



# 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 you are not allowed to work. But IF you work you have the same rights as Dutch workers or migrant workers with a residence permit, for example:

- 1 to earn the minimum wage,
- 1 holiday money,
- 1 holidays,
- 1 time off,
- 1 working a maximum of 12 hours per shift (maximum 60 hours per week)
- 1 possibility to see a doctor in case you are ill.



***I should always earn the Dutch minimum wage (around € 13 per hour<sup>1</sup>)***



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

You risk being caught and deported.

Your employer risks a fine for employing someone without the right documents, of thousands of euros.



## 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.





*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 is not paying me and he is also 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.

## **More information if your labour rights are being violated:**



FairWork is an independent non-governmental 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**



FairWork can be reached (often in your native language) via WhatsApp +31 6 51 77 1 249.



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