

**AGREEMENT  
ON THE TEMPORARY  
EMPLOYMENT OF FILIPINO  
HOME-BASED CAREGIVERS  
BETWEEN  
THE GOVERNMENT OF THE  
STATE OF ISRAEL  
AND  
THE GOVERNMENT OF THE  
REPUBLIC OF THE PHILIPPINES**

## Preamble

The Government of the State of Israel represented by the Ministry of the Interior ("MOI") and the Government of the Republic of the Philippines, represented by the Department of Labor and Employment ("DOLE"),

(hereinafter collectively referred to as the "Parties" and individually as the "Party");

CONSIDERING the importance of strengthened relations between both countries through cooperation in the area of labor;

RECOGNIZING the need to strengthen the mechanism of discussion and the settlement of concerns related to labor cooperation;

SHARING the mutual desire to reinforce the practice of legal, transparent, fair and well informed recruitment and temporary employment of Filipino home-based caregivers according to procedures agreed upon by the Parties, based on laws and regulations prevailing in both countries, and to combat human trafficking, illegal migration, undocumented and illegal manpower recruitment practices, and illegal employment of foreign workers;

SHARING the mutual desire to eliminate the charging and payment of illegal fees from Filipino home-based caregivers throughout the process of recruitment and employment, and declare their willingness to cooperate in order to achieve this goal;

Agreeing that the implementation of this Agreement shall be carried out according to procedures jointly agreed upon by the Parties and set out in an Implementation Protocol annexed to this Agreement (hereinafter referred to as the "**Implementation Protocol**");

have agreed as follows:

### Article 1 Purpose

The purpose of this Agreement (hereinafter referred to as the "Agreement") is to establish a government to government arrangement to improve systems and processes concerning the recruitment and temporary employment of Filipino home-based caregivers in Israel.

**Article 2**  
**Areas of Cooperation**

The Parties shall take all reasonable steps to carry out the following:

1. Establish a system for the selection, deployment and placement of temporary Filipino home-based caregivers to be employed in Israel through a government to government arrangement.
2. Uphold legal, transparent, fair and well informed recruitment policies, systems and procedures for the temporary employment of Filipino home-based caregivers in Israel pursuant to applicable laws, rules, regulations, procedures, mechanisms and government resolutions of both Countries and take steps to eliminate the charging and payment of illegal fees from Filipino home-based caregivers throughout the process of recruitment and employment.
3. Promote the protection of the labor rights of Filipino home-based caregivers carrying out temporary work in Israel throughout the process of recruitment, selection, placement, arrival, employment and return.
4. Establish a framework for exchange of pertinent information and for ongoing cooperation between the Parties regarding temporary foreign labor issues.
5. Ensure that the temporary Filipino home-based caregivers recruited under this Agreement understand the terms and conditions for legal stay in Israel and their obligation to return to their country upon the conclusion of their legal employment period in Israel.
6. Ensure cooperation between the Parties regarding the recruitment, selection, placement, arrival, employment and return of Filipino home-based caregivers to the Philippines after their temporary employment in Israel.
7. Cooperate and provide assistance in investigations and prosecutions of offences regarding the matters set out in this Agreement subject to the laws and regulations of both Countries.
8. Provide access and assistance in the settlement of labor disputes and in investigations and prosecutions of offences regarding the matters set out in this Agreement subject to the laws and regulations of both Countries and as set out in the Implementation Protocol.

**Article 3**  
**General Implementation Provisions**

1. The Parties agree that the recruitment of Filipino home-based caregivers for temporary employment in Israel shall be implemented jointly by the Government of the State of Israel and the Government of the Republic of the Philippines as set out by mutual agreement of the Parties in the Implementation Protocol and its addendums attached to this Agreement.

2. The implementation of this Agreement and any activity hereunder shall be in accordance with the respective applicable laws, regulations, rules, procedures and mechanisms of each Country.
3. The maximum number of temporary Filipino home-based caregivers who may be employed under this Agreement will be as set out in the Implementation Protocol and will be subject to the number of job offers received from employers in Israel. Nothing in this Agreement or in the Implementation Protocol shall be construed as an obligation of Israel to recruit caregivers from the Philippines or as giving exclusivity for recruiting caregivers from the Philippines.
4. The Parties shall set out in an addendum to the Implementation Protocol the estimated permitted fees and costs associated with the recruitment and employment of the caregivers.

#### **Article 4** **Implementing Bodies**

1. The Population and Immigration Authority in the Ministry of Interior of the State of Israel (hereinafter referred to as "PIBA") is the government body on behalf of the Government of the State of Israel primarily responsible for accepting Filipino home-based caregivers under this Agreement;
2. The Philippine Overseas Employment Administration (hereinafter referred to as "POEA"), an attached agency of the Department of Labor and Employment of the Government of the Republic of the Philippines is the government agency on behalf of the Government of the Republic of the Philippines primarily responsible for deploying Filipino home-based caregivers to Israel.
3. PIBA AND POEA shall be the Implementing Bodies authorized by the Parties to implement this Agreement and its Implementation Protocol (hereinafter: the "Implementing Bodies").
4. The recruitment of temporary workers in the Philippines shall be carried out directly by POEA in cooperation with PIBA as per this Agreement and as set out in the Implementation Protocol.

#### **Article 5** **Responsibilities of the Parties**

1. The Ministry of the Interior, through PIBA shall take *inter alia*, reasonable steps:
  - a. To ensure that the home-based caregivers recruited under this Agreement and its Implementation Protocol shall receive an employment contract signed by the employer or his representative, which shall be binding upon the employer and the home-based caregiver, the standard text of which shall have been agreed upon by the Implementing Bodies.

- b. To ensure that the prospective employers hold valid permits issued by PIBA, allowing them to employ foreign home-based caregivers as per PIBA's regulations and procedures.
  - c. To promote the protection of the rights of Filipino home-based caregivers recruited and employed in accordance with this Agreement and its Implementation Protocol, under relevant Israeli laws and regulations, including their living and working conditions, in cooperation with other relevant Israeli Ministries.
2. The Department of Labor and Employment, through POEA, shall take *inter alia*, reasonable steps:
- a. To ensure that the recruitment and deployment of Filipino home-based caregivers under this Agreement shall be in accordance with the Implementation Protocol;
  - b. To ensure that the Prospective caregivers have no derogatory record;
  - c. To ensure that only Filipino home-based caregivers who possess the necessary qualifications and skills, and are physically and mentally fit to perform the work and who have been provided with the proper orientation as regards to the terms and conditions of the employment contract, relevant laws, rules, regulations, policies, procedures, norms, cultures and practices in Israel prior to their deployment, shall be deployed.

#### **Article 6** **Return of Home Based Caregivers**

Both Parties will exert efforts to encourage Filipino home-based caregivers' departure from Israel upon the expiry of their legal employment period in Israel and to reduce the number of Filipino home-based caregivers residing illegally in Israel.

#### **Article 7** **Personal data protection**

Transmitting, keeping and processing of information relating to an identified or identifiable natural person, transmitted under this Agreement and its Implementation Protocol, shall be subject to the respective domestic law concerning the protection of privacy and personal data, of each Implementing Body. Such information shall be confidential and shall be used exclusively for the purposes of this Agreement and its Implementation Protocol.

**Article 8**  
**Joint Committee and Exchange of Information**

1. The Parties shall exchange relevant information and updates concerning the existing legislation and procedures regulating labour relations as well as entry, stay, paid employment, obligations of employers and departure of foreign workers which may affect the procedures set out in this Agreement.
2. A Joint Committee (hereinafter the "Joint Committee") shall be established within fifteen (15) days from the entry into force of this Agreement. The Joint Committee will be co-chaired by the Parties and compose of representatives of both Parties, involved in its implementation.
3. The Joint Committee will *inter alia*, carry out the following:
  - a. Formulate and approve the Standard Employment Contract (hereinafter the "SEC") within 30 days of its constitution;
  - b. Review, assess and monitor the implementation of the Agreement, the Implementing Protocol and the Standard Employment Contract;
  - c. Address any concerns of the Parties which may arise as to the interpretation and implementation of the provisions of this Agreement or its Implementation Protocol.
4. The Joint Committee may propose that the Parties adopt amendments to this Agreement as may be necessary.
5. The Joint Committee shall meet on an annual basis, if requested by either Party, alternately in the State of Israel and in the Philippines, or by any electronic means available, according to mutually agreed conditions and dates. The Parties will inform each other in writing of the issues they wish to discuss prior to each meeting date.
6. Additional special meetings of the Joint Committee may be convened in person or by any electronic means available, in case of urgent matters to be discussed, upon a written request of either Party.
7. Agreed minutes shall be drawn up after each meeting.

**Article 9**  
**Entry in Force, Duration and Termination of the Agreement**

1. This Agreement shall enter into force on the date of the latter of the Diplomatic Notes by which the Parties notify each other of the completion of their internal legal procedures required for the entry into force of the Agreement.
2. Notwithstanding the above, implementation of this Agreement shall begin only after a detailed Implementation Protocol is signed.
3. The Parties may amend this Agreement, in writing, by mutual consent. Any such amendment shall enter into force in accordance with the procedure set forth in

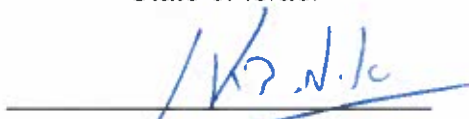
paragraph (1) of this Article. Any modification to the Implementation Protocol shall enter into effect in accordance with the procedure set out in the Implementation Protocol.

4. This Agreement shall remain in force for three (3) years and shall be deemed renewed automatically for similar periods.
5. Either Party may terminate this Agreement at any time by sending a Diplomatic Note to the other Party at least four (4) months prior the requested termination date.
6. In the event that either Party raises concerns regarding the charging and payment of illegal fees from applicants or Filipino home-based caregivers throughout the process of recruitment and employment, and the Joint Committee fails to produce a mutually acceptable solution, or does not convene within sixty (60) days (including via any electronic means available) from the date of the request of either Party to convene the Joint Committee, either Party may suspend with immediate effect all or part of activities carried out under the Implementation Protocol.
7. Any person who at the date of termination or suspension already holds a visa issued under the framework of the Agreement will not be affected by its termination or suspension.

In witness whereof, the undersigned being duly authorized, have signed this Agreement.

Signed in Jerusalem on the 3 day of Sept., 2018, which corresponds to the 23 day of Elul of 5778, in the Hebrew calendar, in two original copies, in the English language.

For the Government of the  
State of Israel



**ARYEH MACHLUF DERI**  
Minister of the Interior and Minister of the  
Development of the Negev and Galil

For the Government of the  
Republic of the Philippines



**SILVESTRE H. BELLO III**  
Secretary  
Department of Labor & Employment