



QATAR | Project Bridges

**GUIDE TO EMPLOYING A
MIGRANT DOMESTIC WORKER**

SECTION I



BEFORE YOU EMPLOY

What can I do to improve the match between me and the migrant domestic worker I employ?

Making a match between your expectations and the domestic worker's skills is crucial to ensure that you are hiring the right person for the job.

BEFORE YOU DECIDE TO HIRE:

- ▶ Ensure that you have one or more video or telephone calls with the potential employee.
- ▶ Speak to your family members about your decision and ensure that they are on board.
- ▶ Make a list of the primary tasks you expect her/him to perform and the skills she/he will need to carry out these tasks.
- ▶ Consider the plans for when you are on vacation.
 - ▲ *Will the worker accompany you? Do you have her permission if so?*
 - ▲ *Will she be housed with a trusted friend or family? How will that be managed?*

Understand that making the match does not end with her arrival, but continues throughout the settlement and training process.

You must therefore:

- ▶ Reiterate periodically the task list and how you wish the tasks to be performed.
 - ▶ Take time to supervise and give time to learn.
-

“I shortlisted two workers from the CV’s the agency supplied. I had more than one skype call with each candidate. After the second call I felt the worker I spoke to first was better suited to meet my expectations.”

AN EMPLOYER

What is the cost of hiring a migrant domestic worker?

The cost of employing a migrant domestic worker begins before she arrives, and continues throughout the duration of her employment, until she returns to her country.

COST INCLUDES:

- ▶ Recruitment Fees*
- ▶ Pre-departure expenses (eg: medical examination, police clearance, air fare)
- ▶ Cost of Residency permit/Iqama
- ▶ Cost of housing the employee
- ▶ Health Insurance
- ▶ Other monthly expenses such toiletries, clothing, phone cards etc
- ▶ Salaries**
- ▶ End of Service benefits as per the Qatar Domestic Workers Law
- ▶ Return ticket at the end of contract

**The Domestic Worker Law mandates that migrant domestic workers must be recruited through recruitment offices certified under the Labour Law. An employer may also recruit domestic workers directly from abroad with the approval of the relevant department.*

***It is illegal to deduct any fees, expenses or commissions from a worker's wage in return for the procedures of recruitment from abroad.*

SECTION 2



**FOSTERING HEALTHY
WORKING CONDITIONS
IN YOUR HOME**

What is a reasonable accommodation for the domestic worker?

If you have a worker's quarters, ensure that the quarters are sanitary and that the door can be locked. If you have decided to provide her with a separate room within your residence, it is important to make arrangements that respect her privacy and the privacy of your family.

If the only available option is shared accommodation (i.e. sharing a room with a family member or another worker), ensure that her space is separated with a curtain or partition to facilitate the privacy of each person.

She should also have a cupboard or drawers that she can lock, to keep safe her personal effects and documents.



TIP:

Making sure that the worker's accommodation – equipped with a bed, bedding, and lockable storage space – is ready before her arrival will help her to settle in to work life better.

***“Maintaining privacy,
enjoying family time and
enforcing the worker’s
break times properly was
easier for me because her
accommodation is outside
the main house.”***

AN EMPLOYER

Is it necessary to have a contract with the migrant domestic worker? What must the contract include?

Yes, a contract of employment is legally required. In Qatar, a domestic worker can be hired only through a written contract accompanied by a translation in the worker's language, approved by the Ministry of Administrative Development, Labour and Social Affairs (ADLSA). [Law no 15 of 2017]

According to the new domestic worker's law, the core elements in this contract include (but are not limited to) the nature and type of work, the wages agreed upon between the parties, the method and date of payment of wages, duration of contract, and conditions for renewal and termination of the contract.

A solid contract reflects the expectations of the employer, the rights and responsibilities of both parties, and sets clear boundaries for the employment relationship.

TIP:

A contract has little value if not comprehensively understood by the parties to the contract. Avoid ambiguous language and ensure that the contract is explained clearly to the worker.

Is there a limit to a domestic worker's daily working hours and how do I calculate daily and weekly working hours?

According to Article 13 & 12 of Law No 15 of 2017, working hours cannot exceed 10 hours a day. During this period the worker is entitled to breaks for worship, rest and food, and such break periods should not enter into the calculation of the hours of work.

She is also entitled to 24 continuous hours of rest per week. Her work week cannot total more than 60 hours.

Implementing a strict 10 hours per day rule may not appear practical at first, as all homes are susceptible to unexpected needs, but it is achievable with mindful planning and proper scheduling. Foster a healthy work environment in your home by ensuring that the worker does not work for over 4 - 5 continuous hours without a break, and has sufficient rest periods during the work day, night and week.

Periods during which domestic workers are not free to dispose of their time as they wish and remain at the disposal of the household in order to respond to possible calls should be regarded as hours of work.

Under national legislation workers are entitled to overtime payment when working hours exceed 10 hours day/60 hours a week.

A 10 hour limit on daily working hours (in the national Domestic Workers legislation), by implication means that a worker is entitled to overtime payment for working hours exceeding the 10 hour limit.

TIP:

Introduce the worker to a timesheet – an easy-to-record chart with start and end times of a task. Keeping a record of the hours she works will help you both be conscious of her working hours.

Consider: *In Qatar's formal sector, working hours are no more than 8 hours day. Workers are also entitled to a rest period after 5 continuous working hours, and work hours are shorter in Ramadan.*

What is a reasonable wage for a migrant domestic worker? How should I pay her salary?

The Domestic Worker's law does not specify minimum wages for domestic workers. The employer therefore, is obliged to determine her salary responsibly. Employers should be aware that some countries mandate a minimum wage through bilateral agreements with the state of Qatar. A domestic worker from the Philippines for example, is entitled to a minimum US\$400 /QR1450 monthly wage.

In determining wages, remember that a well-remunerated worker is likely to work more efficiently and contribute towards a harmonious home.

Discuss with the worker how she would like to be paid.

By law, an employer is not considered as having met his/her duties unless they prove that they have deposited the worker's wage in his/her bank account, or handed him/her the wage in cash, by virtue of a receipt signed by the worker, which confirms his/her receipt of the wage in full.

Employers are prohibited from deducting any fees, expenses or commissions from a worker's wage in return for the procedures of recruitment from abroad. Workers are also entitled to end of service benefits – a minimum of three weeks wages for each year of service when their contract ends.

Consider: *Employees in the formal sector are entitled to be paid in Qatari riyals, on a monthly basis. All salary payments are to be remitted to a local account by the employer under the Wage Protection System.*

What is a reasonable job scope or tasks to assign to the migrant domestic worker?

A reasonable job scope consists of tasks a worker can carry out on her own without undue physical or psychological stress, and which the worker is skilled or experienced enough to do. By law, an employer cannot task a worker with work that may endanger the life or safety.

Create a clear task list in the worker's language. It maybe easier to break her tasks down to daily, weekly and monthly tasks. If she is unable to read or write, you may communicate her tasks pictorially.



TIP:

Migrant domestic workers do not usually have a complete and extensive training before departure. Be prepared to teach, supervise and manage her work as she adjusts to your home's preferences.

▶ ***“We did not share a common language, so I put up a chart in her room with pictures to identify each task I expected her to perform.”***

AN EMPLOYER

What is sufficient food for a domestic worker? Should I ask her to cook her meals separately?

Sufficient and nutritious food is essential to maintain health and wellbeing.

Some workers may prefer to cook their food separately, especially if there are cultural and/or religious differences between the worker and employer. If this is the case, you must provide her with ingredients regularly, in addition to facilitating other requirements necessitated by this arrangement, such as time to prepare her meals.

Alternatively, you may give her a sufficient food allowance or ask her to join family meals.



TIP:

It is important to recognize that the worker has a right to refuse to handle certain types of food based on her cultural/religious preferences.

► ***“For example at dinner time. You want this to be a family time but at the same time you don’t want to be rude and tell her to leave the room. You want her to be part of the family but at the same time she isn’t family”.***

AN EMPLOYER

“The worker complained that she was not receiving food from the employer. We called the client (employer) to inquire. During the conversation it became clear that there was a misunderstanding between the worker and employer: The employer regularly ate bread-based meals, unlike the worker who was used to a rice-based diet. This led to the miscommunication.”

A RECRUITMENT AGENT

Is a domestic worker entitled to a day off and breaks during the day?

A proper rest day is one that gives the employee a complete emotional and physical break from her work life. Being well rested will help her to stay physically fit and value the work she performs for you.

Domestic workers are entitled to have suitable periods of rest during the working day, which allow for meals, rest and prayers in line with the general direction of the law to “preserve the dignity” of workers.

A weekly rest day of 24 continuous hours is also a right of the worker. Decide on the day with her input, taking into account her work exigencies, cultural, religious and social preferences. If she works on her day off, she is entitled to additional remuneration or to have a compensatory day off in lieu.

While the manner in which a worker should dispose of her rest day is not mentioned in the law, she may ask to go out with friends or stay indoors. Regardless of how she chooses to spend her day off, ensuring her safety and educating her about cultural/legal boundaries in Qatar is your responsibility.

What are some other basic rights and duties I must be aware of?

It is illegal to retain the travel documents of any worker. If she chooses to leave it with you for safekeeping it is imperative that you do so only with written approval from her. Confiscation of travel documents entails a fine of QR 10,000 to QAR 25,000 by Law No. 2015/21.

Her medical expenses are your responsibility (Law no 15 of 2017). These expenses should not be deducted from her salary. You must ensure that she has access to medical care and bear the full cost of it, including hospitalization.

**A health card can be obtained from the nearest Primary Health Care Centre/PHCC at 50 riyals.*

SECTION 3



**BUILDING A MUTUALLY
BENEFICIAL WORKING
RELATIONSHIP AND A
HAPPY HOME**

How should I address the domestic helper?

When you welcome a domestic worker into your home, you are in effect welcoming a stranger into your most private space. In such a relationship, even the seemingly small things count. How you and your family (especially children) address her will have an impact on the relationship.

Opting out of terms like khidamat, maid or servant when addressing or referring to her, and choosing instead to call her by her name, will contribute to a better relationship.

Legal terms used to identify domestic workers differ from country to country. In the Philippines, they are known as “Household Service Worker (HSW)”, in India– as “Domestic Service Worker (DSW)” while international laws governing the rights of these workers often refer to them as “foreign or migrant domestic worker”.

Should I allow the domestic worker to have and use a phone?

Both new and returning migrant workers often face the hard reality of losing the support of family and community. Being in contact with family and friends will give her the emotional security she needs to address issues of loneliness and isolation. A phone, then, is an important tool in the well being of a migrant domestic worker.

Some employers are concerned that phones may be a distraction from work. If so, ensure that you communicate rules of phone use, and follow up these rules with reminders. For example, that she may use the phone only during her break times. If you are concerned about maintaining privacy for your residence or family, then you can provide/allow a regular phone instead of a smart phone.

Regardless of how you choose to deal with this issue, it is vital that you educate her about the boundaries and guidelines of phone use.

“I did not have any problems or issues with phone use by our helper. We had ‘House Rules’ written and displayed, which included times she could use her personal phone and I followed it up with reminders until she was accustomed to them.”

AN EMPLOYER

How do I ensure that the domestic worker maintains the boundaries I expect her to maintain with my children?

Preparation and communication are key. Recognize that both the worker and the children have a role to play in this matter.

Before you decide to employ, make sure that your family is ready to have a domestic worker living in your home. When she arrives, speak to your children about the way they should treat her, and her role in the house. Ensure that your family and especially children are aware of and respect her rest times and day off.

Clearly articulate rules you expect her to follow with regard to your family and follow them up with reminders.

“I expect my children to listen to you. You are an adult. For their own safety they must learn to listen to you. Do not allow them to boss you around, even if it means they cry sometimes. You must treat them in a kind and patient manner, but also be firm with the rules.”

FROM AN EMPLOYMENT CONTRACT

What can I do to help her feel at home but also ensure that she understands that she is here to do a job?

In addition to the tips and guidelines above you must,

- ▶ Encourage communication
- ▶ Appraise the work she does, this will help her to develop the mindset of an employee
- ▶ Give her instructions clearly and give her time to learn
- ▶ Educate her about the laws governing domestic workers in Qatar
- ▶ Be informed about her culture, values and lifestyle
- ▶ Explain the contractual terms under which she may be repatriated

“You may talk to me about any problems you are having and express your likes and dislikes, but please do so at appropriate times. Don’t try to discuss something important when I am trying to work on something else.”

FROM AN EMPLOYMENT CONTRACT



Migrant-Rights.org