



August 1, 2019

Mr. Moshe Bekker

Director, Employment Service

Wadi al-Joz Branch

East Jerusalem

By email: moshebek@ies.gov.il

Dear Sir,

Re.: Assistance for Clients in the Use and Operation of the Automated Reporting Machines outside the Employment Service Office in Wadi al-Joz

1. I am writing to you on behalf of the WAC-MAAN workers' organization and the Association for Civil Rights in Israel to request that you post a representative of the Employment Service close to the automated reporting machines (hereinafter – **the machine area**) installed outside the Employment Office in Wadi al-Joz. We also request that you publish the office's telephone number, enabling clients to report on delays or problems in entering the office. The numerous difficulties and mishaps encountered by jobseekers who require the office's services seriously violate their dignity and wellbeing, and are even liable to threaten their eligibility for supplementary income benefits, as detailed below.
2. Following HCJ 176/12 **Albatash v Senior Division Director in the Population Authority**, and with the goal of easing the serious pressure, congestion, and difficult waiting conditions that daily await those who come to the offices of the Population and Migration Authority and the Employment Service office in Wadi al-Joz in East Jerusalem, which share the same building (hereinafter: **the Shared Building**), the Employment Service's automated reporting machines were relocated outside the building.
3. The machines now provide an alternative to signing on at the office, and are supposed to save time for both staff and clients. If a position has been found for the client, the machine directs them to a meeting with a staff member inside the office (in most cases, the machine issues a slip bearing a photograph of the staff member). Otherwise, the client is exempt from the need to report physically to a staff member (in most cases, the machine issues a slip bearing a picture of a house). Reporting by means of the machine enables the client to continue to receive their rights from the National Insurance Institute, including subsistence allowance.

4. The reporting machines are located by the external car park of the Employment Officer, in an area that is completely detached from the office itself. Four automated reporting machines and a machine for issuing information are currently positioned in this area.
5. Since there are no representatives from the Employment Office close to the reporting machines, clients are forced to manage by themselves and overcome any obstacles or difficulties they encounter in the process of signing on through the machines. These may include difficulties coping with the technology, reading difficulties, or difficulties in following the machine's operating instructions. Moreover, the clients cannot report on malfunctions in the machine on a direct and real-time basis. Neither can they report that the machine has run out of paper for issuing slips. Presenting a slip to the security guards at the entrance to the building is a precondition for entry to the office and for meetings with staff members, when the machine has informed the client that this is required.
6. As if this were not enough, when the security guards categorically prevent clients from entering the building where the Employment Service is located, they cannot turn directly to a representative of the service in order to report this matter and request intervention in order to enable them to enter the office.
7. Due to the failure of the Employment Service to assist those who require its services, clients have been dependent for years on the assistance of representatives from the Maan workers' organization, or on the kindness of other clients, in order to operate the machines and prove that they have reported, or in order to report malfunctions. In these instances, the Maan staff contact you by means of personal messages to your cell phone and request your direct intervention. To your credit, we can confirm that in most cases this is sufficient to resolve the problems. The following are just a few of the countless examples:
8. According to the records maintained by the Maan workers' organization, on 3 July 2019 there was no paper in one of the machines, so that clients could not use it. A long line developed at the entrance to the building, also including clients coming to the Population and Migration office. For reasons that remain unclear, the security guards did not allow uninterrupted access to the Employment Service, and in some cases even completely prevented clients from entering. Accordingly, Mr. Erez Wagner, the director of Maan Jerusalem, sent several personal messages to your cell phone requesting your intervention in order to repair the defective reporting machine and to allow clients to reach the office.
9. Mr. Wagner added that one the same day new clients came to the Employment Office and assumed that they were required to enter the office itself. After a long wait for the security inspection at the entrance, in severe heat, the guards refused to allow them to enter the office, on the grounds that they did not have a slip from the reporting machine. Only after Mr. Wagner intervened did one guard agree to allow them to enter, on

condition that they present salary slips – a demand that is beyond the guards' authority and violates the clients' privacy.

10. On 10 June 2019, Mr. Wagner, the representative of the Maan workers' organization, informed you by means of a personal message to your cell phone that the right-hand reporting machine near the drinking fountain was not issuing paper. This unnecessarily lengthened the lines of clients waiting to report via the machines that were issuing paper. He further reported to you that the machine that provides information was not functional. After a delay of over 45 minutes, the right-hand machine began to operate, issuing hundreds of confirmations for clients who had reported that morning. After the machine stabilized, clients were able to use it again, and the line that had developed began to dissipate.
11. Three representatives of the Maan organization reported to the undersigned that, on the same day, they helped various clients in area of the reporting machines. Some of the clients were rejected by the system because they had been absent during the Ramadan and festival period. Mr. Wagner sent you a personal message asking that the machines be updated to accept the clients. The representatives of the Maan organization instructed the clients who had been rejected by the machine to enter the office itself in order to be registered and prove they had reported. Were it not for the assistance of the representatives of the Maan organization, some of the helpless clients would not have known how to act, creating the risk that they would be denied their benefits.
12. It is important to emphasize that the Employment Office in East Jerusalem is "the only office in Israel where automated reporting machines are situated outside the office" (section 14 in the respondent's response to the request for additional details, dated 29 May 2019, in HCJ 1326/17 **Abu 'Udah v Director of the Population and Migration Authority Offices**). As noted above, the reason for removing the machines from the office and positioning them on the street was to solve the pressure at the entrance to the building, and not to impair the character and quality of the service it provides to residents of East Jerusalem. Due to the absence of representatives of the office on the site, the simple act of operating the machine and obtaining a slip has become exhausting, humiliating, pressurizing, and time-consuming.
13. We should recall that reporting to the Employment Service is an essential condition in order to receive the subsistence benefits of clients of the National Insurance Institute. Any disruption to the reporting proceeding, whether due to the improper intake of data by the reporting machine or due to the inability to report in person to the office itself, due to the refusal of the security guards for various reasons to allow the clients to enter, creates the risk that clients will be denied their subsistence benefits.
14. The abandonment of the clients of the Employment Service in the machine area, without any representative who could provide direct and basic assistance in operating the machine, or report on malfunctions, together with the blocking of the clients' access to

the office itself, constitute a profound and serious violation of their right to dignity and to a dignified existence.

15. It is hardly necessary to explain at the length the obligations of the Employment Office in Wadi al-Joz, as an administrative authority, to provide its clients with vital services in a fair, reasonable, respectful, and egalitarian manner. The Employment Service undermines its obligations as an administrative authority when it abandons and humiliates those who require its services. Inadequate service may even lead clients to forego the vital service, and hence also to forego the subsistence benefits on which they depend for their livelihood.
16. It should be emphasized that **our examination shows that the situation at the Employment Office in the west of the city is totally different**. The automated reporting machines are located inside the office, and a **staff member** is present alongside to assist clients who have difficulties operating the machine, or new clients at the office. The staff member also ensures that clients reach the relevant staff member in the office. The lack of representatives of the office and the failure to provide vital assistance in the machine area outside the Employment Office in East Jerusalem is not merely a failure to observe the office's obligations as an administrative authority; it also constitutes collective discrimination violating the right to equality and the right to dignity.
17. In light of the above, we ask that you ensure the following steps as soon as possible:
 - A. The positioning of a representative of the Employment Office on a permanent basis in the area of the automated reporting machines outside the office;
 - B. The publication of a telephone number for the office through which clients can report any problem with the security guards, who may delay or prevent their entry to the office for sundry reasons;
 - C. The instruction of the security guards to allow clients of the Employment Office to enter the office itself, without the need to present a slip from the reporting machine or demands to present various proofs, and without any delay.

Sincerely

**Abir Joubran Dakwar, Atty.
Unit Director – Human Rights in the Occupied Territories
Association for Civil Rights in Israel**

CC: Mr. Rami Garor, Executive Director, Employment Service