

PALESTINE LIBERATION ORGANIZATION
Palestine National Authority
Office of the President

LABOR LAW
NO (7) FOR YEAR 2000

The president of the Executive Committee of the Palestine Liberation Organization
The president of the Palestine National Authority

After having perused Labor Law no 21 for year 1960 and amendments thereto, in force in the Bank districts, and

Labor Law no 16 for year 1964 A.D. and amendments thereto, in force in Gaza districts,

Upon the approval of the Legislative Council in its session held on March 29, 2000,

Have adopted the following Law:

SECTION ONE

Definitions and General Provisions

Chapter One

Definitions

Article (1)

For the purposes of implementing the present Law, the following words and expressions shall have the meanings assigned thereto hereinafter, unless the context provides otherwise.

The National Authority:	Palestine National Authority
The Ministry:	The Ministry of Labor
The Minister:	The Minister of Labor
The employer:	Every natural person who, or corporate body that employs, whether personally or by proxy, a person or more against wages.
The worker:	Every natural person who performs a job against wages and who is, when performing his work, under the employer's leadership and supervision.
The union:	Any occupational organization formed according to the law (The Law of Labor Unions)
The work:	Every mental or physical effort exerted by the worker against wages, whether it is temporary, casual or seasonal.
Temporary work:	The work, performance and completion nature of which requires a limited period.
Casual work:	The work made necessary by contingencies and completion of which does not require more than three months.
Seasonal work:	Every work performed and completed in yearly periodic seasons.
Basic wage:	In cash and/or in-kind entitlement agreed upon and paid by the employer to the worker against his work, exclusive of all and any bonuses and recompense.
The wage:	The full wage, i.e. the basic wage in addition to bonuses and recompense.
The establishment:	The place where workers perform their work.
Juvenile:	Every person who has reached the age of fifteen and is not yet eighteen.

Night:	A twelve-consecutive-hour period that necessarily includes time between 8:00 p.m. and 6:00 a.m.
Year:	Pursuant to the provisions of this Law, a year shall consist of (365) days, a month of (30) days and a week of (7) days.
The Medical Board:	The medical body accredited by the Minister of Health.
Work injury:	The injury sustained by the worker as a result of an accident, during the performance of his work or due thereto, or while on his way to or return from work, including any of the occupational diseases determined in the regulations.
The disabled:	A person who suffers from an impairment of some of his physical, sensory or mental abilities, due to a disease, an accident, a congenital reason or a hereditary factor that prevents him from performing, continuing or being promoted in his work, or that weakens his ability to perform any of the other basic functions in life, and who needs care and rehabilitation in view of his integration or reintegration in society.
Rehabilitation:	An organized and sustainable process based on scientific grounds, that aims at exploiting the capacities available to any person by way of developing his physical or occupational abilities.
The competent court:	The court having jurisdiction in labor cases.

Chapter Two

General Provisions and Principles

Article (2)

Every citizen capable of working is entitled to work. The National Authority shall see to provide work on the basis of equal opportunities, without any kind of discrimination.

Article (3)

The provisions of this Law shall apply to all workers and employers in Palestine, with the exception of:

- 1- Civil servants and local administrations' employees, while reserving their right to form their own unions.
- 2- Domestic servants and the like, with the understanding that the Minister issues a specific regulation for them.
- 3- Employer's family members of the first degree.

Article (4)

Workers are exempted from the judicial fees of labor proceedings they institute, owing to a conflict pertaining to wages, leaves, termination benefits, compensation for work injury or unfair dismissal of the worker.

Article (5)

Pursuant to the provisions of the Law, workers and employers are entitled to form occupation-based unions, in view of promoting their interests and defending their rights.

Article (6)

The provisions of this Law shall be deemed as the minimum non-assignable rights of workers. Wherever there is a special regulation governing work relations, the provisions of this Law or of the said special regulation shall apply to workers, whichever is best for the worker.

SECTION TWO

Employment, Occupational Training and Guidance

Chapter One

Employment

Article (7)

1- The Council of Ministers shall set up a tripartite advisory committee chaired by the Minister of Labor and comprising an equal number of the three social partners (the government, the employers, the workers), that shall be called the labor policies committee. It shall recommend general policies, mainly in the field of employment and occupational training and guidance.

2- The decision by virtue of which the said committee was instituted shall determine its operating system and the number of its members.

3- The chairman of the committee may ask for the opinion of any person he deems appropriate.

Article (8)

The Ministry shall establish Employment Offices adequately distributed so as to allow employers and workers to reach them easily. The said Offices shall provide their services free of charge, and the Ministry shall determine their operating system and terms of reference.

Article (9)

The Ministry shall prepare periodic quantitative and qualitative statistics about unemployment and employment.

Article (10)

Every person capable of and willing to work shall register his name before the Employment Office located within his residence area. The Office shall file the work applications and deliver certificates thereof to applicants. The Ministry shall organize data and procedures regarding the work application and registration certificate thereof.

Article (11)

Employment Offices shall undertake to propose registered workers to employers, with due regard to qualifications, competence, precedence of registration and employer's option.

Article (12)

Every employer shall provide the Employment Office located in his business district with a monthly statement showing the workers' names, number, functions, age, sex, qualifications, wages, dates of starting work, and job vacancies.

Articles (13)

The employer undertakes to employ a number of qualified disabled workers constituting at least (5%) of the establishment labor force, in jobs that suit their handicap.

Article (14)

The Ministry may issue work permits in Palestine for non-Palestinians. The employer shall not employ, whether directly or through others, any non-Palestinian worker before making sure he has the said permit.

Article (15)

Pursuant to the provisions of this Law and in coordination with the parties concerned, including employers' and workers' unions, the Minister shall issue a regulation determining the terms of delivering work permits for non-Palestinian workers.

Article (16)

Discrimination among workers in terms of work and working conditions is prohibited in Palestine.

Article (17)

In coordination with the parties concerned, including employers' and workers' unions, the Ministry shall organize the labor market and the employment of Palestinian workers abroad.

Chapter Two Occupational Training and Guidance

Article (18)

For the purpose of implementing the provisions of this chapter:

- 1- Occupational guidance shall mean the activities that aim at guiding the workers towards available work and training opportunities that suit their qualifications, preferences and abilities.
- 2- Occupational training shall mean the activities that aim at meeting the development needs in terms of trained workers, and allow the latter to acquire and continuously develop the needed qualifications and abilities.

Article (19)

The Ministry shall develop, follow-up and implement occupational training and guidance policies, so as to ensure coordination and complementarity with the other Ministries and institutions concerned, and meet the needs of development programs in terms of technical and trained labor.

Article (20)

The Ministry shall establish occupational training centers if need be. Their operating system and terms of reference shall be determined by a decision of the Minister.

Article (21)

The Ministry shall issue a regulation regarding training and guidance that guarantees the principle of equal opportunities, with due regard to the principle of freedom of choice and priority to martyrs' children. The regulation shall include the following:

- 1- The occupational training contract.
- 2- Training programs.

3- Trainee's rights.

Article (22)

- 1- The Ministry, in coordination with the parties concerned, shall be solely entitled to deliver licenses for founding occupational training institutions.
- 2- If the licensing conditions are not fulfilled, the Minister may decide to close down the institution, in whole or in part, or stop a training program therein on a provisional or permanent basis, depending on to the nature and degree of the misdemeanor.

Article (23)

Every non-governmental training institution shall regularize its position according to the provisions of this Law, no later than six month after effective date thereof.

SECTION THREE
Individual Work Contract

Chapter One
Drafting the Contract

Article (24)

The individual work contract is a written or oral agreement, express or tacit, entered into between an employer and a worker for a limited or unlimited period or for the purpose of carrying out a given work; the worker undertakes there under to perform the said work for the employer, under his leadership and supervision, and the employer undertakes to pay the agreed wage to the worker.

Article (25)

The maximum term of the limited-period work contract for the same employer may not exceed two consecutive years, including any renewals thereof.

Article (26)

If the parties to a limited-period work contract carry on with implementing the contract after the same has lapsed, it shall be deemed as an unlimited-period contract.

Article (27)

Workers with limited-period work contracts, including workers with casual or seasonal work contracts, shall be entitled to the same rights and shall have the same obligations of workers with unlimited-period work contracts in similar conditions, with due regard to the provisions regarding limited-period, casual or seasonal work.

Article (28)

The work contract shall be drafted in Arabic. It shall include the basic working conditions, mainly wages and the kind, place and duration of work. It shall be signed by both contracting parties and a copy thereof shall be delivered to the worker who may substantiate his rights in all legal substantiation methods.

Article (29)

The work contract may have an initial three-month probation period that can be renewed only once in the service of the same employer.

Article (30)

If a sub-contractor performs the work on behalf or in favor of the original employer, both of them shall be jointly liable for the fulfillment of obligations arising from the contract.

Article (31)

The worker shall not be required to work in a place other than the place agreed upon in the contract, if such results in changing his place of residence.

Article (32)

The worker may not be assigned a work distinctly different from the kind of work agreed upon in the work contract, unless to prevent an accident or in the event of force majeure, provided the said work is provisional and does not last more than two months.

Article (33)

The worker shall undertake to perform his work loyally and faithfully, keep the work secrets and maintain the work tools. The worker shall not be deemed responsible for damaged or lost tools due to any contingency beyond his control or to force majeure.

Article (34)

The worker shall abide by the establishment's rules of procedure and rules of occupational safety and health at work.

Chapter Two
Termination of the Individual Work Contract

Article (35)

The individual work contract shall terminate in any of the following cases:

- 1- By mutual agreement of both parties.
- 2- Upon expiry of its term in the case of casual, provisional or seasonal work.
- 3- If one of the parties so wishes during probation period.
- 4- If the worker so wishes, provided the employer is notified thereof by written notice:
 - a. One month prior to leaving work, if the worker earns a monthly salary.
 - b. One week prior to leaving work, if he earns a daily or weekly salary or if he is remunerated per piece or on commission.
- 5- If the worker passes away, or upon an illness or impairment which incapacitates him from working for more than six months, as substantiated by a medical report issued by the Medical Board, and in the absence of a vacancy that would suit his professional abilities and his new health condition.

Article (36)

The work contract shall not terminate by the death of the employer, unless the object of the contract relates to the person of the employer.

Article (37)

The work contract shall remain in effect even if the employer has changed due to the assignment, sale, merging or inheritance of the establishment. The original employer and the new employer shall remain jointly liable, during a period of six months, for the fulfillment of the obligations arising from the contract that were due before the date of such change; after the six-month-period is over, the new employer shall be solely responsible thereof.

Article (38)

- 1- The work contract shall not terminate if an administrative or judicial decision is issued ordering the closing of the establishment or the temporary suspension of its activities for maximum two months. The employer shall keep on paying the wages of his workers as long as the establishment is closed or its activities temporarily suspended, with due regard to the provisions set forth in this Law with respect to the probation period.
- 2- The obligation set forth in paragraph (1) above shall expire after a period of two months, and the employer shall pay his workers an increase on the aforementioned termination benefits, as set forth in the provisions of this Law.

Chapter Three Termination of the Individual Work Contract

Article (39)

The following cases may not be specifically deemed valid reasons for employers to terminate work:

- 1- Unionism or taking part in union activities after working hours, or during work if approved by the employer.
- 2- If the worker asks to represent the workers, or if he does exercise or had exercised the said representation
- 3- If the worker institutes legal proceedings or takes part in proceedings against the employer for law infringement, and if he files a complaint before the competent administrative bodies.

Article (40)

The employer may terminate the work contract unilaterally, without prior notice, and remain entitled to claim all and any other rights from the worker, whenever the latter commits any of the following contraventions:

- 1- If the worker impersonates someone else's personality, or if he submits forged certificates or documents to the employer.
- 2- If the worker commits a fault due to confirmed negligence, which resulted in serious loss to the employer, provided the employer notifies the competent authorities of the incident within forty-eight hours of his knowledge thereof.
- 3- If the worker breaches more than once the establishment's rules of procedure that are ratified by the Ministry of Labor, or the written instructions regarding work safety and workers health, despite he has been duly warned thereof.
- 4- If the worker is absent from work without legitimate reason for more than seven consecutive days or fifteen intermittent days during the year, provided he has received a written warning after three-day-absence in the first case, and ten-day-absence in the second.
- 5- If the worker does not fulfill his obligations under the work contract, despite he has been duly warned thereof.
- 6- If the worker discloses work secrets that may result in serious damage.

- 7- If the worker is convicted by a court decision which has become conclusive, of a felony or misdemeanor touching on honor, loyalty or public morals.
- 8- If during work, the worker is found drunk or under the influence of narcotics sanctioned by law.
- 9- If the worker assaults the employer or his substitutes or his immediate superior by beating or humiliating him.

Article (41)

The employer may terminate the work contract due to technical reasons or a loss that requires reducing the number of workers, provided the Ministry is notified thereof. The worker reserves his right to the notice compensation and termination benefits.

Article (42)

1- The worker may leave work after notifying the employer thereof, while reserving his legal rights, including termination benefits and rights accruing to him, in any of the following cases:

- a- If the worker is assigned a job the kind and nature of which are distinctly different from the work agreed upon in the work contract, unless there is a temporary need thereto to avoid the occurrence of an accident, or in case of force majeure.
- b- If the worker's assignment results in changing his place of residence.
- c- If a medical report issued by the Medical Board confirms that continuing work will endanger his life.
- d- If the employer or whoever represents him assaults the worker during or in connection to work, by beating or humiliating him.
- e- If the employer fails to fulfill his commitments towards the worker, despite the worker has claimed the same by written.

2- Contrary to the provisions of sub-paragraph (1) above, if the worker resigns from work within the first five years spent at work, he shall be entitled to one-third of the termination benefits; if he resigns within the second five years, he shall be entitled to the two-thirds of the termination benefits; and if he spends at least ten years at work, he shall be entitled to the whole benefits.

Article (43)

The employer shall return to the worker the papers, certificates or tools the latter has deposited with him. The worker shall return to the employer custody.

Article (44)

Upon termination of service, the worker shall be delivered, at his request, a certificate of service stating his name, the type and the duration of his work.

Article (45)

The worker who has spent one whole year at work shall be entitled to termination benefits amounting to one-month-wage for every year he has spent at work. The termination benefits shall be computed on the basis of his last wage, exclusive of overtime; for that purpose, the fractions of a year shall be counted.

Article (46)

1- Each party to an unlimited-period work contract may terminate the said contract by sending a notice with acknowledgment of receipt to the other party, one month prior to the termination of work.

2- The worker who has been served a contract termination notice from the employer may refrain from coming to work during the second half of the notice period; his absence shall be deemed as effective work in the establishment.

3- Any termination of a work contract without legitimate reasons shall be deemed unfair.

Article (47)

While reserving all his other legal rights, the worker is entitled to a compensation for his unfair dismissal amounting to two-month-wage for every year he has spent at work, provided the compensation does not exceed his wage over two years.

Article (48)

The termination benefits and the unfair dismissal compensation payable to the worker per piece or on commission shall be computed on the basis of his average monthly wage earned over the last year period.

SECTION FOUR Collective Work relations

Chapter one Collective Bargaining

Article (49)

Collective bargaining is the dialogue engaged between any of the labor unions or workers' representatives and the employer/s or his/their representatives, with the view of settling the collective dispute, improving working conditions or increasing productivity.

Article (50)

Collective bargaining shall be free, without any pressure or influence.

Article (51)

Each party to collective bargaining shall be entitled to designate his representatives by written; no party may make objection to such representation.

Article (52)

At the request of any of the parties to collective bargaining, the parties concerned shall provide the required information and data.

Article (53)

Collective bargaining shall take place:

- 1- At the level of the establishment, between the employer or the establishment management and workers' representatives, within the establishment.
- 2- At the level of a specific economic activity, between the representatives of the employer in the said sector and the relevant labor union.
- 3- At the national level, between the employers federation and the labor unions federation.

Chapter Two Collective Work Agreement

Article (54)

The collective agreement shall be drawn up in Arabic and entered into by both parties to collective bargaining; it shall include provisions regarding the improvement of working conditions and the enhancement of productivity.

Article (55)

The collective work agreement shall be binding as of the date specified therein. Each party to collective bargaining shall be delivered a copy thereof, and a third copy shall be deposited with the Ministry.

Article (56)

The duration of the collective work agreement shall be three years. Collective bargaining shall take place at the request of one of the parties to work, three month prior to the expiry thereof. The agreement shall remain effective until a new agreement is reached. Both social partners may agree to initiate negotiations if need be.

Article (57)

According to the provisions of this Law, the collective work agreement shall include the minimum following clauses:

- 1- Freedom of unionism.
- 2- The minimum wage for all kinds of work.
- 3- Workers' employment conditions and exemption from work.
- 4- Bilateral committee for the settlement of any disputes arising from the implementation of the agreement.

Article (58)

- 1- The provisions of the collective work agreement shall be applicable to:
 - a- All workers in the service of the employer.
 - b- The employers and their substitutes.
- 3- Those who are not party to the collective work agreement shall be entitled to join the same pursuant to a written agreement entered into among themselves that shall be submitted to the Ministry.

Article (59)

The Minister shall issue the instructions necessary for the implementation of the collective work agreement.

Chapter Three Settlement of Collective Labor Disputes

Article (60)

A collective labor dispute is a dispute arising between an employer/s and workers or a group of workers, about a given collective interest.

Article (61)

Every party to the collective labor dispute may refer to the conciliation delegate at the Ministry, if the dispute is not settled by means of negotiation within the establishment.

Article (62)

If within ten days, the conciliation delegate fails to settle the dispute, the Ministry shall refer the dispute to a conciliation board made of one of the Ministry's servants who shall act as a chairman, and an equal number of members designated by the employer and the workers.

Article (63)

- 1- If the conciliation board fails to settle the dispute within two weeks, any party to the dispute shall be entitled to refer to the competent court.
- 2- If neither of the parties refers to court and the collective labor dispute interferes with public interest, the Minister is entitled to compel the two parties to appear before an arbitration board that shall be formed by the Minister in coordination with the parties concerned. The said board shall comprise:
 - a- A magistrate acting as a chairman.
 - b- A representative of the Ministry.
 - c- A workers' representative.
 - d- An employers' representative.

Article (64)

When examining a labor dispute, the conciliation delegate and both conciliation or arbitration boards shall have the powers of the competent court, in terms of calling witnesses, hearing their testimonies, carrying out the examination and resorting to experts.

Article (65)

While collective labor disputes are being examined, the employer may not modify the applicable working conditions.

Chapter Four Strike and Closing Down

Article (66)

According to the provisions of the Law, workers are guaranteed the right to strike to defend their interests.

Article (67)

- 1- A written notice specifying the reasons of the strike or the closing down shall be sent by the party concerned by the strike or the closing down to the other party and to the Ministry, two weeks prior to taking such measure.
- 2- The notice shall be served in public administrations four weeks in advance.
- 3- In case of strike, the written notice shall be signed by at least 51% of the workers in the establishment; and in case of closing down, the same percentage shall apply to the establishment's board of directors.
- 4- Strike or closing may not take place while the collective dispute is being examined.
- 5- The party referring the collective labor dispute to the experts shall stop the strike or the closing down.

SECTION FIVE Working Conditions

Chapter One Weekly Working Hours and Rest Period

Article (68)

Effective working hours shall be forty-five hours per week.

Article (69)

Daily working hours shall be reduced by no less than one hour for hazardous or harmful works and night works. Such works shall be determined by a decision of the Minister, after consulting workers and employers' organizations concerned.

Article (70)

Daily working hours shall include one rest period or more, the total of which will not exceed one whole hour, provided the worker does not work for more than five consecutive hours.

Article (71)

- 1- Both social partners may agree upon overtime hours that will not exceed twelve hours per week.
- 2- The worker shall receive, against every overtime hour, a remuneration equal to that of one and a half hour.

Article (72)

- 1- The worker shall be entitled to a weekly rest of minimum 24 consecutive hours, fully paid, that may be, by mutual agreement of social partners, combined once a month.
- 2- Weekly rest shall be considered paid if the worker has worked six consecutive days before the said rest. The proportion of days when the worker was absent from work shall be deducted therefrom.

Article (73)

Friday shall be the weekly day off, unless the nature of work requires the systematic setting of another day.

Chapter Two Leaves

Article (74)

- 1- The worker shall be entitled to a fourteen-day annual leave for every year spent at work, fully paid; workers in hazardous or harmful works as well as workers who have spent five years in the establishment shall be entitled to a three-week annual leave, fully paid.
- 2- The worker may not waive his annual leave.
- 3- The annual leave may be divided, by mutual agreement of both social partners.
- 4- Annual leaves may not be cumulated for more than two years.

Article (75)

The worker shall be entitled to a fully paid leave for religious and official feasts, that shall not be deducted from annual leaves.

Article (76)

The worker shall be entitled to one-week labor cultural leave per year, fully paid. The same shall be organized by the Minister.

Article (77)

The worker who has spent five years in the establishment shall be entitled, only once, to a paid leave of at least fourteen days, for the performance of pilgrimage.

Article (78)

- 1- The worker shall be entitled to a three-day paid leave that will not be deducted from his annual leave, if one of his relatives of the first or second degree passes away.
- 2- In case of a confirmed symptom, the worker shall be entitled to ten days absence from work that will be deducted from his annual leave, provided the said absence does not exceed three consecutive days at a time.

Article (79)

Based on the report of the Medical Board, the worker shall be entitled to a fully paid fourteen-day sick leave per year, and half-paid sick leave for another fourteen days.

Article (80)

Pursuant to a regulation adopted by the Council of Ministers, and upon the recommendation of the Minister in coordination with the parties concerned, workers in agriculture and some specific occupations may be excluded from the scope of all or some provisions of this Section.

Chapter Three
Wages

Article (81)

The worker shall be entitled to his wage if he is present at the work place even if he does not perform a job, because of any reason, related to the establishment.

Article (82)

- 1- The worker's wage shall be paid in the legal negotiable currency, provided the payment is effected as follows:
 - a. At the work place, during working days.
 - b. At the end of every month, for monthly-paid workers.
 - c. At the end of every week, for workers paid by production unit or on hourly, daily or weekly basis.
 - d. The payment of the worker's wage may not be deferred for more than five day as of due date.

Article (83)

- 1- Except in the following cases, no amount may be deducted from the worker's wage:
 - a. The execution of a final judgment.

- b. The recovery of any advance due to the employer, provided each deduction does not exceed (10%) of the basic wage.
 - c. Fines imposed on the worker pursuant to the provisions of this Law or relevant regulations.
- 2- The total amount deducted according to sub-paragraphs (b and c) of paragraph (1) above may not exceed (15%) of the basic wage.

Article (84)

- 1- The employer may not take any disciplinary action or impose a fine on the workers unless for an infringement set forth in the List of Penalties ratified by the Ministry, with due regard to the following:
 - a. The amount of the fine may not exceed the wage of three days per month.
 - b. No disciplinary action may be taken against the worker, two weeks after the infringement is confirmed.
 - c. Fines shall be recorded in a special register specifying the name of the worker, his wage and the reasons for imposing the fine on him.
 - d. Fines shall be allocated to the provision of labor social services in the establishment.
- 2- The worker shall be entitled to make objection to any disciplinary action or fine imposed on him to the labor inspector, within one week of receiving written notice thereof.

Article (85)

Pursuant to the provisions of the Law, the wage of the worker is deemed as a first-class debt.

Article (86)

- 1- The Council of Ministers shall, upon the Minister's recommendation, form a committee called the "Wage Committee" comprising an equal number of government, employers' and workers' representatives.
- 2- Workers' and employers' associations shall appoint their representatives in the Committee.
- 3- The Council of Ministers shall appoint the chairman of the Committee from amongst its members.
- 4- The Committee shall be entitled to refer to whomever it deems suitable for the fulfillment of its duties.

Article (87)

The duties of the Wage Committee consist of the following:

- 1- Examining the general wage policies and their adequacy to the living standards, and submitting relevant recommendations to the Council of Ministers.
- 2- Determining the minimum wage so that the Council of Ministers adopts a relevant decision.

Article (88)

The Wage Committee shall convene periodically, at least once a year; it shall also convene at the request of the chairman or the representatives of any of its three constituents.

Article (89)

The worker's wage may not be less than the duly recognized minimum wage.

**Chapter Four
Occupational Safety and Health**

Article (90)

The Council of Ministers shall, upon the proposal of the Minister in coordination with the competent parties, issue regulations pertaining to occupational safety and health and work environment, that shall specifically include:

- 1- Personal preventive means for protecting workers from work hazards and occupational diseases.
- 2- Necessary health conditions at work places.
- 3- Medical assistance facilities for the workers in the establishment.
- 4- Periodic medical examination of the workers.

Article (91)

Pursuant to the provisions of the Law and relevant regulations, the establishment shall issue instructions pertaining to occupational safety and health and the relevant List of Penalties ratified by the Ministry; the said instructions shall be posted in visible places in the establishment.

Article (92)

No establishment may cause the worker to bear any expenses or deductions from his wage, for the provision of occupational safety and health conditions.

**SECTION SIX
Regulating Juveniles' Work**

Article (93)

It is prohibited to employ children under the age of fifteen.

Article (94)

Juveniles must undergo a medical examination before they are employed, so as to make sure of their health fitness for work; the examination shall be repeated every six months.

Article (95)

Juveniles may not be employed:

- 1- In hazardous or harmful industries as specified by the Minister.
- 2- In night works, on official or religious feasts or official holidays.
- 3- For overtime hours or in works based on production unit.
- 4- In remote places or places far from urbanization.

Article (96)

- 1- Daily working hours shall be reduced by no less than one working hour per day for juveniles.
- 2- Daily working hours shall include one rest period or more, the total of which shall not be less than one hour, provided the juvenile does not work for more than four consecutive hours.

Article (97)

Juveniles' annual leave shall be three weeks per year and may not be postponed.

Article (98)

The establishment shall hang in work places the regulations pertaining to the employment of juveniles; the employer shall keep a record containing all juvenile-related matters.

Article (99)

Juveniles who work for and under the supervision of their relatives of the first degree shall be excluded from the provisions of this Section, provided work is performed, in all cases, with due regard to adequate health and social conditions that do not adversely affect their mental and physical development or education.

SECTION SEVEN
Regulating Women's Work

Article (100)

Pursuant to the provisions of this Law and relevant regulations, discrimination between men and women is prohibited.

Article (101)

The employment of women is prohibited in:

- 1- Hazardous or hard works as determined by the Minister.
- 2- Overtime hours during pregnancy and the first six months following childbirth.
- 3- Night hours, with the exception of works specified by the Council of Ministers.

Article (102)

The establishment shall provide women workers with special rest facilities.

Article (103)

- 1- A woman worker who has spent a hundred and eighty days at work before every delivery is entitled to a ten-week maternity leave payable in full, at least six weeks of which shall be taken after childbirth.
- 2- A woman worker may not be dismissed because of the leave mentioned in paragraph (1) above, unless it is confirmed that she has worked elsewhere during her maternity leave.

Article (104)

- 1- During a year after childbirth, nursing women shall be entitled to one nursing break or more during work, the total of which will not be less than one hour per day.
- 2- The nursing hour stated in paragraph (1) above shall be deemed as a daily working hour.

Article (105)

A woman worker may take an unpaid leave to care after her child or accompany her husband, depending on the nature of work.

Article (106)

The establishment shall hang in the work place the regulations pertaining to the employment of women.

SECTION EIGHT

Labor Inspection

Article (107)

- 1- Pursuant to this Law, the Minister shall form a board called the Labor Inspection Board made of an adequate number of academically and professionally qualified labor inspectors, who shall follow up the enforcement of the provisions of this Law and relevant regulations.
- 2- While performing their duties, the members of the Labor Inspection Board are vested with the powers of the judicial police.

Article (108)

Every labor inspector shall, before starting his work, take an oath before the Minister to perform his duties faithfully and loyally and not to disclose secrets that may come to his knowledge by virtue of his work.

Article (109)

When selecting the labor inspector, it shall be made sure he does not have a direct or indirect interest in the establishment to be inspected.

Article (110)

The labor inspector shall:

- 1- Follow up the enforcement of labor regulations, especially those related to working terms and conditions, by all legal means, including receiving claims and notices.
- 2- Provide employers and workers with the technical information and instructions that would promote the enforcement of this Law.
- 3- Notify the parties concerned of the defaults and contraventions he detects while on duty.

Article (111)

The labor inspector shall be entitled to:

- 1- Have free access to work places to be inspected during working hours without any prior notice, provided the employer or his representative is notified thereof as the inspector enters the establishment.
- 2- Enquire of the employer or the workers, jointly or separately or in the presence of witnesses, about the implementation of labor laws and regulations.
- 3- Have access to records, books and any other documents regarding working conditions, and take copies or extracts thereof.
- 4- Take samples of the materials used and analyze the same to make sure they fit workers' safety and health, while notifying the employer or his representative thereof, according to special regulations determined by the Ministry.
- 5- Issue orders and instructions to make good the defaults detected in the machine or equipment used or remove the damage they cause to workers' safety and health, and ask for the immediate implementation of the measures he deems necessary to prevent a confirmed danger.

Article (112)

The employers or their substitutes shall submit all the information required by the labor inspector while on duty.

Article (113)

The labor inspector shall draw up a statement of the contravention he detects. He may take any of the following measures against the offender, according to the nature and degree of the contravention:

- 1- Give advices and guidance.
- 2- Address an oral warning to make good the contravention within a limited period.
- 3- Submit a recommendation to the Labor Inspection Board by sending a written notice of the contravention.

Article (114)

- 1- Labor inspectors shall submit to the Labor Inspection Board periodic monthly and yearly reports stating the results of their inspection activities, according to forms approved by the Ministry.
- 2- The Ministry shall publish a periodical general report on the activities of the Labor Inspection Board.

Article (115)

The Ministry shall issue the needed instructions for regulating the duties of the labor inspector and the needed procedures for enforcing the legal provisions of this Law.

SECTION NINE
Work Injuries and Occupational Diseases

Article (116)

The employer shall insure all his workers against work injuries, with the licensed bodies in Palestine.

Article (117)

Whenever a work injury is sustained during work, the employer shall:

- 1- Provide the needed first aid to the injured worker and transfer him to the nearest care center.
- 2- Notify the police immediately of the injury that results in the death of the worker or a physical injury which prevents him from resuming work.
- 3- Inform the Ministry and the insurer by written of every injury sustained, within 48 hours, and deliver a copy of the notice to the injured worker.

Article (118)

Pursuant to the provisions of the Law and relevant regulations, the employer undertakes the following:

- 1- Treating the injured worker until recovery, and covering all treatment expenses needed, including rehabilitation costs and requirements.
- 2- All rights arising from the injury, even if they entail the liability of a third party.

Article (119)

If the work injury prevents the worker from performing his job, the worker shall be entitled to 75% of his daily wage at the time of the injury, during his temporary disablement, provided it does not exceed 180 days.

Article (120)

- 1- If the work injury results in the worker's death or his permanent total disablement, the successors –in the first case- and the injured worker –in the second case- shall be entitled to a cash compensation equal to the wage of (3500) three thousand and five hundred working days, or 80% of the basic wage for the remaining period until the worker is sixty years old, whichever is larger.
- 2- If the work injury results in a permanent partial disablement, the injured worker shall be entitled to a cash compensation equal to the proportion of the disablement to permanent total disablement.
- 3- If the work injury results in more than permanent total disablement, the injured worker shall be entitled to a cash compensation for all proportions of disablements, provided it does not exceed the agreed compensation for permanent total disablement.

Article (121)

Pursuant to the provisions of this Law, the Medical Board shall determine the proportion of disablement due for a work injury, according to the provisions of the Law or the relevant regulations in force at the time of the injury.

Article (122)

The injured worker is entitled to challenge the decision determining the proportion of the disablement or the decision to resume work, within thirty days of his notification thereof.

Article (123)

- 1- The right of the injured worker to compensation shall be forfeited if an investigation conducted by experts revealed that the injury was due to:
 - a- A willful act by the injured worker.
 - b- The effect of alcohol or narcotics.
- 3- The death or permanent disablement up to 35% and more are excluded from the scope of paragraph (1) above.

Article (124)

Unless the delay is due to an unstable injury or to any legitimate reason, the right of the injured worker to claim compensation for the work injury shall be forfeited two years after the occurrence of the injury.

Article (125)

The work injury compensation shall not prevent the worker from receiving termination benefits due.

Article (126)

- 1- The employer shall keep a detailed record of work injuries.

2- In the event of a permanent disablement, the employer shall, within one month of confirming the disablement, inform the Ministry by written of the said disablement and of the compensation he has paid or promised to pay to the injured worker or his beneficiaries.

Article (127)

- 1- The employer shall undertake the rights approved to workers pursuant to the provision of this Section.
- 2- If the work injury entails the liability of a third party other than the employer, the worker shall be entitled to claim his rights arising from the injury, from any of them.

Article (128)

If the worker shows symptoms of one the occupational diseases listed in the table annexed hereto, within two years of termination of service, the employer shall undertake all the rights approved to him pursuant to this section of the Law.

Article (129)

In all cases, the compensation payable cannot be withheld unless to settle the pension, provided the monies withheld do not exceed the one-third of the compensation. It may not be transferred to any person other than the worker or his beneficiaries.

Article (130)

The payable compensation shall be computed according to the provisions of this Section, based on the average wage of the last three months.

SECTION TEN

Sanctions and Final Provisions

Chapter One

Sanctions

Article (131)

The employer shall be fined for breaching any provision of Chapters One and Two/Section Five and any relevant regulation, no less than (100) dinars and no more than (300) dinars. Sanctions shall be multiple in case of multiple contraventions, and doubled in case of recidivism.

Article (132)

The employer shall be fined for breaching any provision of Chapter Three/Section Five and relevant regulations, no less than (50) dinars and no more than (100) dinars, and he shall pay the wage difference to the worker. The fine shall be multiplied by the number of workers who have sustained the contravention.

Article (133)

In case the employer breaches any provision of Chapter Five/Section Five and relevant regulations, in addition to the fine stated in article (131) above, the Minister shall be entitled to shut down the establishment, in whole or in part, or stop any machine therein, until the employer has made good the contravention.

Article (134)

Whoever breaches any provision of Sections Five, Six and Seven and relevant regulations, shall be fined no less than (200) dinars and no more than (500) dinars. The fine shall be multiplied by the number of workers who have sustained the contravention, and doubled in case of recidivism.

Article (135)

Whoever objects to, opposes or hinders the work of the labor inspector or the Labor Inspection Board shall be sanctioned to make good the contravention and fined no less than (200) dinars and no more of (500) dinars.

Article (136)

If the employer breaches any provision of articles (116, 117), he shall be fined no less than (300) dinars and no more than (500) dinars.

Article (137)

Sanctions set forth in this Section may not be deferred and fines may not be less than the minimum fine duly set for discretionary reasons.

Article (138)

For the purposes of implementing this Law, the fine shall be calculated in Jordanian dinar or its equivalent in the legally negotiated currency.

**Chapter Two
Final Provisions**

Article (139)

The Council of Ministers shall, at the Minister's discretion, issue the needed regulations for the enforcement of this Law.

Article (140)

Labor Law no 21 for year 1960 in force in the Bank districts and amendments thereto, as well as Labor Law no 16 for year 1964 in force in Gaza districts and amendments thereto, and all that is inconsistent with this Law shall become null and void.

Article (141)

All parties concerned shall enforce the relevant provisions of the present Law that shall be effective thirty days after it is published in the Official Gazette.

Issued in Gaza, on April 30, 2000 A.D.
corresponding to, 1421 H.

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ANNEX : OCCUPATIONAL DISEASES

No	Occupational diseases	Examples of works causing such diseases
1	Contamination by lead and subsequent complications	<p>Any work that entails the use or handling of lead, its compounds or substances containing it, and any work that entails exposure to lead dust, vapors or compounds, including:</p> <ul style="list-style-type: none"> - Handling raw materials containing lead. - Soldering and casting old lead and old zinc (scrap) in industrial casts. - Preparing and using porcelain enamel containing lead, polishing by means of lead filings or powder containing lead. - Using lead and its compounds for printing and repairing leaded closets, polishing with lead fluid, producing and processing lead salts and acids, preparing and using paints, etc...
2	Contamination by mercury and subsequent complications	<p>Any work that entails the use or handling of mercury, its compounds or substances containing it, and any work that entails exposure to mercury dusts, vapors, compounds or substances containing it, including:</p> <ul style="list-style-type: none"> - Manufacturing mercury compounds, plants machinery, mercury measuring apparatus; gold-plating processes, gold extraction and producing mercury-based fireworks, etc...
3	Contamination by arsenic and subsequent complications	<p>Any work that entails the use or handling of arsenic, its compounds, its products or materials containing it, and any work that entails exposure to arsenic dusts, vapors, compounds or materials containing it, including:</p> <ul style="list-style-type: none"> - Processes generating arsenic or its compounds; producing or manufacturing arsenic or its compounds. - Producing and using pesticides containing arsenic or its compounds. - Producing and using dyes containing arsenic compounds. - Using arsenic in preparing and dyeing leather. - Using arsenic in crystal industry, etc...
4	Contamination by antimony and subsequent complications	<p>Any work that entails the use or handling of antimony, its compounds or materials containing it, and any work that entails exposure to antimony dusts, vapors, compounds or materials containing it.</p>
5	Contamination by phosphorus and subsequent complications	<p>Any work that entails the use or handling of phosphorus, its compounds, its products or materials containing it, and every work that entails exposure to phosphorus dusts, vapors, compounds or materials containing it.</p>
6	Contamination by benzole, its homologues, its amino	<p>Any work that entails the use or handling of these substances and any work that entails exposure to their vapors or dusts.</p>

	or nitric compounds or derivatives, and subsequent complications	
7	Contamination by manganese and subsequent complications	Any work that entails the use or handling of manganese, its compounds or materials containing it, and any work that entails exposure to manganese dusts, vapors, compounds or materials containing it, including: - Working in extracting, preparing, grinding and packaging manganese or its compounds, etc.
8	Contamination by sulfur and subsequent complications	Any work that entails the use or handling of sulfur, its compounds or materials containing it, and any work that entails exposure to sulfur dusts, vapors, compounds or materials containing it.
9	Diseases caused by chromium and subsequent ulceration and complications	Any work that entails preparing, generating, using or handling chromium or chromic acid, sodium chromate or bichromate, potassium, zinc or any substance containing them.
10	Diseases cause by nickel and subsequent complications and ulceration	Any work that entails preparing, generating, using or handling nickel or any substance that contains nickel or its compounds, including exposure to nickel carbonyl dust.
11	Contamination by carbon monoxide and subsequent complications	Any work that entails exposure to carbon monoxide, including processes of preparing, using or generating the same as the case may be in forests, brick or lime kilns, mines and fires, etc
12	Contamination by hydrocyanic acid and its compounds and subsequent complications	Any work that entails preparing, using or handling hydrocyanic acid or its compounds, and any work that entails exposure to hydrocyanic acid vapors, particles, compounds, soils or substances containing them.
13	Contamination by chlorine, fluorine or bromine or their compounds, and subsequent complications	Any work that entails preparing, using or handling chlorine, fluorine, bromine or their compounds, and any work that entails exposure to these substances, their vapors or dusts.
14	Contamination by petroleum, its gases or derivatives, and subsequent complications	Any work that entails using or handling petroleum, its gases or compounds, and any work that entails exposure to these substances, whether solid, liquid or gaseous.
15	Contamination by chloroform and carbon tetrachloride	Any work that entails preparing, using or handling chloroform or carbon tetrachloride, and any work that entails exposure to their vapors or vapors containing them.
16	Contamination by ethylene tetrachloride, trichlorethylene and other halogenous derivates of alpha	Any work that entails the use, handling of these substances or exposure to their vapors or vapors containing them.

	hydrocarbonic compounds	
17	Primary epitheliomatous skin cancer, chronic eye and skin infections and ulceration due to abrasive agents	Any work that requires the use, handling or exposure to any stimulant substance, whether solid, liquid or gaseous, that leads to a chronic affection of the skin or the eye, such as tar, pitch, bitumen, mineral oils, fluorine, as well as electroplating works... etc...
18	Contamination by beryllium	Any work that entails the use, handling or exposure to beryllium, its compounds, vapors, dusts, or substances containing it.
19	Contamination by selenium	Any work that entails the use, handling or exposure to selenium, its compounds, vapors, dust or substances containing it.
20	Contamination by cadmium	Any work that entails exposure to cadmium vapors or dust, including: <ul style="list-style-type: none"> - Works in mineral alloys. - Dyes. - Atomic reactors. - Hot cadmium smoke. - Protective cadmium-based covering, etc...
21	Contamination by platinum	Any work that entails exposure to platinum, including: <ul style="list-style-type: none"> - Intermediate chemical processes. - Working in oil refineries. - Nitric and sulfuric acids industry. - Alloys industry, etc...
22	Contamination by vanadium	Any work that entails exposure to vanadium or its compounds, including: <ul style="list-style-type: none"> - Chemical and petrochemical industry. - Steel alloys industry. - Painting and photography works, etc...
23	Contamination by ozone	Any work that entails exposure to the ozone gas, including: <ul style="list-style-type: none"> - Paper and oils industry. - Flying above 10 km altitude. - Working near UV radiation. - Ozone sterilization works, etc...
24	Diseases and pathological symptoms caused by radium, radioactive substances or X- rays.	Any work that entails exposure to radium or any radioactive substances or X rays, including: <ul style="list-style-type: none"> - Carrying out research or measuring radioactive substances or X-rays in laboratories and elsewhere. - Works that entail exposure to radiation in medical centers and elsewhere.
25	Chronic pulmonary diseases caused by exposure to dust	Any work that entails exposure to a newly-generated dust of silica or substances containing silica by more than 5%, and any work that entails exposure to asbestos dust, cotton dust, flax dust and talc powder to such an extent that causes these diseases, including: <ul style="list-style-type: none"> - Working in mines and quarries. - Sand polishing of minerals. - Producing and handling abrasive products and

		<p>detergents.</p> <ul style="list-style-type: none"> - Producing glass and porcelain. - Manufacturing cement, lime, gypsum, except when used in construction. - Grind stones industry. - Carving or polishing stones. - Melting works that expose the worker to sand dust; casting-off the piece and soil removal. - Sand leveling and polishing works. - Preparation works in cotton mills. - Works that entail inhalation by workers of dusts due to stocking and grinding cereals (wheat, barley, etc...) - Agricultural processes that expose workers to hay and chaff. - Breeding birds, etc...
26	Diseases of the respiratory track caused by exposure to stimulant gases and vapors	<p>Works that cause workers to inhale stimulating gases (sulfuric gases, chlorine, nitric oxides, etc...)</p> <ul style="list-style-type: none"> - Mineralization processes. - Working in laboratories that handle such substances. - Chemical industries, etc...
27	Symptoms and diseases caused by exposure to changing air pressure	Any work that entails sudden exposure to or working under high air pressure, sudden fluctuation in air pressure, or working under low air pressure for a long time.
28	Anthrax	<p>Every work that entails being in contact with contaminated animals or handling their pieces, parts, raw materials or residues, including:</p> <ul style="list-style-type: none"> - Handling leather, hooves, horns, hair and wool. - Shipping and unloading goods containing animal raw products and residues.
29	Glanders	Every work that entails being in contact with contaminated animals and handling their pieces or parts.
30	Tuberculosis	Working in hospitals, health centers, care and diagnosis centers where the worker is de facto in contact with such disease.
31	Fevers and other infectious diseases	Working in hospitals, plants and research centers specialized in such kind of diseases.
32	Symptoms and diseases due to hormones and their derivatives	Every work that entails exposure to hormones or their derivatives.
33	Affection of the auditory duct	Working in industries or occupations where workers are exposed to noise exceeding 85 decibels.
34	Leptospira icterohaemorrhagiae	Working in sewers, tunnels, mines and slaughterhouses, and other works where workers are being in contact with animal and fish meat or wastewater.
35	Ankylostomiasis	Working in tunnels, sewers and mines.
36	Tetanus	Working in tunnels and sewers and handling manure, etc...
37	Occupational bone and	All works using pickaxes or similar low vibration tools, and

	articulation diseases, chronic tendonitis, chronic inflammation of tendon vagina, membranes and ligaments, such as: Epicondylitis Carpal Tunnel Syndrome Keinbock's Disease, Tendo vaginitis, Bursitis	single-movement works such as : typewriting works, piano and violin players, goldsmiths, etc...
38	Contamination by tobacco	Different phases of tobacco manufacturing, i.e. sorting, thinning out, filling, sweating, and products manufacturing.
39	Varicose veins	Works that entail remaining standing for a long time, provided the worker has spent at least five years in the said occupation, including: - Printing works – porters - working on machines that require remaining standing for a long time - dentists and workers in operating block such as doctors and nurses – postmen – restaurant and hotel workers – hairdressers, etc...
40	Intimitis	Working in a very cold environment - workers in cold rooms and cold marshy places, etc...
41	Diseases caused by very low frequencies	Every work that entails exposure to the following frequencies, such as: - Radio and radar-related works - Some medical treatment operations - Food oven workers. - Some rubbing works, etc..
42	Skin and eye diseases caused by heat, light, and various radiations	Every work that entails exposure to any radiation in industrial and medical environments and others, including: a- UV radiation such as: mercury lights – laser beams – metals heated above (3000) °C – applications of UV rays in medicine, industry and printing, etc... b- Laser beams such as: ations - application in construction, drilling, communication and excavation works, etc.. c- Infrared radiation such as: Metal welding processes – bakery workers - laser beams – glass welders - electronic equipment workers - long exposure to sunlight.
43	Malta fever and its complications	- Workers in slaughterhouses. - Livestock breeding and dealing with bovine and sheep products and residues.

Table of substances causing occupational cancer

	Substance	Disease	Processes or works causing such diseases
1	Asbestos	Lung cancer Mesothelioma	Working in asbestos mines; processes of grinding and spinning asbestos. Asbestos cement industry and covering.
2	Nickel refined with nickel carbonyl	Bronchus and lung cancer	Nickel founding, alloys and roasting processes. Electrolysis works.
3	Hexavalent chromate	Bronchus and lung cancer	Chromium production, manufacturing and covering processes and usages. Handling acetylene and ethylene - battery manufacturing – glass, porcelain and plastic carpet industries.
4	Isopropyl oil	Nasal sinus cancer	Manufacturing and using isopropyl oil.
5	Petrol	Blood cancer	Petrol industry – working in explosives industry – plastic cement industry – manufacturing and using dyes and paints – shoe industry – distillation works.
6	Arsenic	Erythrocyte and leukocyte blood cancer	Extracting arsenic from mines - founding processes – tanning and pesticides industry – hair spray industry – chemical processes – wine industry – oil refining.
7	Ionizing radiation and X-rays	Skin cancer Lung cancer	Using these radiations in agriculture, diagnosis and remedial medicine and other fields.
8	Cadmium	Skin, bone, lung and blood cancer	Exposure to cadmium vapors and dust - mineral alloys processes – alkaline reserves - dyes- atomic reactors – heated cadmium smoke – protective cadmium coating
9	Mutli-cycle water fats Bitrybrine bétrazansène bitumen – bitumen oil	Skin, testicle, lung and bronchus cancer	Processes that entail being in contact with these substances.
10	Betaphatyl amines Alphanaphtyl amines Bétrydine de Chlorbétridine Orthotolédine dianydyne 4-amino de vinyle 4-nitro de	Urinary bladder and urinary tracts cancer	- Working in dyeing industries and relevant applications. - Rubber industry (compressed) - Textile industry. - Paints industry.

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