



Q&A about Live-in Domestic Workers in Lebanon

Q: How and when should the worker be paid?

A: “No work without pay” is the guiding principle. The live-in domestic worker has the right to be paid by the end of each working month a full monthly wage as indicated in her contract. The wage must be paid without any delay starting from her first day of work. It should be disbursed in cash or by bank transfer directly to the worker. A written receipt should be signed both by the worker and the employer and kept for records. It is illegal to withhold the worker’s wage till the end of her three-year contract or not to pay the first three months of her work. It is important to remember that the domestic worker is in Lebanon to earn a living to support a family back home (paying for schooling, housing and food).



Q: What is the employer’s responsibility in ensuring the legal status of the live-in domestic worker?

A: It is the duty of the employer to obtain a work permit and authorization of residence for the live-in worker at his/her own and full expense within three months of her entry into the country. The employer is also responsible for renewing these documents so long as the domestic worker still works for him/her.

Q: What are the costs involved in having a live-in domestic worker?

A: The costs involved in having a live-in domestic worker are not only confined to the fees paid to the placement agency and her monthly wage. They extend to room & board, food, toiletries, medicine, etc. In total, when spread across the duration of contract, these costs add up to at least two to three times more than the worker’s actual monthly wage. Employers who consider having a live-in domestic worker need to be aware of these costs. They should not enter a live-in domestic worker arrangement if they cannot comfortably afford these costs.

Q: Is the live-in domestic worker entitled to keep her passport?

A: The passport is the legal property of the country issuing it and of the person it belongs to. It is illegal to withhold the passport of another individual under any circumstances. The employer can have a copy of the passport but should by no means keep the original.

Q: How many hours per day should the worker work?

A: According to the new unified contract agreed upon with the Ministry of Labour of Lebanon, live-in domestic workers have the right to work at an average of ten (10) inconsecutive hours a day at most, including at least eight (8) continuous hours of rest at night.

Q: Is the domestic worker entitled to a day off? Is she allowed to go out on her day of rest?

A: According to the international labour standards all workers have the right to leave their places of employment and to enjoy a weekly rest. As stipulated in the unified standard contract, live-in domestic workers in Lebanon have the right to a weekly rest of not less than twenty - four (24) continuous hours. The worker and the employer will discuss and agree on the timing and the conditions of these benefits.

Q: Does the domestic worker have the right to holidays?

A: According to the new unified contract agreed upon with the Ministry of Labour, live-in domestic workers should not be treated less favorably than other foreign workers or nationals with respect to public holidays, annual leave, sick leave, and maternity leave. Holidays apply to all workers. Live-in domestic workers have the right to benefit from an annual leave of a period of six days. The timing of this leave is to be agreed upon between the worker and the employer.

Q: What happens if a live-in domestic worker falls sick?

A: According to the unified standard contract for live-in migrant domestic workers, in case of sustaining any sickness not resulting from service or work incidents, a worker is entitled to a sick leave based on a medical report for half a month with pay and half a month with half pay. The live-in domestic worker is entitled to medical care when she is in need. This means that when she needs to see a doctor, it is her employer's duty to arrange for it. It is also the employer's responsibility to obtain an insurance policy from an insurance company that is recognized in Lebanon in accordance with the conditions prescribed by the Ministry of Labour, provided that it covers hospitalization and transportation to the country of origin in the event of death. Dental and eye care are often not covered by this insurance.

Q: What needs to be done in case the live-in domestic worker is pregnant?

A: The Lebanese labour law prohibits discriminating against a woman worker on the basis of her being pregnant. The law states that women workers should be entitled to seven weeks of maternity leave that can be taken in the pre-delivery or post-delivery periods and it provides for the full payment of wages during maternity leave. At this time this law does not apply to foreign domestic workers although a specific labour law is currently being drafted for all domestic workers in Lebanon. In fact, despite efforts to change this regulation, for the time being, a pregnant foreign domestic worker cannot stay in the country. Both before and soon after the live-in domestic worker arrives in Lebanon, she is requested to take a pregnancy test. If she is pregnant at arrival, the placement agency will ensure that she returns to her country. The health insurance that covers foreign domestic workers does not include delivery fees neither does her contract include maternity leave.

Q: What happens when the employer and the worker do not get along?

A: While it is hoped that the employer and the live-in domestic worker will have a good working relationship, disputes can sometimes arise because of misunderstandings, different expectations, cultural differences and language barriers. When this happens it is important to first try to resolve problems through dialogue. In case of severe disagreement, both the employer and the worker have the right to go back to the placement agency and ask for change in the sponsorship arrangement. If this happens within the first three months of employment, the agency can provide the employer with another live-in worker. If disputes arise after the first three months, the Directorate General of the General Security will investigate and provide the worker with a new employer and vice versa. The unified standard contract stipulates that in case of disputes between workers and employers, a complaint can be lodged by the worker or the employer with the Ministry of Labour to settle it amicably. Upon



failure of an amicable settlement of the dispute, the worker and the employer are entitled to seek redress at the competent Lebanese Courts.

Q: What are the employer's obligations toward the worker in terms of accommodation and other benefits?

A: According to the unified standard contract the employer will meet the requirements and conditions of decent work and fulfil the worker's needs, including food, clothing and accommodations with which his/her dignity and right to privacy are respected. The worker is entitled to a clean, safe and healthy space; she is to be provided a bed with a mattress, a blanket, sheets, towels and other bathroom necessities. She also has the right to be provided with appropriate clothing for the season and regular and sufficient food according to her dietary needs.

Q: How can a domestic worker stay in contact with her family?

A: The domestic worker has the right to speak with her family members and friends and to send and receive letters and messages. The employer shall allow the worker to receive telephone calls and correspondence in addition to permitting her to communicate with the condition that the costs are charged to the worker after an official proof of the expenses is presented. The employer is responsible to pay for one phone call per month for the worker to contact her family. The worker also has the right to her privacy including a place to put her belongings that can be locked.

Q: What if the domestic worker does not know how to operate household appliances?

A: It is possible that the worker is coming from a background where she was not exposed to using electronic household appliances and is not familiar with basic safety rules as they apply to her tasks. She might have taken a training course before traveling to Lebanon but she might need more explanation, training and practice. The employers should give clear instructions on how to safely use home appliances and machines. The worker also has the right to refuse doing work that may endanger her life, health or may harm her physically.

Q: Under what conditions can both the employer and the live-in worker terminate the contract?

A: Both the employer and the live-in domestic worker are entitled to terminate the contract at any time, whether it is for a definite or an indefinite period, by giving one month notice and specifying reasons for termination. In case the domestic worker can not read or write, notice can be given verbally.

Q: When does the employer have the legal right to end the contract?

A: According to the unified standard contract, the employer is entitled to end the contract:

- In case the worker commits a deliberate mistake, neglect, assault or threat, or causes any damage to the interests of the employer or a member of his/her family.
- In case the worker has committed an act that is punishable by the Lebanese laws in force in accordance with a court judgment.

In these cases, the worker is required to leave Lebanon and to pay the price of the return ticket home from her/his own money.

Q: When does the worker have the legal right to end the contract?

A: The worker is entitled to revoke the contract subject to the responsibility of the employer in the following cases:

- In case the employer does not honour the payment of the wages of the worker for a period of three consecutive months.
- In case the employer or a family member of his/hers or any resident in his/her house beats, assaults, sexually abuses or harasses the worker after evidence of violence perpetrated on the worker is recorded through medical reports given by a forensic physician and investigation records provided by the Judicial Police or the Ministry of Labour.
- In case the employer employs the worker under a capacity other than that under which he/she had recruited him/her without his/her consent.
- In these cases, the employer is obliged to return the worker to his/her country and to pay the price of the travel ticket.

Q: Why do live-in domestic workers ‘run away’?

A: It is common practice to use this term to refer to a live-in domestic worker who leaves the house of her employer. Reasons include bad treatment, non-payment of salaries, wanting to earn more money as a freelancer, and not liking the job.



Q: What is labour abuse?

A: Abuse is when the live-in domestic worker is mistreated by her employer or any member of his/her household. Abuse has to be reported within 48 hours. There are different forms of abuse:

- *Economic abuse:* when any of the terms and conditions of the work contract are violated by the employer, when the worker is not paid on time, or paid less, or not paid at all, when she is not provided with medical care, adequate accommodation, food, etc.
- *Psychological abuse:* when the employer forbids the live-in domestic worker from communicating with her family, restricts her movement and free time, withholds her passport and personal documents, confines her to one room or in the home against her will, etc.
- *Verbal abuse:* use of degrading words, insulting, humiliating, minimization, making fun of the worker’s race, religion, clothes, communications and personal style, etc.
- *Physical violence:* hitting, pinching, kicking, burning, etc. (The list is long!)
- *Sexual abuse:* when the worker is forced to have sex against her will or someone makes unwanted sexual advances towards her, etc.

Q: What has been done to improve the situation of women migrant domestic workers in Lebanon?

A: Although Lebanon has not ratified the 1990 International Convention for the Protection of the Rights of All Migrant Workers and Members of their Families, it has ratified several human rights conventions and international labour standards that include specific provisions for migrant workers in general and migrant domestic workers in particular. In the fall of 2005, the Minister of Labour requested technical support from ILO ROAS in raising awareness toward policy action on the issue of women migrant domestic workers.

To date, the policy and regulatory changes that have come about as a result of this process include:

- A decree on monitoring and regulating private placement agencies has been passed by the Ministry of Labour in early 2009;
- A unified standard labour contract has been adopted and put into effect across Lebanon in early 2009 through a Ministerial decree from the Ministry of Labour;
- A draft law specific to all domestic workers in the country has been drafted and being discussed among the relevant ministries.

To date, several awareness-raising and multi-media materials have been developed and disseminated, including:

- Booklet on the rights and duties of women migrant domestic workers in Lebanon, which has been translated into nine languages (Amharic, Arabic, English, French, Nepali, Sinhalese, Tagalog, Tamil, Vietnamese, Bengali, Indonesian Bahasa, Malagasy). The booklets will be distributed through orientation sessions for workers conducted by social workers and volunteers from different communities; and
- Second documentary film following “Maid in Lebanon I” entitled “Maid in Lebanon II: Voices from Home” targeting Lebanese employers, media, students and general public.

Q: What is the current situation?

A: The ministerial decrees mentioned above have now been in effect since early 2009, and these legal efforts need to be monitored for their effective implementation. Labour inspectors from the Ministry of Labour’s need to be trained in inspecting private placement agencies. Social workers from the Ministry of Social Affairs need to be trained in labour mediation between employers and migrant domestic workers. A code of conduct needs to be developed for private placement agencies and their syndicate to follow.

Despite increasing media interest, more rights-based information needs to be made available for the general public accompanied by national debates on TV and radio as well as schools and cultural clubs. These efforts need to be complemented with a national awareness raising campaign on the rights of migrant domestic workers. Information materials already developed in several languages will need to be disseminated both in the sending countries and in Lebanon through several venues such as community churches, prayer groups, internet cafes, facebook, blogs, and within the communities.

Q: What can we do as individuals?

As individuals we can all be agents of change in our own lives, homes and workplaces. We can all treat domestic workers with respect and dignity. We can inform ourselves on the topic and share the information with our families, friends and colleagues. As active citizens, we can ask your elected representatives and our governmental institutions to prioritize this issue and take action. We can be the change we want to see.

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