

# MAPPING OF DOMESTIC WORKER RESOURCES

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## MOST COMMON PROBLEMS FACED BY WORKERS

- × Non-payment of wages and wage theft
- × Unregulated working hours and overwork
- × Lack of access to communication
- × Social isolation and restricted mobility
- × No off day or days outside the home/workplace to spend at will
- × Unsatisfactory food
- × Lack of support services
- × Misrepresentation of contract and nature of work during recruitment
- × Lack of grievance redressal mechanisms
- × Prohibited from unionisation
- × Devaluation and sexualisation of domestic work

## RESOURCES FOR REDRESSING COMPLAINTS AND RESCUE



Recruitment agencies in origin countries are usually the first point of contact, often by worried family members back home. Ideally, the agency contacts their partner agency in the destination country to further investigate or push through action.



Civil society organisations in origin countries and/or elected representatives with political power may pressure the embassy to investigate a complaint.



Workers may then reach out to their embassy in destination. But redressal is often about repatriation and not accessing legal means of resolution. Embassies often send workers to the detention centres to be deported, as they do not have the capacity to shelter them.



Filing formal complaints with state actors is often seen with suspicion.

## MAIN IMPEDIMENTS TO ACCESS TO JUSTICE

- × Limited mobility and access to communication; living working in isolation
- × Indirect costs borne to workers unable to work during the dispute process
- × Language barriers; difficulty of pursuing complaints without support
- × Lack of proportionate resolutions, especially in wage disputes; weak penalties on employers
- × Slowness of disputes process
- × Absence of destination government support services and inability of embassies to provide legal support
- × Lack of compliance by employers in appearing at mediation or courts procedures
- × Constraints on civil society impede organised support for distressed workers
- × Fear and lack of knowledge of official spaces
- × Lack of awareness (by employer) and enforcement of domestic worker laws
- × Fear of reprisal and counter-complaints from employers

## WHAT LAWS COVER DOMESTIC WORKERS

- QATAR**  
→ Qatar Law No. 15 of 22 August 2017
- SAUDI ARABIA**  
→ Ministerial Decision No. 310 of 2017  
→ Ministerial Decision No. 605 of 2017
- KUWAIT**  
→ Law No. 68 of 2015 on Employment of Domestic Workers.
- UAE**  
→ Federal Law No. 15 of 2017 on Domestic Workers
- BAHRAIN**  
→ Select provisions of the Labour Law (Law No. 36 of 2012)  
→ Decision No. 4 of 2014 Regulating the Permits of Domestic Workers and Similar Positions
- OMAN**  
Oman does not have a domestic worker's law and does not incorporate domestic workers into the labour law. Domestic work is regulated via Ministerial Decision No. 189/2004 on the rules and conditions related to the work of domestic workers and Ministerial Decision No. 1/2011 related to the regulation of the recruitment of non-Omani domestic worker. A unified contract is included in the appendix of Ministerial Decision No. 1/2011.

## KEY FACTS ON COUNTRY AND LEGISLATIONS

	QATAR	SAUDI ARABIA	KUWAIT	UAE	BAHRAIN
<b>KEY LEGISLATION</b>	<b>STATUS</b>				
<b>MINIMUM WAGE</b>	QR 750	Not applicable, unless specified in a bilateral agreement	KD60	None	None
<b>MAXIMUM WORKING HOURS</b>	10	None	12	12	None
<b>REST PERIODS</b>	Required but duration not specified	9 hours of rest per day	Required but duration not specified	At least 8 hours continuous rest	None
<b>DAYS OFF</b>	1 full day per week	1 full day per week	1 full day per week	1 full day per week	None
<b>OVERTIME</b>	Maximum 2 hours per day; no overtime wages specified	Not applicable	Yes; twice the rate for the same period of his/her work, assigned additional work outside normal working days or hours	Not specified	None
<b>ANNUAL LEAVE</b>	Three weeks paid leave	1 month paid annual leave after 2 years of service	Paid annual leave of 1 month	30 days per year	30 days paid annual leave after 1 year of service
<b>END OF SERVICE</b>	At least three weeks per year.	30 days for every 4 consecutive years of work	One month's salary for every working year, provided contract is completed.	14 days per year	15 days salary for each year of work, if worked 1-3 years. 30 days if more than 3 years.
<b>PASSPORT CONFISCATION</b>	Only with worker's consent	Prohibited	Only with worker's consent	Prohibited	Not explicitly prohibited under the law
<b>CHARGING RECRUITMENT FEES</b>	Prohibited	Not explicitly prohibited under the law	Prohibited	Prohibited	Not explicitly prohibited under the law
<b>STANDARD CONTRACT?</b>	Yes (2017)	No	Yes (2015)	Yes (2017)	Yes (2017) Tripartite

## ROLE OF RECRUITMENT AGENCY IN ORIGIN COUNTRY

- Identifies workers and matching CVs to job orders
- Facilitates pre-departure training (*in certain countries agents themselves impart this training, while in others this is explicitly prohibited*)
- Carries out contractual paperwork as required by origin state

Once the worker arrives in destination, the agency's role is less clear:

- Only the Philippines places contractual responsibility on the agent for the well-being of the worker.
- In most other countries, sub-agents (recognised and unrecognised) are held accountable by the worker's community.
- The recruitment agent in destination is technically the responsible party, however, they most often consider the employer as the client, leaving little accountability for the worker's welfare.

## CONTACTS

### GOVERNMENT

#### QATAR

##### NHRC helpline:

+974 6662 6663 (English)

Phone: +974 4404 8844

SMS: 119

E-mail: info@nhrc.org.qa

##### ADLSA helpline

SMS: 92727

E-mail info@adlsa.gov.qa

#### KUWAIT

##### International Organisation for Migration (IOM) in Kuwait

+ 965 9726 7680

#### SAUDI ARABIA

##### MLSD Helpline

19911

##### Department of Social Welfare and Development Attache at Philippines Embassy

+966 55 7791 428

##### Philippine Overseas Labor Office

+966 54 5917 834

##### Housemaid Issues hotline number from Indian Embassy

+966 11 4804 554 Ext. 117

##### Saudi Human Rights Commission - (online complaints)

hrc.gov.sa.

#### OMAN

##### Sri Lankan Embassy Hotline

8000 7877

##### Indian Embassy Hotline

8007-1234

+968 2469 5981

#### UAE

##### MoHRE Call Center -

800 600 (24 hours a day, Arabic, English, Urdu)

##### MoHRE Website

mohre.gov.ae

#### BAHRAIN

##### Labour Market Regulatory Authority

+973 1750 6055

lmra@lmra.gov.bh

##### Hotline

995 (7:30 AM to 7 PM Arabic, English, Malayalam, Tamil, Urdu ,Telegu Tagalog)

##### Social Work Society

oinfo@sws.org.kw

oswskw.org@gmail.com

##### Together Kuwait

+965 2221 5150

Togetherkw.org (online complaint)

##### Kuwait Trade Union Federation Migrant Workers Office:

oktuf@hotmail.com

+965 9929 0907

www.KTUF.org

#### BAHRAIN

##### Indian Community Relief Fund

+973 3841 5171, 3989 5971

##### Parvasi Guidance Forum

+973 3360 1311, 3960 5806

##### Nepali Club Bahrain

+973 3342 1660, 3625 3753

##### Sri Lanka Embassy Helpline

+973 3694 6614

##### Ethiopian Consulate Helpline

+973 3517 7579, +973 3443 2390

##### Overseas Workers Welfare Administration

+973 3221 4224, +973 393 09580

##### Migrant Workers Protection Society

+973 1782 7895, +973 3986 1932

##### Kenyans in Bahrain Community Group

+973 3690 9646

+973 3663 5367

## MAPPING OF DW RESOURCES

### SAUDI ARABIA

#### Grievance Mechanisms

Workers can submit a complaint through three different methods:

1. The MLSD hotline 19911 (*operating from Saturday to Thursday, 8 AM to 8 PM in multiple languages and must have Iqama number*)
2. The MLSD's website (*only in Arabic or English*) through <https://mlsd.gov.sa/en/complain>.
3. In-person, at the local MLSD Office (*locations in most main cities*)

Once a complaint is filed, the Domestic Labour Arbitration Committee will arbitrate the claim. If the domestic worker is unsatisfied of the rulings by the Committee, the worker can appeal the decision at the Labour Courts under the provision of the Ministry of Justice. The first two methods are deemed by observers on the ground as ineffective.

#### Shelters

The MLSD maintains at least one shelter in each administrative region in the country. The shelters are called Dar al-Diyafa (House of Hospitality) or Markaz Ewa'a (Shelter).

The Philippines, India, Indonesia, and Sri Lanka operate their own shelters while other foreign missions maintain temporary shelters in houses or apartments.

#### Case Studies

Lilly, from Uganda, left an abusive sponsor. She stayed in a ministry shelter for several weeks. She was able to keep her phone but was provided unsatisfactory medical care. She was initially told her employer would be prosecuted, and she would be required to stay in the country. However, she was later transferred to the Ugandan embassy shelter, where she awaited several more weeks for a return ticket home.

#### Is a third party allowed to lodge a complaint?

No, only the domestic worker, or the embassy may report a case.

### UAE

#### Grievance Mechanisms

Complaints can be lodged through the MoHRE Call Center (800600) and website. Complaints can also be filed in person at tadbeer centres or through the Tabbeer app. Complaints lodged through the hotline and the website are handled by Twafouq Service Centers. These centers mediate between employers and workers to resolve disputes, answering legal enquiries and investigating complaints. Workers can also visit the centers and file complaints in person. Complaints that are not resolved through mediation will be passed on to the courts.

Complaints should be resolved or forwarded within 10 business days but are likely to be prolonged.

#### Shelters

Shelters in Dubai, Abu Dhabi, and Sharjah primarily service victims of domestic violence and human trafficking. While theoretically domestic workers who have experienced violence or have been trafficked can be sheltered here, in practice shelters accept very few cases involving domestic workers.

The Philippines, Indonesian, Sri Lankan, and Indian embassy operate shelters for their citizens.

#### Case Studies

Sarah, from Uganada, was overworked and sent back to her agency when she complained. She was poorly treated there and no recourse but to runaway. She lived and worked undocumented until an amnesty was announced.

#### Is a third party allowed to lodge a complaint?

Third parties can accompany victims as an advocate and assist them in filing a case, but they cannot lodge a complaint on their behalf. To launch an investigation, victims must report abuses themselves except in exceptional circumstances.

### BAHRAIN

#### Grievance Mechanisms

Workers are required to first file a police report. The police will refer the case to public prosecution, and workers must follow up with the labour court.

Language barriers make it difficult for workers to file complaints with police, and police are poorly trained to identify and support victims of abuse. Third-party support from embassies or civil society is essential.

#### Shelters

Government-run LMRA Shelter

The Philippines, Thailand, Indonesia, and Nepal operate their shelters for their own citizens.

#### Case Studies

Kalapuge Namalika, 34, from Sri Lanka, was abused, starved, and overworked. She was locked in the house and received a lower wage than promised. She ran away, found a taxi to take her to her embassy, and filed a complaint with the police. She stayed with the MWPS shelter while the embassy attempted to negotiate her release from her sponsor. Her sponsor was never charged, and instead was paid BD 450 to release her passport and NOC. Namalika's family paid for her return ticket.

#### Is a third party allowed to lodge a complaint?

Third parties can report issues to the police, but must usually provide proof for the police to intervene. Complaints made by embassy personnel are taken more seriously.

Otherwise, third-parties may only accompany victims to report violations.

### KUWAIT

#### Grievance Mechanisms

Workers can file a complaint with the Domestic Labour Department. If a consensus is not reached, the case is transferred without fees to the labour court.

Most workers will require the support of their embassy or other party to see the process through.

#### Shelters

Domestic Workers shelter run by Public Authority for Manpower.

The Philippines, India, and other embassies also operate shelters for their citizens.

#### Case Studies

In 2017 Rosella, from the Philippines, was rescued from her abusive employer. The same employer had previously been jailed for blinding another domestic worker, but was released upon payment of a pardon-sum to the victim. The court case is currently ongoing with the support of Kuwait's Humanitarian Legal Aid Foundation.

#### Is a third party allowed to lodge a complaint?

Third parties can only report online 'sales' of workers to cybercrime officials and accompany workers to file complaints.

### QATAR

#### Grievance Mechanisms

Workers must appear in person at the Domestic Workers Department in the Ministry of Administrative Development, Labour and Social Affairs.

Most workers do not have the freedom to leave their workplaces/home to do so. A 24/7 helpline does not exist.

#### Shelters

The planned government shelter is not yet in operation.

The Philippines embassy operates a shelter for its citizens.

Other embassies temporarily shelter workers in their offices but do not have a functional shelter space.

#### Case Studies

Annie, from the Philippines, was raped and overworked by her employer. She sought help from her recruitment agency, who instead locked her up in a room. Eventually they took her to the Philippines embassy shelter, who helped her lodge a complaint and went with her to the prosecution. She is still awaiting a judgement.

#### Is a third party allowed to lodge a complaint?

Third parties cannot raise a violation. Providing support to workers by connecting them to their embassy or the ministry is done at their own personal risk.

### OMAN

#### Grievance Mechanisms

Workers can file a complaint in person at the Ministry of Manpower Dispute Settlement Department or online.

The department does not have the power to require employers or agencies to show up at the settlement or abide by their decisions. Workers also report that department officials often do not believe their stories.

#### Shelters

There is no shelter specifically for domestic workers. The government rarely refers women to its shelter for trafficking victims. Some origin country embassies, including India, have shelters for their workers, but they are often over capacity.

#### Case Studies

Two women from Myanmar were overworked by their employers. Both went to a police station and labour office but were sent back to their recruitment agency, where one was raped and the other abused. Only when they escaped and approached the Labour Ministry office with the support of an embassy, were they able to obtain support.

#### Is a third party allowed to lodge a complaint?

No, only the domestic worker, or the embassy, may report a case.

## DIASPORA AND CIVIL SOCIETY

#### QATAR

Nationality-based community desks at the National Human Rights Committee

#### SAUDI ARABIA

##### Non-resident Nepali Association

saudiarabia@nrna.org

#### UAE

##### Sri Lankan Welfare Association

+971 4357 1071

##### Ethiopian Community Group UAE

+971 5564 68202

#### OMAN

##### Indian Social Club

+968 9217 2146

##### Filipino Community Club Salalah

+968 9463 5538

##### Filipino Community Social Club

+968 9355 7931

#### KUWAIT

##### Sandigan

osandigankw@gmail.com

##### Non-Resident Nepali Association

+965-6-606-8925

##### Kuwait Society For Human Rights

+965 9556 6580 (Arabic)

+965 9556 6521 (English)

+965 9556 6523 (Hindi)

www.kuwaithr.org

