



WORKERS' RIGHTS

The international NGO Voices International (VI) produced a set of five Info Notes together with migrant domestic workers (MDWs) and their community leaders over the course of a six-month research project in 2010/2011 funded by the Government of Ireland. The Info Notes highlight obstacles faced by foreign domestic workers during their travel to and employment in Lebanon.

VI is working closely with the MDW community to have their rights as workers recognised and their recommendations for changes to immigration and employment systems implemented. The five Info Notes have been developed for the migrant domestic community to assist in highlighting needs and asking for change.



WHAT MIGRANT DOMESTIC WORKERS SAID

“I have to be ready at 6 o’ clock in the morning. All the...all the balcony, all the room, the bath-room. All, everything the rooms, I must take out. I cannot. Every day I cry. I cry, I cry, I cry, I cry. Every night, I sleep, sometimes I sleep at 1:00, 12:00. And I sleep because I’m so tired. All my body paining me too much.”

Malagasy woman talking about why she ran away from her employer

“There is no freedom. When the madam goes to take her children to school. She locks the door with the key. What does that gesture mean? I will ask her the question again, if there is a fire? Because when your children are at home you don’t shut the door.”

Cameroonian woman expresses her dismay at being confined

“So we need to let our people know their rights and at the same time change the mind of Lebanese, that these people are not the animal that they think they can be. Do you understand that? So when they start treating you as a human being, the way that they will treat you will be different.”

Male community leader from Africa on changing Lebanese perceptions of MDWs

WHAT MIGRANT DOMESTIC WORKERS HIGHLIGHTED

Background: Lack of protection under Lebanese labour law

Domestic workers are excluded from the 1946 Lebanese Labour Law. The general Lebanese law relating to contract (the General Contractual Obligations Law of 1932) currently provides the only legal framework on employment for MDWs.

In 2009 the Lebanese Ministry of Labour introduced a much needed Unified Contract for MDWs that outlines employers’ and workers’ rights and obligations. While the contract guarantees certain basic rights, it provides inadequate protection against a number of common workers’ rights violations.

To date there is also no effective mechanism in place to monitor use and compliance with the contract and none of the MDWs that participated in this research knew of the contract more than one year after its introduction.

Right to standard contracts - Despite the implementation of a Unified Contract in 2009, there is still no standard contract in operation, which includes fixed or maximum working hours, time off and acceptable working conditions. Contracts are also not translated in the language of the MDW.

Right to pre and post departure information and training sessions - Workers told VI that they were not informed about their rights, job duties or about Lebanon and its culture before or after arrival in Lebanon. Most MDWs had no language training prior to departure.

Right to full and timely payment of wages - VI found that many workers have three to eight months salary deducted to pay the agency for 'expenses' when they arrive in Lebanon, which they are not informed of beforehand. Workers are not always in control of their own salary and it is either sent back to the home country or put into a bank, making the worker dependent on their employer. Some MDWs do not receive the promised wage rate or no wage at all.

Right to regulated work, regular work hours and time off - Participants told VI that their working and off hours depend entirely on the employer. Most MDWs do not receive rest time and days off as stipulated in the unified contract.

Right to Mobility - Many MDWs say they are frustrated at being locked in the house or not being allowed to leave without the employer. Most are not able to decide where and how rest time is spent or to attend community events and meetings.

Right to an environment free from abuse - All the workers VI talked to have experienced at least one instance of abuse in their time in Lebanon. This ranges from psychological, verbal, physical and sexual abuse.

Right to adequate food/clothing/ space/health care - MDWs living inside their employer's house are in a vulnerable position because they both live and work in the same space. Workers often have no private space within the house where they can relax. In addition many have no autonomy over what and how much food they eat and are not provided with medical services and sick leave.

Right to communication with family - Participants told VI that communicating with people in their home countries is important. However, employers often don't help to facilitate this communication.

Right to a notice and due process in termination - VI has heard of the practice of instant termination. Dismissed workers are usually sent back to the recruitment agency. But MDWs testimonies also reveal cases where a worker is literally thrown out into the street without passport or possessions. The employer often keeps the passport to assert control.

WHAT MIGRANT DOMESTIC WORKERS CALLED FOR

Sending country representative(s) in Lebanon should:

- Check on the MDW regularly
- Advocate for the rights of their country's MDW population and provide legal aid if needed
- Not send MDWs back to abusive employers

Lebanese Government should:

- Protect the rights of MDWs generally
- Enforce the Unified Contract generally
- Regulate recruitment agents in Lebanon
- Recognize MDWs as "workers" and provide adequate protection

Lebanese recruitment agents should:

- Provide workshops to MDWs about their rights in Lebanon
- Monitor the employment conditions in the houses (including medical and psychological tests) to ensure the welfare of MDW
- Not be a source of mistreatment but provide the workers with support throughout their stay in Lebanon including mediating conflicts between the worker and the employer
- Not make the worker responsible for paying back the recruitment fee, if they want to leave the contract due to abuse and exploitation

“Everyone deserves to be heard”

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Design by Hamish Walker