



BY: **RUSSELL D. MAYER, ADV.**

SUBJECT: **RECENT IMPORTANT CHANGES IN EMPLOYMENT LAW**

DATE: **JANUARY 20, 2015**

We bring to your attention an important update in Israeli employment law and practice.

Israel's Notice to Employees (Employment Conditions) Law – 2002 (the “Law”) has, until recently, only provided for the notification which employers are required to provide to their employees upon commencement of employment (within 30 days of commencement either with the statutory form duly completed or an employment agreement which includes all of the information required in the statutory form) with updates upon material change in employment conditions.

Effective January 31, 2015, however, the Law is to be expanded to require employers to provide notices to employment candidates regardless whether the candidate is hired by the employer.

New Section 3A of the Law imposes the following obligations on employers of prospective employees:

- (a) the employer must provide a candidate who engages in the screening process (i.e. interview or testing), with written notice (electronic or other technological means may also be used):
 - (i) updating the candidate on the status of the screening process at least bi-monthly commencing with the date on which the candidate first participated in the screening; and
 - (ii) that the prospective employee's candidacy was rejected which must be delivered not later than 14 days from the date that someone else was accepted for the position for the which the screening process was conducted;

- (b) the notices required under (a) above, must include among other things, the following information:
 - (i) name of the employer and of the candidate;
 - (ii) the date on which the screening process commenced and the identity of the screener if the screener is not the employer;
 - (iii) the position or responsibilities of the position for which the screening process is being conducted; and
 - (iv) the name of the person who sends the notice on behalf of the employer and that person's position.
- (c) the new provisions of the Law do not apply to candidates:
 - (i) for positions which are for a term of up to 30 days;
 - (ii) in positions in the food services industry; nor
 - (iii) of employers who employ no more than 25 employees.

Please consider that pursuant to the Law for the Enhanced Enforcement of the Labor Laws – 2011 employers are subject to significant penalties for failing to abide by the provisions of the labor laws and constitute criminal violations which are also subject to fines. The Ministry of Labor sends inspectors to verify compliance with the law. Be forewarned.

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*This memorandum is not to be considered as a legal opinion.
For legal advice, we suggest that you contact legal counsel directly.*

R.D.M.