurred that sometimes domestic workers are not respected. At the moment, there are no dedicated dispute and grievances mechanisms for domestic workers and their employers, but in general it was believed that the Ministry of Labour could help resolve possible disputes.

In terms of remuneration practices, domestic workers working in the Israeli settlements receive daily higher wages, on average NIS 146 (US\$ 40.6) compare to NIS 62 (US\$ 17.2) in Palestinian households in the West Bank. Wages vary from NIS 31 (US\$ 8.6) to NIS 150 (US\$ 41.7) per day, usually paid in cash. Based on these findings, 42 per cent of these domestic workers earned less than the minimum wage (NIS 1,450 (US\$ 404) per month or around NIS 50 (US\$ 14) per day).

In general domestic workers had not received any specific training related to their occupation and did not see much of a value in such initiatives. Similarly, interviewed domestic workers were not familiar with any organization of workers that advocates for workers' rights. In this case, they showed curiosity both towards joining or forming such an organization with guidance from the Ministry of Labour.

In conclusion, while information on the sector remains limited, more research and data are needed to better understand the dynamics and economic potentials of the sector. Directive No. 2 (2013) needs to be revised to ensure better protection of domestic workers in line with ILO Domestic Workers Convention, 2011 (No. 189) and Recommendation (No. 201). In the long term, domestic workers should be fully included in the Labour Law. Legislation should also be carefully reviewed ensuring that employment agencies placing domestic workers are regularly registered and

monitored. Information and awareness among domestic workers and employers on the rights and obligations of both parties should be widely disseminated with the view to ensure a mutually beneficial employment relationship based on reciprocal respect and decent work. Domestic workers in the Israeli settlements should be guaranteed decent work and safe working conditions.

INTRODUCTION

In the Occupied Palestinian Territory (OPT), as in much of the rest of the world, the domestic work sector has grown significantly over the past 15 years, and is expected to expand even more. The International Labour Organization (ILO) estimates that, between 1995 and 2010, the share of domestic workers globally grew from 1.5 per cent to 1.7 per cent (ILO, 2013). Information regarding domestic work in the OPT is mainly anecdotal, and the exact number of domestic workers remains unclear. The Labour Force Survey, conducted quarterly by the Palestinian Central Bureau of Statistics (PCBS) using the International Standard Classification of Occupations (ISCO), estimates the number of domestic workers in both the West Bank and Gaza Strip to be around 1,600.¹ However, this figure may substantially underestimate the situation since it is culturally shameful to work as a domestic worker. As a consequence, domestic work would be hardly captured by national surveys. From anecdotal evidence, the real total number of domestic workers in the OPT could be as much as three times the available statistics.²

Some of the factors that are leading to a gradual increase in the demand for domestic workers in the OPT include the higher participation of women in education and in the labour force raising the need for childcare and domestic support, and the lack of institutional care options for the elderly. High poverty rates and limited job opportunities in the Palestinian labour market also lead to an increasing demand for work in Israeli markets and settlements from the side of the Palestinians.

A recent trend analysis by the United Nations Population Fund (UNFPA, 2016) suggests that, looking towards 2030–2050, the OPT will undergo a demographic transition in which there will be a decrease in the dependency ratio (based on lower fertility rates, increased female labour force participation, fewer early/child marriages, lower infant mortality, and a slight but not burdensome increase in the proportion of elderly). The population is expected to double in size, and the changes in demography will introduce new demands in the economy.

An increase in the number of women into the workforce, from the currently low 19 per cent labour force participation rate to an estimated 29 per cent by 2030, along with an increase in the aged population means that demand for caregivers and domestic support staff will also increase. Currently, Palestinian institutions supporting care for the elderly are few; day care and early childhood institutions exist but are weak. Domestic workers are likely to play an important role in this changing demographic scene and, therefore, it is important that laws, regulations and institutions are developed to strengthen and formalize their presence, ensure their rights and safeguard those for whom they care. Given the proper government and civic support, domestic

¹ PCBS data, Labour Force Surveys for the years 2014 and 2015.

² Researchers believe that the number of domestic workers in the OPT is more likely closer to 5,000. Data underestimates are likely also to be due to coding and tabulation modalities. While the ISCO framework which PCBS uses in categorizing different types of work includes an occupational category that encompasses the key types of work done by domestic workers at the six-digit level of the classification, data is often not collected/coded/tabulated at the six-digit level of the occupational code, possibly due to lack of financial and human resources. An additional problem is that not all workers who might be considered domestic workers are included in the occupations identified in the ISCO. In particular, for private security guards, nurses/health care workers, child care professionals, drivers and gardeners, ISCO includes codes but does not have separate codes for those employed by private households.

workers could make an important contribution towards meeting the needs of the OPT's changing demographics.

With these considerations in mind, the ILO commissioned a study of the issues facing Palestinian domestic workers in the West Bank, focusing on the Ramallah, Nablus, and Hebron governorates and communities in Area C of the Jordan Valley, where the number of domestic workers in Israeli settlements is believed to be growing. The study is set out to examine how workers negotiate their employment, what kind of wages and benefits they receive, and outline the possibilities for organizing or otherwise supporting domestic workers in the OPT.

Qualitative and quantitative data was collected via 168 interviews with 129 domestic workers and 39 employers, and four focus groups were conducted with domestic workers and their employers. Only one live-in domestic worker was among the domestic workers interviewed, implying that their numbers are quite miniscule in the OPT, probably due to the social stigma attached to (mainly women) staying outside their own homes. Domestic workers in Israeli settlements were very reticent to be interviewed, fearing to be denounced by their families and communities who are largely uncomfortable with such type of work, particularly in settlements.

In its first part, the study presents the general international and national legal framework that regulates the sector. It then provides an overview of the profile of surveyed domestic workers in terms of their gender, marital status, age distribution, education attainment, as well as some information of the domestic worker's household size and income. Similarly, the study profiles the employers interviewed. It then provides information on the recruitment process moving then to analysing the employment relationship in terms of perceptions of written contracts and working conditions. An interesting analysis is also provided on the scope of the work in terms of working hours and workload, physical and verbal abuse, disputes and grievances. Finally, the paper focuses on remuneration practices, roles of workers' organizations. It concludes with a set of policy recommendations to improve the analysis of the domestic workers' sector in the OPT and to improve the working conditions of domestic workers.

STUDY METHODOLOGY

Information on domestic work in the OPT is under-researched since there are few data on the working and living conditions of domestic workers. Moreover, there is almost no data on the relationships between domestic workers and their employers, i.e. the organization and boundaries of tasks, interpersonal relations and the attitudes of workers and employers towards each other. In particular, employers' perspectives of their relationship with domestic workers have not previously been explored.

This assessment, thus, primarily examines the dynamics of the employment relationship between domestic workers and their employers' households, with special attention paid to demand and supply, employment practices, working conditions, and the potential to organize the sector. Special focus is given to examining the terms and conditions of the contractual relationship, how conditions of employment were reached, and workers' and employers' views about these conditions. What are the perceived roles, rights and obligations of each party towards the other? What conditions motivate or push workers to engage in domestic work and employers to hire them, and how are these dimensions interconnected? Answers to these questions provided a basis for assessing the opportunities and challenges for improving the employment relationship and the working conditions for domestic workers, while proposing approaches that could organize and formalize the sector.

This assessment collected qualitative and quantitative data through interviews and focus groups involving a number of key informants, including domestic workers and their employers. Participants were recruited from the Ramallah, Nablus and Hebron governorates and in communities in Area C of the Jordan Valley, where it is believed there are a growing number of domestic workers employed in Israeli settlements.

The study relied for contacts on the gender units of the Ministry of Labour and the Palestinian General Federation of Trade Unions, as well as women's organizations in the West Bank, ILO staff and the personal networks of the research team to assemble a database of domestic workers and employers in the targeted governorates and communities. This database represented the study's sample frame. Domestic workers in the database were grouped by region according to their place of work. A random sample was used to select the participants from each of the identified regions, where sampling quota was developed for each region.

Interviews

The assessment used the quota sampling method to select interviewees, conducting a total of 168 interviews, two-thirds (129) with domestic workers and one-third (39) with employers. Interviewees were targeted to ensure that they reflected the overall characteristics of domestic workers in the OPT in terms of sex and age, as well as the socioeconomic background of employers, a profile that developed as names and information about workers were gathered during the inception phase of the study. Moreover, efforts were made to maintain a diversity of entry points and limit the number of respondents per entry point so that interviewees were not concentrated in a limited number of networks. It was also important that those employers and domestic workers interviewed had a working relationship at the time of the interview to help validate the data.

In addition to this sample, key informants were also interviewed. These included representatives of cleaning and gardening agencies that refer domestic workers to households in the targeted

governorates, as well as representatives of the Ministry of Labour, other relevant ministries, Palestinian General Federation of Trade Unions, as well as women's organizations in the West Bank, ILO and UN Women staff and the personal networks of the research team to assemble a database of domestic workers and employers in the targeted governorates and communities.

Focus groups

A total of six focus group discussions were planned, but it was only possible to conduct four of these due either to domestic workers declining to participate in discussions about the nature of their work with other domestic workers they did not know, or because they had been hiding the fact that they were employed as domestic workers. This was particularly true for domestic workers in the settlements and in the Palestinian households in Ramallah. The tally of focus group discussions implemented is presented in table 1.

Table 1: Distribution of focus group discussions

Governorate/region	Number of discussions	Participants
Ramallah	1	9 Domestic workers
	1	7 Employers
Nablus	1	6 Domestic workers
	1	8 Employers

Domestic workers who took part in the focus groups were recruited separately from those who took part in the in-depth interviews. Recruitment was done in close collaboration with local stakeholders, namely workers', women's and civil society organizations involved in issues related to domestic workers and the domestic sector. To the extent possible, the assessment team ensured that: (a) focus groups were comprised of participants from households from different areas as individuals who know each other may be reluctant to share their practices and views; (b) domestic workers were not invited through employer contacts, as this could raise doubts about the confidentiality of the discussions; and (c) participants received personal explanations regarding the objectives of the research and were assured their identities would remain confidential.

Challenges

Developing a study on an otherwise under-researched population has particular risks, most prominent among them is that findings may be seen as conclusive. Thus, care has been taken throughout the report to remind readers of the limited scope of the study, intended to pave the way for future research. The reason why mainly qualitative data was collected was the difficulty of randomly sampling the population of domestic workers for any generalizable statistical analysis. Perhaps in future, household surveys will better target domestic workers, allowing quantitative analyses to be performed.

Notably, researchers found it difficult to recruit participants working in settlements in the West Bank due to the stigma associated with such work. As noted above, while the quota number for this group was 30, only 21 were willing to be interviewed. In addition, it was impossible to interview employers from the settlements.

Live-in domestic workers recruited were scarce in number and researchers came to believe their actual numbers are very small. Indeed, domestic workers living in the home where they work do not consider themselves in an employment situation, but rather as next-of-kin helpers. The team was able to interview one worker in such circumstances and her views are presented in the report, and are indicative only.

DOMESTIC WORKERS' RIGHTS AND INTERNATIONAL RIGHTS FRAMEWORK

Domestic workers are an essential part of the “care economy” in many countries, but their labour is often not recognized as “real work”. Domestic workers are usually women, and tend to come from disadvantaged communities. They are often provided with less protection than other groups of workers. Their working hours are among the longest and most unpredictable among all groups of workers (ILO, 2013). More than half of all domestic workers worldwide have no nationally legislated weekly limit on their working hours, and approximately 45 per cent are not entitled to weekly rest periods or paid annual leave. Domestic workers frequently receive extremely low wages, and only slightly more than half of all domestic workers are protected by a legislated minimum wage similar to that of other workers. Another 5.9 per cent of the world’s domestic workers have a legislated minimum wage that is lower than for other sectors. Further, the bargaining position of domestic workers is often weak, with few strong representative organizations (ILO, 2013).

On 16 June 2011, the International Labour Conference of the ILO adopted the Convention concerning Decent Work for domestic workers (the Domestic Workers Convention, 2011 (No. 189) and Recommendation 201). This Convention lays down basic rights and principles, and requires ratifying States to enact a series of measures with a view to making decent work a reality for domestic workers.

The Convention defines “domestic work” as “work performed in or for a household or households” (Article 1(a)). Although the Convention does not include a specific definition of the tasks involved in domestic work, it is understood that it may involve a range of tasks, including cooking, cleaning the house, washing and ironing the laundry, general housework, looking after children, elderly persons, or persons with disabilities, as well as maintaining the garden, guarding the house premises, or driving the family car.³

The definition is intentionally broad, so as to include domestic workers engaged on a part-time or hourly basis, those working for multiple employers, nationals and non-nationals, as well as both live-in and live-out domestic workers. While the Convention does not define “employer”, its provisions assume that the employer may be a member of the household for which the work is performed or an agency or enterprise that recruits domestic workers to make them available to households, or a combination of these.

The Convention specifies that “a person who performs domestic work only occasionally or sporadically and not on an occupational basis is not a domestic worker” (Art. 1(c)). The expression “and not on an occupational basis” was included in this provision to ensure that day labourers and similar precarious workers remain included in the definition of “domestic worker.” It is useful to recall that “domestic work” as addressed in Convention No. 189 is distinct from “home work,” which is covered by the Home Work Convention, 1996 (No. 177). Home work is work carried by workers in their own home rather than in the workplace of an employer.

³ While this definition is not included in Convention No. 189, it is the most common one referred to in ILO documents to indicate the types of tasks that were being considered during negotiations of the Convention.

Box 1. Convention No. 189 in focus

The Convention establishes a number of standards that are extremely important in assessing the conditions of domestic workers in the OPT. The Convention affirms that domestic workers are, like other workers, entitled to the respect and protection of the fundamental principles and rights at work relating to:

- **Freedom of association and the effective recognition of the right to collective bargaining.** Members shall protect the right of domestic workers and employers of domestic workers to establish and, subject to the rules of the organization concerned, to join organizations, federations and confederations of their own choosing (Art. 3(3)).
- **Elimination of child labour.** Each Member shall set a minimum age for domestic workers consistent with the provisions of the Minimum Age Convention, 1973 (No. 138), and the Worst Forms of Child Labour Convention, 1999 (No. 182), and not lower than that established by national laws and regulations for workers generally (Art. 4).
- **Protection from abuse, harassment and violence.** Domestic workers, a large majority of whom are women and migrants, are particularly vulnerable to physical, sexual, psychological or other forms of abuse, harassment and violence. Live-in workers are particularly at risk. The Convention requires Members to take measures to ensure that domestic workers enjoy effective protection against all forms of abuse, harassment and violence (Art. 5). It recommends the establishment of complaints mechanisms, investigation and prosecution, relocation from the household, temporary accommodation and health care, and rehabilitation (Recommendation 201, Para. 7).
- **Fair terms of employment – decent working and living conditions.** The Convention stipulates that domestic workers should enjoy decent working (and in the case of live-in workers) living conditions that respect their privacy. It also stipulates the need to ensure that domestic workers are informed of their terms and conditions of employment (Art. 7), and lists specific terms and conditions on which information must be provided, such as the usual workplace, the remuneration, the normal hours of work, periods of daily and weekly rest, etc. This information must be communicated to the domestic worker in an appropriate, verifiable and easily understandable manner, preferably through written contracts in accordance with national laws, regulations or collective agreements.
- Moreover, the Convention states that **each Member shall take measures towards ensuring equal treatment between domestic workers and workers** generally in relation to normal hours of work, overtime compensation, periods of daily and weekly rest and paid annual leave in accordance with national laws, regulations or collective agreements, taking into account the special characteristics of domestic work (Art. 10 (1)).
- The Convention **sets the weekly rest period at a minimum of 24 consecutive hours.** It allows national law to establish how stand-by duty, i.e. periods during which domestic workers are not free to dispose of their time as they please and remain at the disposal of the household in order to respond to possible calls shall be regarded as hours of work to the extent determined by national laws, regulations or collective agreements, or any other means consistent with national practice (Art. 10(3)).

- **Fair remuneration and payment methods.** The Convention requires that:
 - domestic workers enjoy minimum wage protection, by extending the minimum wage coverage so as to include them as well, with equal pay for men and women (Art. 11);
 - wage payments be made directly to the domestic worker (as opposed to a third party), in cash,⁴ and at regular intervals but at least once a month (Art. 12(1));
 - payment in kind for domestic work cannot be less favourable than those generally applicable to other categories of workers, need to be agreed to by the workers, be for their personal use and benefit, and be fair and reasonable in terms of their monetary value (Art. 12(2)); and,
 - in the case of employment agencies, fees charged by agencies are not deducted from the remuneration of domestic workers (Art. 15(1)(e)).
- **Occupational safety and health.** The Convention recognizes that every domestic worker has the right to a safe and healthy working environment (Art. 13).
- **Social security protection.** The Convention requires measures to be put in place to ensure that domestic workers enjoy conditions that are not less favourable than those applicable to workers generally with respect to social security protection, including maternity benefits (Art. 14).
- **Live-in conditions.** The Convention requires measures to ensure that live-in-domestic workers:
 - are free to reach agreement with their employer or potential employer on whether to reside in the household (Art. 9(a));
 - are not obliged to remain in the household or with its members during periods of daily and weekly rest or leave (Art. 9(b));
 - are entitled to keep in their possession their travel and identity documents (Art. 9(c)); and,
 - enjoy decent living conditions that respect the workers' privacy if they reside in the household (Art. 6).

Domestic workers and the law in the OPT

Labour rights in the OPT are set out in several pieces of legislation, all of which were enacted by the Palestinian Legislative Council (PLC) between the years 1998 and 2005 and thereafter by Presidential Decrees due to the halting of the PLC operations in 2006. Civil Service Law No. 4 of 1998 governs the rights and duties of public sector employees. Labour Law No. 7 of 2000 (hereafter “the Labour Law”) regulates the rights and duties of private sector employees (including employees of NGOs), making specific provisions for women and minors. It also contains health and safety provisions, provides for vocational training and regulates collective labour relations. The Public Pension Law (No. 7 of 2005), and the most recently adopted Social Security Law (No. 19 of 2016) that provides insurances to private sector workers and their families against risks associated with

⁴ The Convention requires cash payment unless national legislation requires a different mode of payment, or if the domestic worker agrees to a different mode of payment.

old age, disability and death, employment injury and maternity. The Social Security Law is not yet in force.

The Labour Law is partially in line with international labour standards, however in article 3.2 it specifically excludes (both paid and unpaid) “households’ servants and persons of similar status” from its coverage. This seriously undermines the ability of the Labour Law to provide adequate protection for all workers and to advance gender justice for women in the workplace. This exclusion also reinforces harmful stereotypes, perpetuating the myth that women’s work within the home is of lesser value than work outside the home.

Acknowledging these deficiencies, the Minister of Labour issued Directive No. 2 of 2013 (hereafter “the Directive”) to provide some protection to domestic workers on the basis of the Labour Law. The Directive defines a domestic worker as “any individual who performs domestic work within a paid employment relationship under the direct management and supervision of the employer” (Art. 1). It specifies that domestic work includes a range of domestic activities and includes domestic workers engaged on a part-time or full-time basis, nationals and non-nationals, as well as both live-in and live-out domestic workers. The Directive does not explicitly define “employer” but it defines a “home owner” as the employer for whom the domestic worker provides services.

The Directive stipulates that domestic workers should have a written contract (in Arabic) with their employers, and be given a duplicate of this contract (Art. 4). It also stipulates that employers should: (a) pay domestic workers in cash, and ensure that wages do not fall below the minimum wage; (b) not ask domestic workers to work outside the premises of their place of residence, and not ask them to take orders from others besides members of the household; (c) treat domestic workers with respect and ensure that they are provided with decent working conditions, including adequate clothing, food, privacy and, if needed, housing; and (d) provide health and work injury insurance to domestic workers under contract (Art. 5).

Moreover, the Directive specifies that domestic workers should not be required to work for more than ten hours per day (Art. 7) for a maximum of six days per week (Art. 8). Domestic workers are also entitled to 14 days paid leave and 14 days paid sick leave annually (Art. 8). It also stipulates that domestic work contracts are governed by the provisions of the Labour Law related to the composition of the contract and its duration, expiration and termination, as well as compensation and severance pay. However, it also states that these provisions are applicable in a manner that does not contradict the nature of the domestic work performed (Art. 9). What this means in practice, though, is not entirely clear.

Private employment agencies and domestic workers

Notwithstanding the Directive’s silence on employment and cleaning service agencies, globally these agencies play an important role in the recruitment and placement of domestic workers, and increasingly⁵ (although still minimally) in the OPT. These agencies assist households in identifying potential candidates for employment, as well as assisting domestic workers to find jobs. In addition, agencies may employ domestic workers directly in order to supply a service to households. These

⁵ This is clear through the growing number of companies and individuals offering home cleaning and care services through Facebook and other social and print media channels. Discussions with local stakeholders confirmed, anecdotally at least, that the number of “outfits” offering domestic services are increasing, particularly in Ramallah, Hebron and Nablus. Many of these operate on an informal base.

agencies are governed by the amended Palestinian Companies Law (2008), and follow the Palestinian Labour Law on employment matters. Domestic workers employed by private employment and cleaning agencies are covered by the Labour Law.

Article 15 of Convention No. 189 sets out the key elements for protecting workers employed by agencies from abusive practices. These include:

- determine the conditions governing the operation of private employment agencies;
- ensure that adequate procedures exist for the investigation of complaints by domestic workers;
- adopt measures to adequately protect domestic workers and prevent abuses, in collaboration with other member States where appropriate; these measures must include laws or regulations that specify the respective responsibilities of the agency and the household, and provide for penalties, including prohibition of agencies that engage in fraudulent practices or abuses;
- where workers are recruited in one country to work in another, to consider concluding bilateral, regional or multilateral agreements to prevent abuses and fraudulent practices; and
- take measures to ensure that fees charged by agencies are not deducted from the remuneration of domestic workers.

Working in Israeli settlements under Israeli law

Numerous Palestinian domestic workers are employed in Israeli settlements in the West Bank. Work in the settlements, though officially highly discouraged by Palestinians, remains an important means for thousands of them to sustain their families and improve their livelihoods. The quota for work permits in the settlements was recently increased by 2,900, reaching a total of 29,795 in March 2017 (ILO, 2017, p. 24). A majority of men are employed in construction, while women workers are often engaged in agricultural work or in services, such as domestic work.

While all settlement-related business activity runs afoul of international standards on the human rights responsibilities of businesses, regardless of labour conditions, the lack of clear labour protections for Palestinians working in settlements creates a high risk of discriminatory treatment and other abuses. The Israeli High Court of Justice ruled, in 2007, that Israeli employers in the West Bank must abide by Israeli labour laws with respect to all their workers. Until now, Israel is only applying a small part of its legislation, including the minimum wage, through military orders, and labour inspection activities in the settlements remain largely absent (ILO, 2017, p. 24).

The virtually complete lack of government oversight, as well as Palestinian workers' dependency on Israeli-issued work permits and brokerage system, creates an enabling environment for further exploitation of Palestinian workers and denying them of their full rights. Israel is obliged by international human rights law to ensure that all civilians under its effective control enjoy all human rights without discrimination according to ethnicity, citizenship, or national origin and therefore must bring conditions for Palestinian workers in settlements in line with Israeli workers.

According to the workers' rights NGO Kav LaOved, at least half of settlement companies pay Palestinian workers less than Israel's minimum hourly wage of 23 NIS⁶ (US\$ 6.4), with most of these workers receiving eight to 16 NIS per hour (US\$ 2.2 to US\$ 4.4), no vacation, sick days, or other social benefits, and no pay slips (Kav LaOved, 2012).

Palestinians work in Israeli settlements under deeply insecure conditions and can be refused entry to their place of work at a moment's notice due to Israeli security concerns or other determinations. Many workers have to work in conditions where they lack protection, including treatment in the event of work injuries. Workers continue to be subjected to humiliating treatment and harassment, including an increased risk of sexual harassment of women. Furthermore, many workers seek employment in Israel and settlements through brokers who create an additional layer of vulnerability to exploitation, abuse and high brokers' fees (ILO, 2017, p. 23). These workers take considerable risks crossing into Israel without a permit and are often denied their rights including access to labour courts or the requirement of providing financial guarantee for utilizing labour courts (since they are considered foreign residents), unlike Israeli workers (B'Tselem, 2017).

⁶ Exchange rate on 23 May 2017 was US\$ 1 = NIS 3.59 at 111.xe.com.

PROFILE OF DOMESTIC WORKERS

This section describes the characteristics of the domestic workers who participated in the study and who were interviewed either individually or in focus groups. **It is intended to provide a portrait of those interviewed, but should not be viewed as a portrayal of all domestic workers and their characteristics.**

Gender

Most of domestic workers interviewed were women. Out of a total of 129 domestic workers, 98 were female, amounting to 76 per cent. The majority, 108 workers (78 female and 30 male) worked in Palestinian households in the OPT, while a total of 21 Palestinian domestic workers (20 female and one male) worked in the Israeli settlements.

Marital status

Most (78 per cent) were married, with 12 per cent single and 10 per cent divorced or widowed. The proportion of married workers was higher among West Bank workers in Palestinian households (82 per cent) than among those in Israeli settlements (57 per cent).

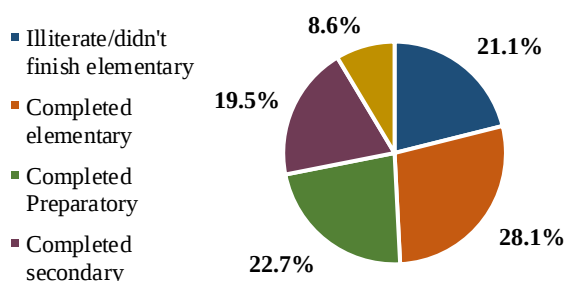
Age distribution

On average, domestic workers interviewed were 32 years of age. Some 37 per cent were aged 31–40 years of age; 32.3 per cent were aged 41–50 years of age. Those aged 50 or over comprised just 7.9 per cent.

Educational attainment

Close to 21 per cent of the domestic workers interviewed were illiterate or could read and write but had not completed their elementary education. This is well above the 9.9 per cent of Palestinians aged 15 years or above who have not completed elementary education (PCBS, 2016). Further, 51 per cent had completed elementary and preparatory school but not secondary, meaning that 72 per cent had low or very low levels of education (figure 1).

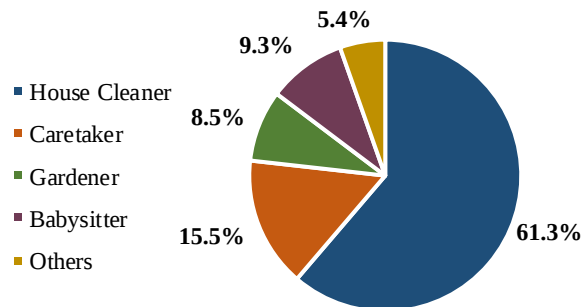
Figure 1: Domestic workers' highest level of education completed



Occupation

Domestic workers of Palestinian households were most often involved in house cleaning services (61.3 per cent), but a further 15.5 per cent worked as care workers for elderly or ill household members. All of those working in Israeli settlements were hired mainly to clean their employers' homes (figure 2).

Figure 2: Distribution of domestic workers by main role



Household size

The majority of interviewed domestic workers (51.8 per cent) belong to a household composed of five to seven members. In general, the average household size of these domestic workers was 5.7 members, somewhat above the average Palestinian household, estimated at 4.9 members (PCBS, 2016). This was equally true for all of the geographic regions, although workers in Palestinian households in the West Bank had larger households (5.9 members) than those working in Israeli settlements (5.1 members) (figures 3 and 4).

Figure 3: Workers' household size (number of members)

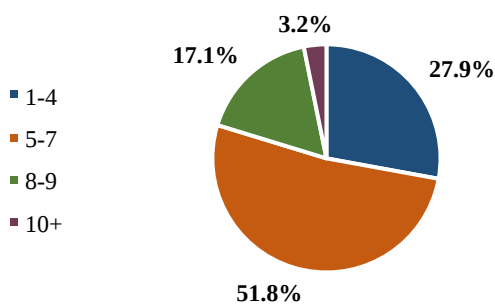
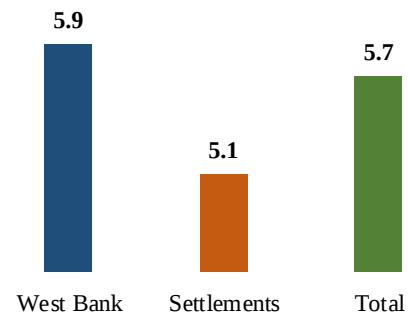


Figure 4: Workers' household size by work location (averages)



Household income

On average, the monthly household income⁷ of the domestic workers was 2,243 NIS (US\$ 624), with significant variation depending on gender and working location (figures 5 and 6). The average monthly household income of female participants was NIS 2,545 (US\$ 709) compared to only NIS 1,335 (US\$ 372) for their male counterparts. Figure 6 shows that domestic workers in Israeli settlements reported a significantly higher monthly income (NIS 3,886 (US\$ 1,082)) than those working in West Bank Palestinian households (NIS 1,908 (US\$ 531)).

Figure 5: Average monthly income of domestic workers by gender

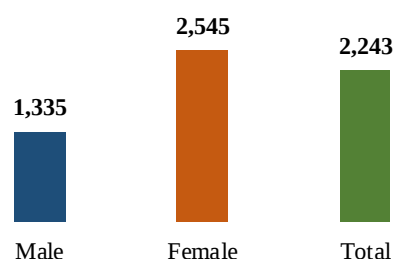
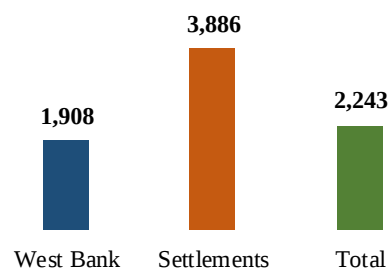


Figure 6: Average monthly income of domestic workers by working location



Some 42 per cent of domestic worker households were subsisting on less than NIS 1,500 (US\$ 419), compared with 27 per cent receiving NIS 1,500–2,500, and 31 per cent receiving more than NIS 2,500 (US\$ 696). In most cases, the domestic workers were the main breadwinners of their households.

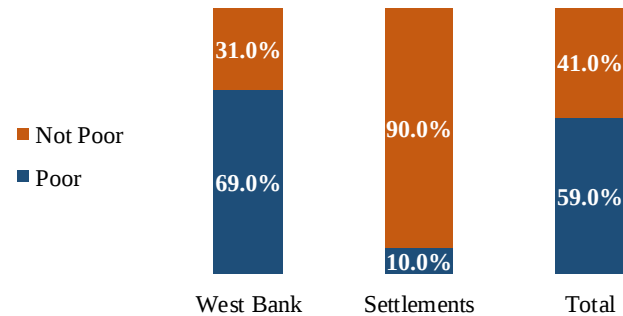
Poverty and income

The households of 59 per cent of the workers may be considered under the estimated national poverty line⁸ in the OPT, earning less than NIS 2,293 (US\$ 638) per month. This finding was much more pronounced among workers in Palestinian households, with only 10 per cent of domestic workers in the settlements falling under the poverty line (figure 7). This likely reflects a generally higher standard of living among Israelis, and their ability (and sometime tendency) to pay higher wages.

⁷ This relates to the total income for the household, not only that earned by the domestic worker.

⁸ Rates refer to income-based poverty estimates.

Figure 7: Domestic worker households according to whether they are poor or not, based on national poverty line



Domestic workers' contribution to household income

On average, half of the domestic workers contributed most (80-100 per cent) of their total household income (figure 8) and three-quarters were the main breadwinners in their households.

Stated differently, domestic workers contributed 68 per cent of total household income. Domestic workers in settlements contributed more (85 per cent) than their peers in Palestinian households in the West Bank, who contributed 64 per cent (figure 9).

Figure 8: Domestic workers' contribution to household income

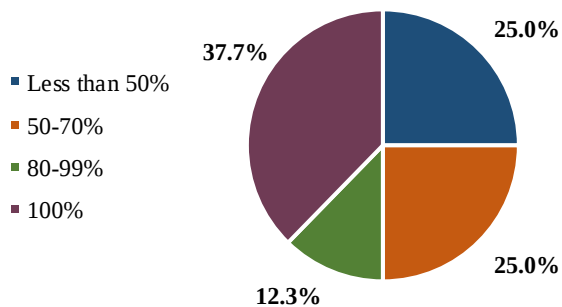
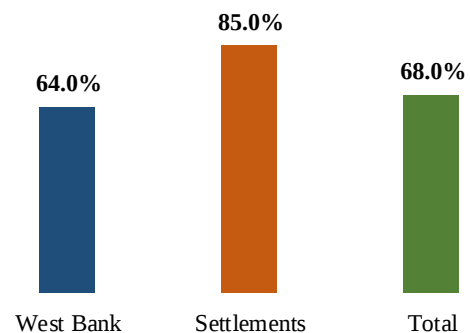


Figure 9: Contribution to household income by work location



Incidence of chronic disease and disability

More than half of domestic workers interviewed (65 persons) indicated that at least one of their household members suffered from a chronic disease or disability that required regular medication or medical attention. These diseases cost workers' households some NIS 450 (US\$ 125) per month (about 25 per cent of their average income).

Testimonies of domestic workers

"Our economic conditions are very bad. I am the sole breadwinner in the household because my husband left the house many years ago. Moreover, my daughter has a disability that requires regular treatment and medication. This all affects my ability to raise the children and provide a good life for them." – *Izdihar, domestic worker in Nablus*

"My husband suffers from disability [amputated leg]. He also has diabetes and high blood pressure so he cannot work or contribute any income to the household. All of my children are under age 15 and still in school. That puts me under considerable pressure because I am the sole breadwinner in the household and I don't know how long I will be able to endure this situation." – *Lamya from Al-Walajeh, domestic worker in a nearby settlement*

"I am divorced and have five children I need to feed, so I am the sole breadwinner in the household. Shouldering this responsibility has forced me to work in other family's houses in order to feed my children and educate them. I often am frustrated and fear for the future, especially given that, were my health to deteriorate for any reason, my children would be left by themselves." – *Huda, domestic worker from Balata refugee camp in Nablus*

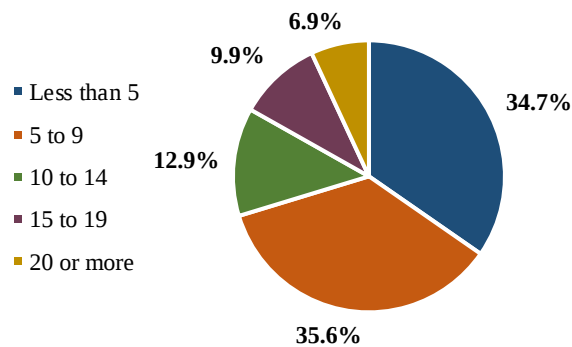
"My husband is very sick with leukaemia, which negatively affects the financial and psychological conditions in the household, especially for the children. I also feel that I am shouldering a large burden." – *Jamila, domestic worker in Ramallah*

"I have a problem in my nerves that causes continuous pain in my legs, but because I am the sole breadwinner in the household I have to work and satisfy the needs of my family. I wish that I were a [white collar] worker so that I could take vacations and leave and to insure that I have regular income by the end of the month." – *Hamid Hashash, gardener in Nablus*

Years working in domestic labour

On average, the domestic workers had been in their current occupation for 8.8 years. Some 45 of them (35.6 per cent) had been in their current occupation for 5–10 years, while 44 (34.7 per cent) had been in their occupation for less than five years (figure 10). Settlement workers had been in their occupations for less time (6.4 years) than those working for Palestinian homes in the West Bank (9.3 years).

Figure 10: Number of years working in current occupation



Number of employers

Domestic workers often have more than one employer rather than being in the employ of a single household or business. Of those interviewed, 62 per cent had less than five employers, 20 per cent had between five to nine employers, while 19 per cent had more than nine employers. Settlement workers had fewer clients on average (3), compared with workers in Palestinian West Bank homes (5).

PROFILE OF EMPLOYERS

This section describes the characteristics of the employers of domestic workers who participated in the study and who were interviewed either individually or in focus groups. **It is intended to provide a portrait of those interviewed, but should not be viewed as a portrayal of all employers of domestic workers and their characteristics.**

Thirty-nine employers of domestic workers were interviewed for this report. The researchers included 28 employers of those workers in the sample for the best triangulation of data. It is important to note that no comparison of settlement and Palestinian employers was possible as the researchers were unable to access employers living in Israeli settlements.

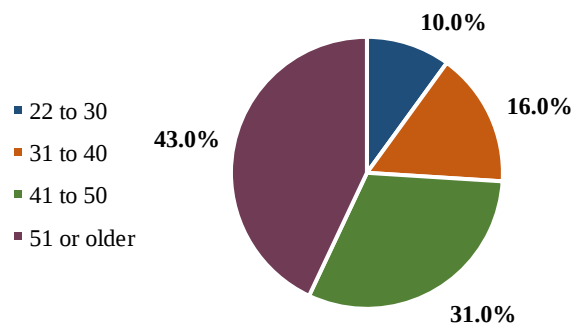
Marital status and gender

The marital status and gender of employers resembled that of workers, with 82 per cent married, 8 per cent single, and 10 per cent divorced or widowed. Likewise, 82 per cent were female.

Employers' age

The vast majority of employers (74 per cent) were older than 40 (figure 11).

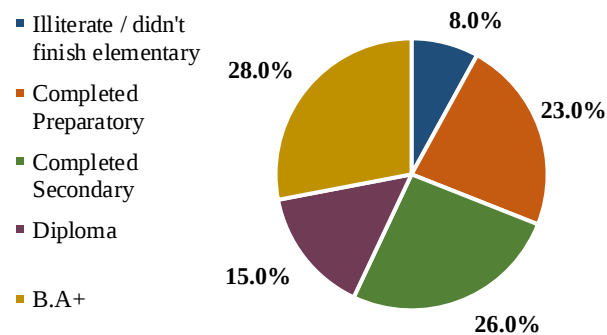
Figure 11: Age distribution of employers



Educational attainment

Employers had generally completed more education than their domestic workers. Some 43 per cent had graduated with an intermediate diploma, BA degree, or higher (figure 12).

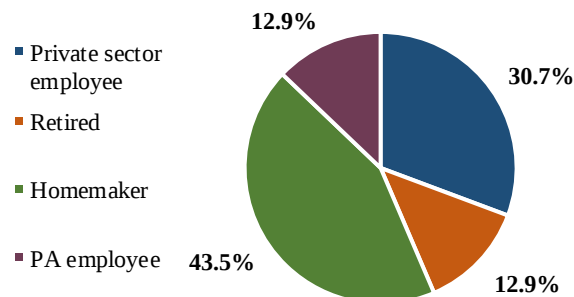
Figure 12: Employers' highest level of education completed



Employer's occupation

Most (43.5 per cent) of the employers interviewed here were homemakers, with another 30.7 per cent working in the private sector, 12.9 per cent employed by the Palestinian Authority and 12.9 per cent retired (figure 13).

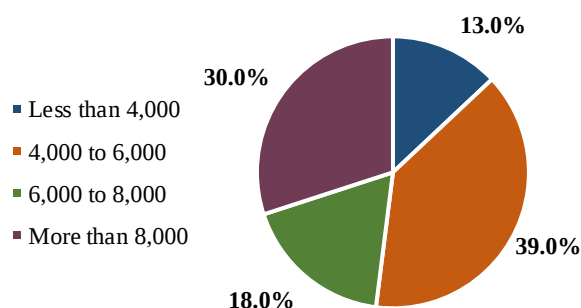
Figure 13: Distribution of employers by occupation



Employer's household income

The average employer's household earned approximately three times (NIS 7,560 (US\$ 2,105)) that of the average domestic worker. Many (48 per cent) received more than NIS 6,000 (US\$ 1,671) while another 39 per cent earned NIS 4,000–6,000 (US\$ 1,114–1,671) (figure 14).

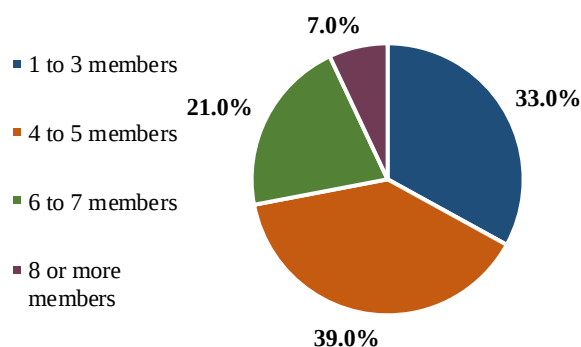
Figure 14: Employers' monthly household income



Household size

On average, employer households comprised 4.5 members, slightly less than the average Palestinian household in the West Bank (4.9 members) (PCBS, 2016). Most households (60 per cent) were comprised of between four and seven family members (figure 15).

Figure 15: Employers' household size



Years employing domestic workers

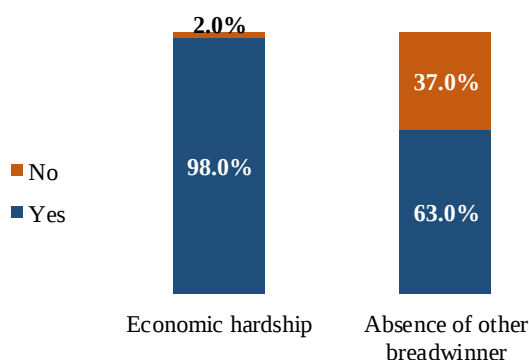
Employers interviewed for this study had been recruiting domestic labour for 6.3 years on average, with responses reflecting a wide range. Some 38 per cent had employed domestic workers for fewer than four years, while another 30 per cent reported four to six years, and 30 per cent for more than six years.

DOMESTIC LABOUR HIRING PRACTICES

Motivation for entering the sector

Of the 129 domestic workers surveyed 125 (98 per cent) reported that economic hardship and the need to support themselves and their families were the main reasons they took up domestic work. Most also explicitly stated that were it not for such economic pressures, they would not have pursued domestic work. The absence of another breadwinner in the household (mainly a husband) was also cited by 81 workers (63 per cent) as a main motivator for their work (figure 16).

Figure 16: Main reasons motivating respondents to work as domestic workers



Another reason given was to cover the medical expenses of household members who were suffering from disability or chronic illness.

Challenges finding work

For the majority of workers interviewed (and particularly for the least educated among them), the choice to work in domestic work was the result of their inability to find any other form of employment. Domestic workers stated that it has become increasingly challenging to find work, given the growing numbers of new entrants to the sector. Other challenges were the deteriorating levels of household income in the OPT and a subsequent decline in demand for domestic services, along with the difficulty of finding “good clients” who paid a living wage and treated workers well.

Recruitment arrangements

Given the current gaps in the Palestinian Labour Law, with no regulation of informal businesses⁹ that hire or recruit domestic labour, it is important to understand how prominent such agents are and their role in the sector. However, data from the interviews suggest that such agents do not currently play a large role in the recruitment and hiring of domestic workers.

⁹ No information is available on the possible numbers of these informal businesses.

Like many industries, referrals were key for domestic workers finding work. The majority indicated that they had been recruited – or found a job – through a referral, usually from a friend or family member of the employer. Less than 10 per cent had found a job through an employment agency. In the interviews, many domestic workers emphasized the importance of referrals in facilitating their access to new jobs, and indicated that referrals not only helped them to find work but also provided them with reliable information about their prospective employers (workload, working hours, wages, and the attitudes and behaviour of the employer).

Workers' attitudes towards employment agencies

When domestic workers were asked if they were willing to use the services of employment agencies, opinions were split: around two-thirds (85 persons) were not interested in finding work that way, but one-third (44 persons) of those working in Palestinian households were. None of those employed in settlements were interested in working with an agency.

Domestic workers open to working with employment agencies thought that agencies might improve access to job opportunities, preserve rights to paid vacations, sick leave and public holidays, and provide regular income and fixed working hours.

On the other hand, those who preferred not to engage with employment agencies indicated that they simply did not know such agencies or their working terms. Several workers indicated that their resistance was based on the understanding that employment agencies did not offer benefits yet usually charged commissions or took a percentage of the worker's income:

Testimonies of domestic workers

"I live in a small locality to the east of Hebron. When I was looking for a job, I found an employment agency on the Internet and established contact with them. After that, they helped me to reach out a family in Jericho that was looking for a nurse to take care of their sick mother. For this service, [the agency] charged me NIS 500 (US\$ 139), and charged the family the same amount of money. ... [D]espite the fact that the agency helped me to get the job, it didn't ask any questions about me, if I was suitable for the job or not. Nor did they give me any information about the condition of the sick woman. They also didn't provide any other services such as health insurance or insurance against work accidents. They were only interested in charging people money." – *Female home nurse, Jericho*

"An employment agency helped me to find my new job. I currently work as a nurse for an old and sick man. They charged me a one-time fee. I don't know how they dealt with the old man." – *Female home nurse, Ramallah*

Some domestic workers shared their negative experiences of employment agencies – including stories of being exploited:

Testimonies of domestic workers

“I got a job through an employment agency that lasted for 45 days, and despite the fact that I completed the job in the most appropriate way, the agency still owes me NIS 700 (US\$ 195) and inexplicably refused to pay me my dues.” – *Male gardener, Nablus*

“For a whole year, the contractor who introduced me to my clients has been exploiting me. He took five shekels for every working hour or 20 per cent of my income, then asked for more so I decided to quit working in settlements.” – *Female domestic worker, Ramallah*

Employers’ attitudes towards employment agencies

Similarly, the vast majority of employers used referrals from relatives, friends and other acquaintances to recruit domestic workers. Many also indicated that they recruited their workers through other domestic workers working for either them or their friends. When asked why they relied on referrals, employers indicated that they needed to know about the workers before asking them to work in their houses. A prior recommendation and some idea of their previous work experience was deemed important. A number of employers said that they would not allow workers into their homes if they did not already know them or if they were not recommended by people they knew.

When asked if they were willing to engage an employment agency to facilitate access to workers, most employers indicated that, while they were not opposed to such agencies, they would only use them as a last resort. They said that as long as they were able to find domestic workers through their contacts, they would prefer not to deal with an agency. Some employers did not want to shoulder any extra costs, such as agency fees, unless there was no alternative.

Testimonies of employers of domestic workers

“I met my current worker at my daughter’s kindergarten and offered her a job after the kindergarten closed. My house stays private [this way]. I wouldn’t use an employment agency because they are not dependable, they charge high prices, and my house could be robbed if I employ someone I don’t know.” – *Female employer, Ramallah*

“I wouldn’t deal with an employment agency and definitely would not let just any worker in my home unless I knew the worker very well.” – *Female employer, Ramallah*

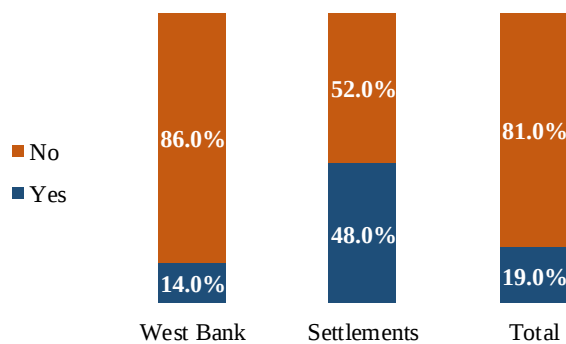
THE EMPLOYMENT RELATIONSHIP

Perception of the working relationship

One reason that domestic workers are often denied their rights is that their labour is not considered ‘real’ work. Contributing to this perception is the personal nature of the work, the fact that it is done in a home, and that the relationship between the worker and their employer usually grows over time. Interestingly, this study finds that domestic workers may view the relationship more warmly than employers, who tended to maintain a higher degree of formality.

The vast majority of domestic workers believed that their relationship with their employer was very good. In fact, many domestic workers considered their employer similar to a family member or friend. Among those working for Palestinian households in the West Bank, 86 per cent did not think of themselves as an “employee” compared with 52 per cent among workers in the settlements (figure 17).

Figure 17: Workers’ perception of relationship by work location (Do you consider yourself an “employee”?)



Some key responses of those workers who indicated having a close and informal relationship with their employer included the following:

Testimonies of domestic workers

“I have a very good relationship with my employer. It’s like a kinship relation and I consider them my family.” – *Female domestic worker, Nablus*

“I have a family relationship with my employer. I feel very comfortable with them. Definitely, it’s a nurse and patient relationship.” – *Female nurse, Beit Ummar, Hebron*

“I have a friendship and family relationship with my employers. I don’t feel that I work for them; we also exchange visits from time to time.” – *Female nurse, Halhoul, Hebron*

“I feel that I am with my family when I work. I am very comfortable, work freely, and don’t feel that anyone is watching me or monitoring my work.” – *Female nurse, Beit Ummar, Hebron*

Employers, however, did not so often speak of the relationship in the same warm terms. The majority indicated having good but formal relationships with their domestic workers. Yet, a certain proportion (17 per cent) also said they had a somewhat informal relationship with their domestic worker and some considered their worker as a friend or family member:

Testimonies of employers of domestic workers

“My relationship with our domestic worker developed through the years. Currently, I feel she is like my sister. I appreciate the work she does for me. I bought her a refrigerator, a washer, a television and a mobile phone. I also contributed to cover the cost of her surgery, and take her with us on our trips.” – *Female employer, Ramallah*

“I look at the domestic workers as my assistants, not as workers, despite the fact I am the one who decides what they should do. However, I believe they look at me as their employer.” – *Female employer, Ramallah*

“I have a very good relationship with my domestic worker. At the end of the day, she is a human being and I respect her. Yet, I maintain a formal relationship with her.” – *Female employer, Nablus*

“[We have a] professional relationship. She does her job and I compensate her effort with a good wage.” – *Female employer, Hebron*

“I have very good relationships with my domestic workers. Still, it is a formal and work relationship.” – *Female employer, Jerusalem*

Availability and perception of written agreements

Almost all of the domestic workers interviewed indicated that they did not have a written agreement with their employers. The few individuals that reported having written contracts were recruited through employment agencies, while the vast majority of domestic workers who did not have such contracts were recruited through referrals or found work on their own. Generally speaking, issues such as vacation days, sick leave, public holidays, working hours and other working conditions were not discussed up front with employers. Nevertheless, both domestic workers and employers reported having a general understanding or a verbal agreement with each other about the main areas related to the work, including the following issues:

- **Wages.** A monthly salary or daily rate, as well as any transportation allowances, if applicable.
- **Working hours.** The hours and days a domestic worker is expected to work. Common working hours for domestic workers were 8 a.m. to 2 p.m.
- **Scope of work.** The tasks to be done, including child care, cooking, cleaning, washing, gardening or other related tasks.
- **Frequency and form of payment.** When and how the worker shall be paid, whether daily, weekly or monthly and in cash or by cheque.

Indeed, most domestic workers did not appreciate the importance of a written contract as a means of preserving their rights and improving their working conditions. Just 49 per cent of the workers

reported a preference for a written agreement with their employers prior to commencing employment. Notably, the vast majority (81 per cent) of those working in settlements were against written contracts with their employers, while 55 per cent of those employed by West Bank Palestinians preferred a written contract (figure 18).

Figure 18: Preference for a written contract (domestic workers) by work location



Workers who preferred not to have a written contract believed that written contracts would stipulate strict conditions that may force them to continue working with the same employer even if they did not want to. They also feared that written contracts may increase their workload and working hours, and may make it hard for them to leave work when they wanted to. Domestic workers in settlements also feared that a written contract may make them liable for Israeli tax deductions, or might be used to withhold payment for performance reasons. Some workers even indicated that they feared unknown legal repercussions that may result from a written contract:

Testimonies of domestic workers

“A written contract may force me to stay with the same employer even if I don’t want to stay with them. Not having any written obligation gives me more freedom.” *Female domestic worker, Ramallah.*

“In the case if a written contract, I may not be able to work with more than one employer, so my hands will be tied and my income negatively affected.” *Female domestic worker, Nablus*

“I am afraid that a written contract may increase my working hours and my workload, and if I violate my working terms for any reason, my employer might reduce my wages.” *Female domestic worker, Beit Ummar, Hebron*

“I am afraid that my employer will force me to work only with them if I sign a written contract, so my income will be affected. I am not comfortable with this type of commitment because I don’t know the ramifications.” *Female domestic worker, Bethlehem*

That is not to say that workers were entirely dismissive of the potential benefits of contracts. Those workers who preferred written contracts with their employers saw such benefits as having a reference in the case of an argument, knowing their rights and obligations, knowing the tasks to be performed, and defining their working hours and wages:

Testimonies of domestic workers

“A written contract would explicitly detail my right and obligations, and could serve as a reference for me and my employer.” *Female nurse, Jericho*

“A written contract preserves my rights. It also clarifies my wages and may cover my end of service and sick leave.” *Female domestic worker, Nablus*

“[With a contract], I know my rights, work within known boundaries, and the contract would also preserve my rights.” *Female domestic worker, Ramallah*

“Written contracts defend us against any potential exploitation by employers; they also preserve our rights.” *Female nurse, Beit Ummar, Hebron*

“Through a written contract, I have fixed working hours and a fixed salary, and I can know my rights and obligations exactly.” *Female domestic worker, Bethlehem.*

The majority of employers, on the other hand, preferred not to use written contracts, emphasizing the fact that their domestic workers were part-time, working for only a few days a week or each month. They argued that this type of employment does not necessitate a contractual arrangement. Many employers also admitted that a written contract may force them to pay end-of-service benefits to their workers (usually this is a lump sum dependent on the length of time worked), give their workers rest days or insure them against work incidents:

Testimonies of employers of domestic workers

“Written contracts usually came with obligations. In my case, I would have to pay for rest days, end-of-service, and insure against work accidents, so why should I shoulder this burden?” – *Female employer, Nablus*

“She only comes to my house once a week so there is no need for a written contract. Moreover, if I sign a contract with her I might ending up covering her rest days or even her medical expenses.” – *Female employer, Jerusalem*

“I don’t think it’s necessary to have a contract with a domestic worker who works for me twice a month or even once [a month]. This contract is required in the case of fixed employment and not in my case.” – *Female employer, Ramallah*

“My domestic worker has been working for me for a year. I feel that she is like my sister and don’t believe that there is any contract that can give her the rights that I am giving her.” – *Female employer, Ramallah*

Employers’ justification for not having written contracts with their workers, particularly the argument that this is only part-time employment or that a contract would require them to pay end-

of-service benefits, stands in contrast to the length of their employee-employer relationship. The domestic workers in this study had been working 8.8 years on average, with at least six years with the same employer(s). If the Palestinian Labour law was to apply, contract or no contract, such long-term employment requires the paying of end-of-service benefits, even to part-time employees.¹⁰

Termination, dismissal and job security

Despite the purportedly good relationships between domestic workers and their employers, a large proportion of domestic workers (both working for Palestinians in the West Bank and in the settlements) felt that their employer could terminate their employment at any time without cause. Domestic workers indicated that job insecurity was a key concern because they did not have fixed employment contracts and the demand for their services may decrease or stop at any time. Moreover, 92 per cent of workers spoke of increasing competition from other domestic workers. They said that the growing number of domestic workers has not only affected their ability to find a job but has also increased their concerns relating to job security.

When asked what they would do if they decided to quit their jobs, the majority indicated they would inform their employer about their decision at least two weeks or one month in advance so that their employer could hire a new domestic worker. When asked what they expected their employer to do in this case, almost all indicated that their employer would respect their decision and start looking for alternatives.

Employers confirmed workers' concerns for job security as realistic, citing an ability to terminate their jobs at any time without giving a reason. They stated that they were not committed to providing fixed employment or long-term contracts to their workers as, in most cases, they needed them to perform specific tasks for a limited number of days per month.

Nevertheless, in focus groups, both domestic workers and employers stated that written contracts were the best way to promote job security and avoid unfair dismissal. At the same time, however, employers indicated that written contracts would burden them with additional costs relating to the protection of workers' rights, thus forcing them to reduce wages in order to compensate.

Sick leave, rest days, public holidays and maternity leave

Almost none of the domestic workers interviewed had access to paid sick leave, rest days or public holidays. Domestic workers indicated that they were only paid for work performed, but if they could not work for any reason they were not paid at all. The majority felt no sense of security for themselves or their children, and if they became sick, injured, or unable to work for any reason, they would not be able to feed their children and no one would take care of them. This underscores the finding that many are the sole breadwinners in their households.

Some domestic workers who worked for one employer on a monthly basis were sometimes allowed rest days or sick leave. However, even these workers had no written or verbal agreement guaranteeing the number of rest days or amount of sick leave. Access to such rights depended solely on the largesse of their employers:

¹⁰ Article 45 of the Labour Law states: Each worker who spends one year or more in [their] work has the right to end-of-service benefits.

Testimonies of domestic workers

“I work 24 hours a day for my employer, and only have one day every two weeks when I am allowed to go home. I don’t have any rights to rest days or sick leave; even the nurse in a hospital has this right but I do not.” *Female nurse, Jericho*

“If I have a rest day or if I get sick, I am not paid my wage for this day because I work on a daily basis and only get paid for the days that I work.” *Female domestic worker, Nablus*

“Five years ago, I had surgery on my back and stayed at home for six months without earning a penny.” *Female domestic worker that works in Israeli settlement*

“I work as nurse for a family that has a sick old women, and one month ago, I became sick for three days and couldn’t go to work but my employers didn’t deduct those days from my wage.” *Female nurse, Ramallah*

Likewise, nearly all the employers indicated that they did not grant their workers rest days, sick leave, or wages for public holidays. In fact, some employers even asked their domestic workers to work for free on public holidays. Employers attributed the lack of provision of rest days to the fact that they only needed their workers for specific tasks over a certain number of days. They also considered that wages should cover all expenses, including rest days:

Testimonies of employers of domestic workers

“My domestic worker is not a fixed-term employee. I only need her once a week or ask for her service on certain occasions. The amount I pay her should cover all expenses, so why I should cover the cost of rest days?” – *Female employer, Nablus*

“I can’t give her paid rest days. I know that doesn’t sound right but I don’t ask her to come on public holidays, especially when I am home.” – *Female employer, Ramallah*

Moreover, even employers of full-time workers often did not allocate paid rest or sick days for their employees.

While a large proportion of employers believed that women have a right to take maternity leave in order to care for newborn children before returning to work, almost none of them indicated that they would grant such paid leave, arguing that this was neither their responsibility nor could they afford such expenses.

Health and accident insurance

Nearly 90 per cent of the workers interviewed were not insured while working. Indeed, 20 per cent (26 persons working for Palestinians in the West Bank, and one in the settlements) have experienced work incidents that forced them to seek medical care and stay at home. They reported a lack of compensation for days off work, as well as being liable for the costs of medical treatment. It is worth noting here that while the Directive on domestic work is silent on work insurance for domestic workers, insurance against work incidents is mandatory under the Palestinian Labour Law.

Testimonies of domestic workers

“A few months ago, I got a second-degree burn on my hand while cooking for my employer. Despite the fact that both the sick old lady and her sons and daughters saw my injury, no one got me medicine nor brought a doctor to check me. Because I don’t have money, I could not buy medicine. Anyway, my hand is fine now.” *Female nurse, Jericho*

“I slipped while cleaning the floor and broke my hand, and couldn’t go to work for around 60 days but my employer didn’t cover my medical expenses or pay me for the days I stayed at home.” *Female domestic worker, Ramallah*

“I was cleaning the pool when I slipped on my back and remained six days at home. My employer didn’t pay me for those days.” *Female domestic worker, Ramallah*

“I fell while I was working in my employer’s home. As a result, I couldn’t work and remained home for one month. No one compensated me.” *Female domestic worker, Nablus*

All of the employers surveyed stated that it was not their responsibility to provide health insurance. When asked if they offered their workers accident insurance for work, 90 per cent of the employers admitted they did not.

Many employers reasoned that their workers did not carry out dangerous or risky tasks. This, of course, does not match the experiences of the workers described above. Other employers indicated that work agencies or labour organizations should cover the workers and again underscored the fact that their domestic workers were not permanent workers and only worked part-time or on demand.

Many employers also claimed that they were not even liable for the worker’s medical expenses for accidents that occurred on the job. Moreover, when asked if they were willing to pay the wages of a worker who was injured on the job and must stay home for some time as a result, the vast majority of employers said that this was not their responsibility.

THE SCOPE OF WORK

Working time and workload

Most of the domestic workers did not work full time. The average working day was 6 hours (6.5 hours in Palestinian households, and 4.7 in the settlements). Some 29 per cent worked less than 5 hours per day; 40 per cent worked 5–7 hours per day and 31 per cent worked more than 7 hours.

The average working week comprised 4.3 days: 30 per cent worked fewer than four days a week; 52 per cent worked 4–5 days a week; and 18 per cent worked more than five days a week. The difference in days worked between those who worked for Palestinians in the West Bank and those who worked in the settlements was negligible.

When asked how they perceived their workload and the associated working hours, responses were mixed. The majority, however, felt that they had too many tasks to complete during the day and evaluated their workload as tiresome. The following are some key responses:

Testimonies of domestic workers

“I work long hours and bear much greater responsibility in comparison with the wage that I receive.” – *Female domestic worker (nurse), Beit Ummar (Hebron)*

“My work is exhausting because I am responsible for many tasks serving the residents.” – *Male domestic worker (building guard), Balata (Nablus)*

“There is a large scope of work and great responsibility. I have to pay attention to children all the time and I am always under pressure.” – *Female domestic worker (nurse), Beit Ummar (Hebron)*

“I usually work between five to eight hours a day. That’s very long because it is physical effort.” – *Female domestic worker, Nablus*

Others felt their workload was manageable or were comfortable with the working hours and the workload:

Testimonies of domestic workers

“My workload is comfortable and I don’t work for long hours, although I need to be precise and focus all the time.” – *Female domestic worker (nurse), Hebron*

“Both the working hours and the workload are suitable for me.” – *Female domestic worker (nurse), Hebron*

Employers’ perceptions of the workloads they assigned were also mixed. Many admitted that the workers were burdened with many responsibilities and had a heavy and exhausting workload often requiring great physical effort:

Testimonies of employers of domestic workers

“The work is hard and exhausting because the domestic worker has to clean the whole house in one day, [a job] that usually takes the housewife the entire week.” – *Female employer, Nablus*

“Of course, she [the worker] bears great responsibility and has a heavy workload, and after cleaning my house she goes to her house to do the house chores there.” – *Female employer, Nablus*

“Yes, she bears a [heavy] workload and has to pay attention constantly to the children.” – *Female employer, Hebron*

“Their work is exhausting and usually associated with great physical effort.” – *Female employer, Jerusalem*

“Her work entails a heavy workload and great responsibility because she takes care of a sick person.” – *Female employer, Hebron*

Other employers believed that the workload and the level of effort required was manageable, or even easy:

Testimonies of employers of domestic workers

“It’s like she is working in her own house. [There is] nothing unusual about the workload.” – *Female employer, Nablus*

“This is her job and she is used to it. I believe the workload is normal and acceptable.” – *Female employer, Jerusalem*

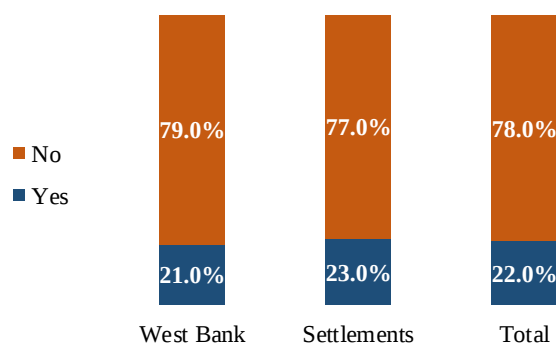
“He is a man and he can do his job. Also, he only works 4–5 hours a day.” – *Male employer, Nablus*

“Her work is not exhausting at all. Actually, she has little work to do.” – *Female employer, Jerusalem*

Assignment of tasks

Around 78 per cent of the workers reported that a single person in the employer’s household gave them tasks to complete (figure 19). Typically this was the woman responsible for running the household, but some workers were given tasks by more than one person. They said that this was not problematic because they consulted with the housewife to establish priorities.

Figure 19: Were tasks assigned by more than one person in the household?

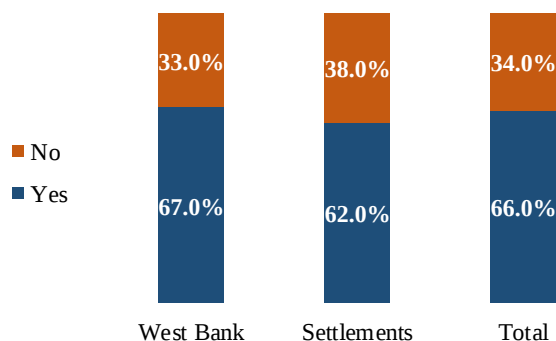


Employers reported similarly; in the vast majority of cases only the housewife assigned tasks. When the domestic worker was caring for an elderly or sick person, that person’s son or daughter, or sometimes the head of the household, would assign tasks to the worker, creating several “managers”.

Physically difficult and dangerous tasks

Around two-thirds of domestic workers indicated that their work involved dangerous tasks and was physically difficult (figure 20). Most domestic workers referred to the possibility of falling while cleaning windows while high up, inhaling chemicals used in cleaning, or slipping while cleaning floors or bathrooms. Gardeners also reported that they could be injured while trimming trees or inhale chemicals while spraying pesticides. The following comments are indicative:

Figure 20: Does your work involve dangerous tasks or physical difficulties?



Testimonies of domestic workers

“While I was cleaning a window on the fourth floor, the window closed for some reason and I was stuck on a narrow ledge and remained there for five hours before the civil defence came and rescue me. What made things worse is that my employer, instead of asking about my health, asked if I had completed the job or not.” *Female domestic worker, Ramallah*

“As a gardener, I am exposed to different types of risk. I have to be careful when sawing branches and I also believe that spraying the tree may cause breathing problems and lung disease if I don’t take the appropriate precautions.” *Male Gardener, Ramallah*

“Cleaning materials may cause breathing problems or lung disease, especially if we are exposed to these materials for long periods of time.” *Female domestic worker, Hebron.*

“We might slip while cleaning the floors or the showers or when cleaning the windows, and this can cause serious injuries.” *Female domestic worker, Nablus*

Domestic workers in settlements often mentioned other risks associated with their work, including harassment by settlers and in some cases life-threatening attacks, especially when arriving or departing their employers’ household unescorted. These risks usually increased during periods of heightened tensions, such as when attacks against settlers or Israeli forces had occurred.

When employers were asked about safety issues, the vast majority reported that the work they assigned did not involve dangerous tasks or physical difficulty. However, several admitted that some of the tasks they assigned involved a certain level of physical strain, especially when workers were required to lift carpets, or clean curtains and windows.

Non-completion of tasks

When domestic workers failed to complete their assigned tasks, there was no structural element (a contract or other understanding) to guide employers’ reactions or determine whether, say, disciplinary steps should be taken. Rather, it seems that the relationship between the worker and the employer guided how the shortcoming was handled.

Those employers who had a cordial relationship with their workers were much less likely to complain of non-completion of tasks. Many took any lack of completion in their stride, saying the job could be done the following day:

Testimonies of employers of domestic workers

“There is no problem if the worker can’t complete the work, as she can do it the next day.” – *Female employer, Nablus*

“No matter. She has been working for me for the past eight years and we trust each other. I can also tell when the workload is high, so the tasks can be completed the next day.” – *Female employer, Hebron*

Some employers were stricter, arguing that domestic workers must complete their assigned tasks, even if longer hours were required to finish the job:

Testimonies of employers of domestic workers

“She must complete her job and all the tasks she has been assigned, and if she can’t, she must work more hours to get the job done.” – *Female employer, Jerusalem*

“Domestic workers should not only complete their tasks but they must complete their tasks in the most appropriate way, so if they come up short they must keep going until they get the job done, even if they have to work longer hours.” – *Female employer, Nablus*

Domestic workers were also divided as to how employers typically handled shortcomings in their work. They said that some employers were understanding and would let them complete the work the next work day, and that if more hours were required they would be compensated for the extra time. Other employers would ask them to complete the work, regardless of the time required, and without additional compensation.

Living conditions

Because nearly all of the domestic workers interviewed were not living in their employers’ houses, living conditions were not a key concern. The single live-in worker interviewed for this study reported that she did not have a separate sleeping room or separate bathroom, nor did she have an established place to put her clothes and private things.

Otherwise, the study focused on workers’ freedom of movement, access to food, and telephone use. Some 68 per cent of the domestic workers indicated that they were free to enter any room or part of the house where they worked. There was no difference found between those who worked for Palestinians and those who worked in Israeli settlements. Most also indicated that they ate food while at work. However, none of the workers employed in the settlements ate with the family compared with one-third of those employed by Palestinians in the West Bank.

Another noticeable challenge facing Palestinian workers in the settlements was the freedom to leave their employers’ houses. Unlike the majority working for Palestinians in the West Bank, none of the settlement workers were able to leave their workplace at will. Most were required to wait for their employer to escort them out of the settlement; otherwise they feared being attacked or detained.

Physical and verbal abuse

Instances of physical and verbal abuse against domestic workers were not uncommon, although many reported them as hearsay rather than incidents that had actually happened to them. There were no reports of sexual abuse from any of the workers surveyed. However, this may be an unreliable indicator of the absence of such abuse given the taboo nature of the subject and the difficulty of reporting such matters in conservative patriarchal Palestinian society.

About one-third of the domestic workers surveyed had only heard of cases of abuse. Nevertheless, around 20 per cent (22 persons employed by Palestinians and three persons working in settlements) had directly experienced abuse at least once during their employment. Most cases of abuse were verbal attacks:

Testimonies of domestic workers

“A few clients treated me like an animal. They yelled at me: ‘Do not move, don’t turn on the TV. You are a maid and you have to obey me.’” – *Female domestic worker, Nablus*

“[The employer said,] ‘Hey, are you a mule or what? You are not clean and your work is not acceptable.’” – *Male domestic worker, Nablus*

“I used to work for a family with a disabled girl. This girl used to push me, curse me and yell at me and none of the family members would ask her to stop.” – *Female domestic worker, Al-Aroub, Hebron*

“I take care of a sick old woman, and often she yells at me and curses me.” – *Female nurse, Surif, Nablus*

“A neighbour came to my employer’s house and once he realized that I was a Palestinian woman, he started yelling and threatening me, but then he left.” – *Female domestic worker, Israeli settlement*

Employers were generally hesitant to speak about cases of abuse. Most of them claimed not to yell or hit their workers. However, some admitted that domestic workers were sometimes not respected, and often not given enough time to rest, for example.

Disputes and grievance mechanisms

Around 25 per cent of domestic workers employed by Palestinians in the West Bank reported problems related to reduced wages, lack of payment, or not receiving payments on time. None of the workers employed in the settlements reported such disputes – somewhat surprising, considering the relative lack of legal oversight for workers in settlements (Palestinian law enforcement has no jurisdiction in settlements, and Israeli law enforcement towards Palestinian workers is limited in settlements). West Bank domestic workers also reported minor disputes over tasks required, such as labour-intensive chores like cleaning the windows or carpets, but no such problems were reported by workers in the settlements. Still, other disputes arose over late or non-completion of tasks, arguments with children/other family members within the household, accusations of stealing, and sick leave.

When asked who should stand up for the rights of domestic workers when disputes arise, about half of the workers said that the Ministry of Labour or the labour office in their governorate could help with problems. The other half did not know what to do or said they would simply quit their jobs without reporting the problem:

Testimonies of a domestic worker

“I don’t know where to go in case of a problem, and that is exactly what happened to me when one of my clients refused to pay me and I couldn’t do anything about it.” – *Female domestic worker*

The vast majority of employers, on the other hand, indicated a total absence of disputes with their workers. Those who cited issues said they related to late attendance or poor job performance. When

asked how they handled disputes, employers said they discussed it with the worker or simply found new workers.

REMUNERATION PRACTICES

Perception of paid wages and mode of payment

All of the domestic workers interviewed were being paid for their work, but their wages varied significantly. Figure 21 shows that 17 per cent of the interviewed domestic workers earned less than NIS 31 (US\$ 8.6) per day. Based on these findings, 42 per cent of these domestic workers earned less than the minimum wage (NIS 1,450 (US\$ 404) per month or around NIS 50 (US\$ 14) per day).

On average, domestic workers in West Bank Palestinian homes were paid substantially less (NIS 62 (US\$ 17)) than those who work in Israeli settlements (NIS 146 (US\$ 40)) (figure 22). This reflects differences between the Israeli and Palestinian economies; wages and the cost of living are significantly higher in Israel, where Israeli settlers remain economic actors.

Figure 21: Distribution of domestic workers' daily wage (NIS)

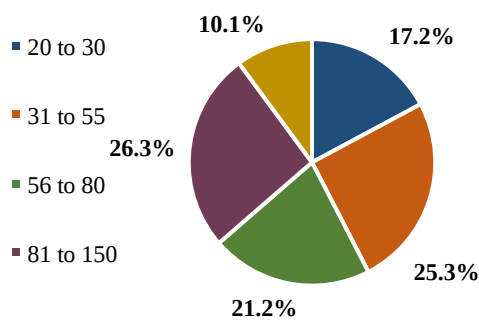
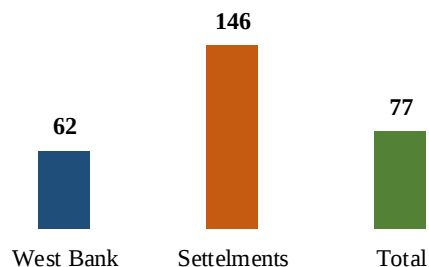


Figure 22: Average daily wage (NIS) of workers interviewed by working location



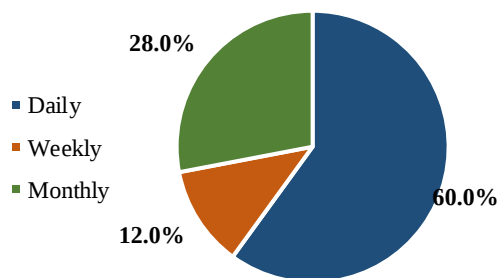
Reflecting internal market differences in the OPT, domestic workers from different towns in the West Bank also reported markedly different wages. In Ramallah workers earned NIS 120–150 (US\$ 33–41) per day, workers in Nablus made NIS 60–100 (US\$ 16–28), while in Hebron and Bethlehem they earned NIS 50–80 (US\$ 14–22). Moreover, workers did not seem to have an established wage level: 70 per cent reported that they usually received different wages from different employers. The differences were not very great, however – estimated at about NIS 15 (US\$ 4) per day.

For whatever reason, the average wage reported by employers was slightly higher (NIS 65 (US\$ 18)) than that reported by the workers (NIS 62 (US\$ 17)). Here it is important to remember that the study paired 28 domestic workers with their employers in the West Bank in order to better

triangulate the data available. More than one-third of Palestinian employers in the West Bank paid their workers NIS 20–30 a day (US\$ 5-8), while 8 per cent paid a daily wage of NIS 31–55 (US\$ 8-15). More than half the employers indicated paying more than NIS 55 per day. Therefore, approximately 45 per cent of employers – similar to that reported by their workers – were paying less than the minimum wage (see below for additional discussion).

Around 95 per cent of domestic workers received their wages in cash. The remaining 5 per cent were paid by cheque (no workers or employers indicated transmitting money by bank transfer). Figure 23 shows that 60 per cent reported being paid on a daily basis, 12 per cent were paid weekly, and 28 per cent were paid monthly. These pay periods were relatively the same for West Bank and settlement workers. Employers similarly reported paying their workers' wages usually in cash. Approximately two-thirds of employers paid domestic workers daily versus weekly or monthly.

Figure 23: Domestic workers' pay period



For the most part, these transactions were conducted unofficially, without records, taxes or other paperwork. Most domestic workers and employers said that they did not give or receive receipts for wages paid. Employers stated that their workers were part-time, so there was no need for an official receipt.

When domestic workers were asked about their perceptions of their wages, the majority of those working for Palestinians in the West Bank thought their wages were inadequate, given the working hours and workload. Examples include:

Testimonies of domestic workers

“I receive around NIS 1,800 (US\$ 501) per month. This is very low considering my exhausting work and the long hours that I usually work.” – *Female domestic worker, Qalandia, Ramallah*

“I usually receive NIS 25 (US\$ 7) per hour. This is very low considering high prices and my family’s expenses.” – *Male nurse, Ramallah*

“My wage is not fair. I only get NIS 40 (US\$ 11) per day despite the huge responsibility and the fact that I have to stay focused all the time.” – *Female nurse, Beit Ummar, Hebron*

“My daily rate is NIS 50 (US\$ 14). I always feel exploited. This is unfair and unacceptable but I don’t have any other alternative.” – *Male domestic worker, Nablus*

Domestic workers in the settlements, on the other hand, had markedly different views of their wages than their Palestinian West Bank counterparts. The majority indicated that they received high wages and that they were satisfied:

Testimonies of domestic workers

“On average, I generate around NIS 3,200 (US\$ 891) per month from my work in the settlement, I believe my wage is fair and my working conditions are comfortable.” – *Female domestic worker, settlement*

“My wage is fair and I am satisfied with my wage because it is around NIS 3,600 (US\$ 1,002) per month.” – *Female domestic worker, settlement in Bethlehem*

“I generate around NIS 3,000 (US\$ 835) per month despite the fact I work only 3–4 days a week. I hope someday, Palestinians will provide us with similar wages and working conditions.” – *Male domestic worker, settlement in Ramallah*

When employers were asked about their perceptions regarding the wages they paid, all indicated that they were fair and consistent with the average wages paid to other domestic workers. In fact, a few employers indicated that they paid their workers better than other employers, arguing that their workers should be satisfied.

Perception of in-kind payments

The domestic workers revealed that they had been given clothes, shoes, blankets, carpets, food and other items, but these were not deducted from their wages, as they were not seen as a form of compensation, but rather as gifts. A large number of workers reported receiving them on occasion. The same attitude was also found among employers, who indicated that in-kind payments of food, clothes, and other items were not part of the domestic worker’s pay, but rather instead acts of kindness.

Compensation for extra hours

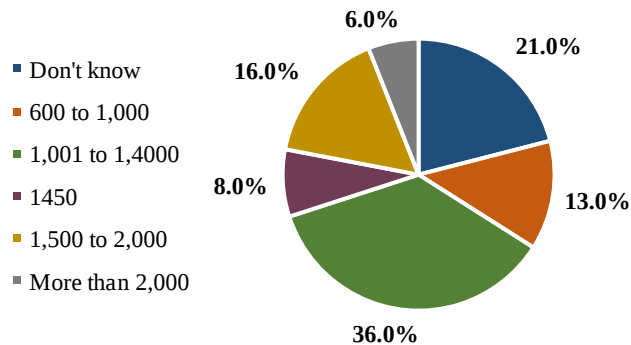
Around 30 per cent of the workers (29 working for Palestinians and one working in a settlement) indicated that they worked an additional 4.5 hours per week on average. Most said that they were compensated for the overtime, receiving on average NIS 25 (US\$ 7) for the additional overtime performed, irrespective of duration.

On the other hand, around half of the employers indicated that they sometimes asked their workers to work extra hours. However, around one-third of these admitted they did not pay anything for the overtime, while 50 per cent reported paying 15–20 (US\$ 4-5) NIS for each additional working hour.

Perceptions of the minimum wage

According to the testament of both domestic workers and employers, between 42 and 45 per cent of these workers are making less than the national minimum wage, as previously mentioned. However, in general there was a lack of knowledge in relation to the minimum wage. Only 8 per cent of the workers were able to correctly cite the minimum wage of NIS 1,450 (US\$ 404) per month. This lack of awareness of the minimum wage was indicative of a more general lack of awareness regarding workers' rights (figure 24).

Figure 24: Workers' estimates of the monthly minimum wage (NIS)



When domestic workers were prompted with the true value of the minimum wage, around two-thirds of them (66 persons working for Palestinian households and 17 in the settlements) stated that the minimum wage was low or very low and would not enable them to cover their household needs or their expenses. One-third of the total workers (probably those who were receiving less than the minimum wage) reported that the minimum wage value was acceptable.

Among employers, 82 per cent reported being aware of the minimum wage legislation. However, when asked to identify the correct value, only 30 per cent of those who claimed to know (12 persons) could correctly cite NIS 1,450 (US\$ 404) a month. When employers were prompted with the right value, 54 per cent considered it “low” or “very low”, compared to 47 per cent who considered it either “high” or “reasonable”.

While these results indicate a degree of awareness of the legislation, both employers and domestic workers acknowledged that the minimum wage was not being paid in many cases. Some employers indicated that they could not afford to pay the minimum wage.

Perceptions of live-in versus live-out employment

Virtually all the workers interviewed for this study resided away from their employers' homes. The idea of living in their employer's residence was generally not accepted by the overwhelming majority of domestic workers, who indicated that they were not willing to leave their families and

children to serve other people around the clock. Moreover, their extended families, neighbours, and the community would not generally accept the idea of a woman living out of her house, and there is a great deal of stigma related to doing so:

Testimonies of domestic workers

“I don’t accept the idea of leaving my children and living in my employer’s house or even working at night for any organization. A few years ago, a healthcare organization offered me a job and a very good salary with benefits like health insurance, rest days and sick leave, but I refused because I can’t accept the idea of leaving my children.”

– *Female nurse, Qalandia, Ramallah*

“I was taking training courses in a nearby locality, and just because I came home late, my husband and my family accused me. While I support a woman’s right to learn and advance her career, I can’t accept to live in an employer’s house.” – *Female domestic worker, Qalandia, Ramallah*

“I know that living in my employer’s house may come with some financial benefits such as saving transportation costs, but I can’t accept the idea of leaving my house and my children.” – *Female domestic worker*

“I can’t consider leaving my house and living away from my children. It’s not right for a woman to sleep outside of her house. I reject this idea. Once I was offered a job that only involves working at night [in the evening] to take care of an old women, but I refused, despite the fact that I could return to sleep in my house.” – *Female domestic worker*

“I can’t see any benefits for women who live outside their homes. We work and come back to our families and see our children.” – *Female domestic worker*

The only live-in domestic worker located by the researchers said that if she had the choice she would not stay in her employer’s home:

Testimony of a live-in domestic worker

“I am a single female, and I am the sole breadwinner for my elderly mother and father and my sick sister. If I had an alternative to this job, I wouldn’t leave my home.”

– *Female live-in domestic worker*

When asked about the potential benefits associated with live-in work (regardless of any stigma), domestic workers highlighted the likely savings in transportation, arriving early to work, and saving expenses on food and drinks. Nevertheless, they reiterated that such benefits could not adequately compensate leaving their children and families.

In addition, several negative aspects were highlighted by domestic workers, including:

- working for longer hours;
- having little time to rest or less time off;
- not feeling comfortable in the employer’s house;

- Feeling watched/monitored all the time.

None of the employers had domestic workers living with them. Some said they had no need, while others required workers only for specific tasks in the daytime:

Testimonies of employers of domestic workers

“I only need a domestic worker to clean the house in daytime once a week, so [there is no] need to ask anyone to live in my house.” – *Female employer, Jerusalem*

“We don’t need live-in workers in the household; I just need domestic workers to help me in the house cleaning.” – *Female employer, Hebron*

Employers with sick household members indicated that other household members usually cared for them at night, and that they would not ask domestic workers to handle this responsibility.

Testimony of an employers of a domestic worker

“When my mother was sick, we arranged a programme where each household member took care of our mother on specific days. We felt that taking care of our mother was our responsibility and we didn’t feel it would be right to ask a stranger to take care of our mother.” – *Female employer, Nablus*

Many employers indicated that the idea of having workers live with them would go against tradition and the accepted norms in their families. The following key responses were indicative:

Testimonies of employers of domestic workers

“Having live-in workers is not accepted. It would be against our traditions.” – *Employer, Hebron*

“I can’t allow a girl to live in my house with my husband around; this is not acceptable.” – *Employer, Nablus.*

“We would not allow a stranger to live in our home; this is not acceptable.” – *Employer, Nablus*

“Impossible! We wouldn’t allow a live-in worker in our household.” – *Employer, Jerusalem*

Occupational training

Only 13 per cent (all working for Palestinians) of the domestic workers had participated in any training courses related to their occupation. Mostly, these included nurses who were assisting the elderly or infirm. The courses they had attended focused on first aid, administration of injections, checking blood sugar (for diabetes patients), pulse and blood pressure, and general nursing care.

The vast majority of domestic workers did not view training as important for their work. They emphasized that their work did not require continuous training; many had developed their skills through past work experiences or with parents at home. The exception to this view was among domestic workers whose responsibilities included caring for an ill person. These workers saw

training as important for them, but they still maintained that simple training was sufficient. A number of workers actually had prior experience in healthcare centres and argued they did not need additional training:

Testimony of a domestic workers

“When I was working at a healthcare centre, a training course was organized at a hospital inside Jerusalem and, because I don’t have a permit [to enter Jerusalem], I couldn’t attend. Nevertheless, despite the fact I did not attend a training course, I am now working with a respected agency that provides health services for sick people.” – *Female nurse, focus group discussion*

Most employers also felt that training was unnecessary because domestic workers were usually assigned simple tasks that they had learned how to do at home with their own families. They also indicated that training could not prepare a worker for the range of preferences of various employers related to cooking or cleaning. Only when domestic workers were caring for ill people did employers agree that training was beneficial.

WORKERS' ORGANIZATIONS

Domestic workers were asked if they were familiar with any organizations that advocated on behalf of workers. The vast majority had never heard of such organizations. In fact, only 21 of the domestic workers (17 among Palestinians and four working in the settlements) indicated any knowledge of such an organization. Consequently, almost none of the workers were members of the kinds of organizations that might defend their rights, such as a union, society or cooperative.

However, numerous workers indicated an interest in joining such an organization, believing that they could help defend their rights and improve their working conditions. They were also willing to establish an organization of their own, but indicated they did not have the knowledge or experience to do so. In the focus groups, domestic workers highlighted their need to increase their awareness about labour organizations and were eager to learn from a successful example. Domestic workers also emphasized the importance of the Ministry of Labour and other bodies in guiding them.

At the same time, many workers were reluctant to embrace organizing, mainly because they did not want other people to know of their occupation. Palestinian society continues to view domestic workers (especially women) poorly, and organizing would draw attention to these workers as a group. In fact, a surprising number of domestic workers explicitly indicated that they were working without the consent of their husbands or family members:

Testimonies of domestic workers

"I only work when my husband is at work inside Israel. I never go to my employers' houses when he is around and I also ask my employers not to call me when my husband is home." – *Female domestic worker, Hebron*

"I don't want people to know about my occupation. I have a daughter of marriageable age and I think knowing what I do, people would stay away from us." – *Domestic worker, Nablus*

Other workers were hesitant because they did not understand how an organization would improve their working conditions or preserve their rights:

Testimony of a domestic worker

"I don't know how organizing will do us any good, especially when it comes to improving our wages and our work conditions." – *Domestic worker, Ramallah*

Domestic workers employed in the settlements were even more hesitant to make their occupation known, given the political sensitivity of working for Israeli employers in settlements on Palestinian land of 1967 borders that are considered illegal under international law and which Palestinians oppose politically and culturally. Moreover, they did not feel that organizing would help them, as a Palestinian worker's organization would have neither a mandate nor audience among Israeli employers.

The majority of employers, on the other hand, thought that a worker's organization would be helpful for both employers and workers. They believed that it could facilitate employers' ability to

find good domestic workers, and would answer for workers in cases where they did not do their jobs properly, and contribute to improving workers' wages and preserving their rights:

Testimony of an employer of domestic workers

“Workers’ organizations can be good for us, as employers, obtaining the best domestic workers when needed. For the domestic worker, the organization can contribute to improving her wages and insuring her against work accidents.” – *Female employer*

Having said that, many employers did not believe that organizing domestic workers was possible. They could find workers whenever necessary and expressed doubt at domestic workers’ willingness to join such organizations due to the social stigma related to their jobs.

RECOMMENDATIONS

In conclusion, the information and analysis collected in this study makes it possible to suggest some recommendations that can be of use in designing a more comprehensive framework for regulating the domestic work sector and protecting the rights of domestic workers in the OPT. These recommendations include:

- The Palestinian Authority needs to ensure a more comprehensive and enforceable legal framework that protects the rights of domestic workers in the OPT while at the same time continues to advocate for the protection of those working in Israeli settlements. For this purpose, and until the time is more opportune to revise Labour Law No. 7 of 2000 and extend its applicability to domestic workers, the Ministry of Labour should exert more efforts to ensure greater adherence to Directive No. 2 (2013) on Domestic Workers. The Ministry of Labour could benefit from technical assistance from the ILO in promoting the rights of domestic workers.
- In parallel, the Ministry of Labour should revise the Directive to ensure greater alignment with the ILO Convention concerning Decent Work for Domestic Workers, 2011 (No. 189) and its Recommendation (No. 201). Standard contracts for the various categories of domestic workers should be endorsed by the Ministry of Labour, and the working relationship between a domestic worker and an employer should be formalized. Both domestic workers and their employers should be made aware of the importance of signing a contract and formalizing this working relationship on part-time or full-time basis as prescribed in the Directive.
- Legislation should be tailored to the specificities of the domestic sector in order to ensure that agencies that supply domestic workers operate under a formal arrangement and therefore abide by the principles of fair recruitment and decent work. Structures to monitor and protect workers' and employer's rights should be put in place. This effort should be undertaken within a public policy framework that plans for an aging population and greater female participation in the workforce, and an increasing need for nurses, home care, child care, and domestic support.
- While this study has bridged several knowledge gaps, the size and nature of employment in domestic work in the OPT remains to be adequately quantified. The Palestinian Central Bureau of Statistics should be in a position to systematically collect more accurate information on domestic workers ensuring proper coding and tabulation at the six-digit level of the occupational code. In this way, it will be more effective to capture all the different occupations and have a better sense of the number of people employed in the domestic work sector.
- Information campaigns should correct public misconceptions and target the public stigma felt by domestic workers, focusing on the critical care roles that these workers play in society, as well as their rights as service workers. This would allow them to better ask for and achieve their rights. Public awareness campaigns that emphasize the rights of domestic workers and their increasingly important role in society, especially as the Palestinian population ages, can help to improve the conditions for these workers and help them live and work in dignity.

- Further research should seek to establish the ways in which workers' organizations could support domestic workers to secure their rights and advocate for their needs. If workers' reticence to organize is derived mainly from the stigma associated with their work, raising public awareness about the importance of the tasks they perform and the need for greater protections could change domestic workers' negative perceptions about the benefits of collectively organizing themselves. In the long term, it is hoped that domestic workers will also see the advantages of organizing themselves in a form of a social enterprise or a cooperative that would guarantee a better negotiating power with employers in terms of working conditions and business performance.

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APPENDIX

Topic guide for interviews and focus group discussions

The research was be guided by the following research questions:

- What is the nature of the employment relationship between domestic workers and their employers? This encompasses:
 - contractual practices;
 - grievance and dispute settlement;
 - harassment and abuse;
 - underlying perceptions and beliefs about the employment relationship and knowledge of rights.
- What are the driving factors and preferences underlying the employers' demand for domestic workers, and those that underlie domestic workers' offer of their labour to private households? This point encompasses:
 - the demand side – employers' reasons, considerations and expectations in engaging a domestic worker as well as profiling of the employer (income range, composition of the household and participation in the labour market, education level);
 - the supply side – workers' reasons, motivations and considerations for working in or for private households other than their own including profiling of the worker (education level, economic status).
- Do employment practices and working conditions differ among domestic workers and employers and where do the differences lie? This encompasses such questions as:
 - How do factors such as motivations, preferences and perceptions and beliefs interconnect and shape actual working conditions and practices?
 - Do working conditions, employment practices and patterns of employment relationship differ along the lines of:
 - whether domestic workers are in live-in or live-out arrangements;
 - whether the domestic worker is related by kinship to the employer;
 - age and sex of the domestic worker;
 - socio-economic status and urbanization (i.e. city/urban area versus rural area) of employer households?
 - How are perceptions and beliefs about the employment relationship associated with patterns of working conditions and employment practices?
 - What are the preferred recruitment channels utilized by the employer and the worker?

- Are workers part of a formal or informal group of domestic workers?
- Is there potential to organize these workers?

The topic guide was used in moderating in-depth interviews and focus group discussions (FGDs). A topic guide sets the agenda (topics and sub-topics) for the interview or FGD. It had two main purposes:

- 1) to help ensure a level of consistency across interviews, FGDs and researchers; and,
- 2) to help researchers steer the interviews or FGDs along the various topics in a systematic, logical manner, while allowing participants the space to discuss spontaneously and touch on other concerns outside the topic guide.

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