FAIRWORK

Work Log

In this worklog you can gather information about your work and salary and read more about your rights as a migrant domestic worker

DO YOU KNOW YOUR RIGHTS AS A MIGRANT WORKER IN THE NETHERLANDS?

As a migrant worker, do I have the same labour rights as Dutch workers?

If you are undocumented, your employer is not allowed to employ you. But if you work you have the same rights as Dutch workers or migrant workers with a residence permit, for example:

- to earn the minimum wage,
- holiday money,
- holidays,
- time off,
- maximum 45h/working week,
- possibility to see a doctor in case you are ill.

I should always earn the Dutch minimum wage (around € 10 per hour[1])

What are the consequences if I work without documents in the Netherlands?

Your employer is not allowed to employ someone without a permit to work in the Netherlands. He/she can get a fine.
If you do not have a permit to stay in the Netherlands, you risk being expelled from the country.

I don't have a work contract, can I claim my rights?

Yes, you can. But only with proof. Collect any possible evidence that you have worked in a certain place. Pictures, names, communication (whatsapp, sms, email), proof on paper. Keep record of days and hours worked, save working instructions and note down how much you got paid.
This work log is an instrument to help you to collect evidence.

In the Netherlands you also have the right to a lawyer, but you need to pay a contribution which depends on your income.

I am a victim of exploitation or another crime, can I go to the police?

Yes, you have the right to report a crime without being detained, also in case you are undocumented. We recommend you take someone with you, FairWork can help you with this.

My employer abuses my situation as an undocumented worker. He/she is not paying me and he is threatening me. Do I have to accept this?

No, exploitation is prohibited in the Netherlands. In case your employer is abusing your vulnerable situation as an undocumented worker, contact FairWork for more information about your rights.[2]

1 January 2022, for more information and current minimum wage: www.rijksoverheid.nl/onderwerpen/minimumloon

2 www.fairwork.nu/domestic-workers/

WHAT ARE YOUR RIGHTS AS A MIGRANT DOMESTIC WORKER IN THE NETHERLANDS?

Domestic work falls under the regulation Domestic Home Services[1] when:

- a domestic worker performs services for a maximum of three days a week
- the services take place in and around the house
- both the domestic worker and the person receiving the services are private persons

According to this regulation, your employer is obliged to:

- ! pay a holiday allowance of 8% of your wage per hour
- ! reimburse the expenses needed for your work
- ! give you paid holidays off (4 * working hours a week)
- ! pay your salary in case you are ill and cannot work (maximum of 6 weeks per year)
- ! pay your salary when you cannot work because she/he is on vacation

Example calculation holiday allowance

Holiday allowance can be paid in two ways

1) Addition to salary per hour
2) Paid once a year

1 Regeling dienstverlening aan huis

Holiday allowance included in payment salary per hour

	Formula	Amount
Minimum wage per 1-01-2022 (21 years and older)		9,96 Euro
8% percentage for holiday	Salary per hour *0,08	0,80 Euro
Minimum rate per hour (including holiday allowance)	Salary per hour + holiday allowance (9,96 + 0,80)	10,76 Euro

Holiday allowance per year (example: you are working 16 hours a week)

Minimum wage per 1-01-2022 (21 years and older)	9,96 Euro
8% percentage for holiday per hour	0,80
Weeks in a year * working hours a week	52 * 16
Yearly holiday allowance (in June)	52 * 16 * 0,80 = 665,60

The right to have time off to rest

Your employer should provide you with paid free days. It is not allowed to buy off the holidays. You need the vacation to rest. This is necessary for your own safety and health.

How can you get a higher salary?

You can negotiate the amount of your salary with your employer. You are doing heavy physical work that is essential and important. Because your work is not covered by a collective agreement you are responsible for your own pension and insurances. In case you are undocumented, you cannot fall back on social security.

You can negotiate with your employer about higher wages, but also about the reimbursement of extra costs. For example:

- for pension, approx. 3% of your salary;
- reimbursement of travel expenses or time needed for travel;
- a contribution from the employer to your health insurance or health expenses;
- yearly bonus

FairWork developed sample letters that domestic workers can use to request a pay increase from their employer: www.fairwork.nu/en/domestic-workers

More information if your labour rights are being violated:

FairWork is an independent non-gouvernmental organisation (NGO) that supports women and men that are being exploited by their employer in the Netherlands. Any information that you share with us will be kept confidential. The support that FairWork offers is free of charge.

FairWork can be reached (often in your native language) at phone number:
+31 20 760 08 09.

You can also send an e-mail to:
info@fairwork.nu

Visit our website:
www.fairwork.nu/english

FAIRWORK

Januari 2022

Why is it important to keep information about your work and salary?

- You can check if the payment has been correct
- It is difficult to claim unpaid wages without evidence. This worklog can serve as evidence.

Name employer and workplace address	Date	Start	Break	End	Total hours	Payment Amount	Evidence yes/no
				Week total			

- You can gather evidence in other ways: for example by sending messages to your employer when you start and finish and about the work done

TIP

Remember: the Dutch minimum wage is around 10 euro per hour

Name employer and workplace address	Date	Start	Break	End	Total hours	Payment Amount	Evidence yes/no
				Week total			

TIP

You can also collect extra evidence of your working hours by:

- saving text messages from/to your employer (what's app, SMS) about times and work done
- keeping letters, notes and other written instructions from your employer
- If you have a smart phone, you can use Google Location History to register where you are and when

Name employer and workplace address	Date	Start	Break	End	Total hours	Payment Amount	Evidence yes/no
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TIP

Download a copy of this work log for a colleague: www.fairwork.nu/domestic-workers/

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TIP

You can also use an app on your smartphone to log your work information:

Timesheet, Hours Keeper, Work Log

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TIP

All workers in the Netherlands are protected by Dutch labour law. Also if you work without a contract or without a residence permit!

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TIP

For information and contact in English, please visit www.fairwork.nu/english

Name employer and workplace address	Date	Start	Break	End	Total hours	Payment Amount	Evidence yes/no
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TIP

Para información gratuita y anonima y para contacto en español, por favor visite www.fairwork.nu/espanol

Name employer and workplace address	Date	Start	Break	End	Total hours	Payment Amount	Evidence yes/no
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TIP

Para informação gratuita e anônima e contato em português, acesse www.fairwork.nu/portugues

Name employer and workplace address	Date	Start	Break	End	Total hours	Payment Amount	Evidence yes/no
				Week total			

TIP

Pag kailangan mo ng impormasyon sa Tagalog mangyaring mangyaring bisitahin ang website www.fairwork.nu/tagalog

Hindi mo kailangang magpakilala at ang mga inpormasyon nang FairWork ay libre o walang bayad.

Name employer and workplace address	Date	Start	Break	End	Total hours	Payment Amount	Evidence yes/no
				Week total			

TIP

Untuk informasi gratis dan anonim dalam Bahasa Indonesia, silakan kunjungi www.fairwork.nu/indonesia

Name employer and workplace address	Date	Start	Break	End	Total hours	Payment Amount	Evidence yes/no
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TIP

Pour des informations et des contacts gratuits et anonymes en français, visitez www.fairwork.nu/francais

Name employer and workplace address	Date	Start	Break	End	Total hours	Payment Amount	Evidence yes/no
				Week total			

TIP

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www.fairwork.nu/arab

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TIP

想了解更多信息或联系我们，请查看我们的中文网页 www.fairwork.nu/chinese 。我们的服务是匿 名和免费的。

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TIP

За безплатна и анонимна информация, и за контакти в България, моля посетете w **www.fairwork.nu/bulgaria**

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TIP

Aby anonimowo uzyskać darmową informację po polsku proszę odwiedź www.fairwork.nu/polska

Name employer and workplace address	Date	Start	Break	End	Total hours	Payment Amount	Evidence yes/no
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TIP

За безкоштовної анонімної інформацією і контактом по-українськи, будь ласка, звертайтеся сюди **www.fairwork.nu/ukrayina**

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TIP

За бесплатной анонимной информацией и контактом на русском языке,пожалуйста, обращайтесь сюда
www.fairwork.nu/russki

Name employer and workplace address	Date	Start	Break	End	Total hours	Payment Amount	Evidence yes/no
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Pentru informații oferite gratuit și în anonimat și contact în limba română, vă rugăm să vizitați www.fairwork.nu/romania

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Download a copy of this work log for a colleague:
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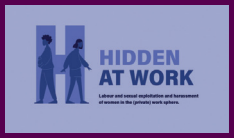

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