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# Palestinian Labour Law No.7 & Worker's Rights

## Background

- Labour Law No. 7 was ratified in 2000 and replaced the 1960 Jordanian Labour Law in the West Bank and the 1964 Egyptian Labour Law in the Gaza Strip.
- It was drafted in line with Arab Labour Organization (ALO) and International Labour Organization (ILO) standards.

## Labour Law No. 7

“Work is a right for each citizen who is capable thereof. The Palestinian National Authority shall provide it on the basis of equal opportunities and without any kind of discrimination whatsoever.”

Article 2, Labour Law No. 7

Labour Law No. 7 is organized into 10 sections covering a number of issues.

Below is a brief summary of each section:

### 1. General Provisions and Principles section:

- Makes work a right for each work-able citizen;
- Exempts workers from judicial fees accrued from work-related disputes;
- Permits unionization; and
- Excludes from the provisions of the Labour Law No. 7 government functionaries, domestic servants, and up-to first-degree family members of the employer.

### 2. Employment, Occupational Training and Guidance:

- Requires employers to submit to the Ministry of Labour (MoL) on a monthly basis various demographic data on its employees;
- Requires employment of qualified disabled workers to be no less than 5% of the staff;
- Allows the MoL to grant licenses to work to non-Palestinians; and
- Prohibits discrimination in the circumstances and conditions of work between workers.
- Occupational Training and Guidance instructs the MoL to establish and regulate training and guidance that safeguards the principle of equal opportunity.

3. **The Individual Work Contract** section covers the various methods of agreement, the composition of the contract, its duration, expiration and termination.

4. **Collective Labour Relations** are summarized in the Labour Unions section below.

5. **Requirements and Conditions of Work** section covers working hours and weekly holidays, leave, salaries and occupational safety and health.





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### 6. Regulation of the Work of Minors

(from 15 to 18 years old) section:

- Prohibits employment of children below the age of fifteen;
- Narrows the type of work minors can perform, for example, dangerous work; and
- Makes adjustments to several provisions above in order to provide minors with a greater level of protection.

### 7. Regulation of the Work of Women section

- Prohibits gender-based discrimination;
- Narrows the type of work women can perform, for example, dangerous or strenuous work.
- Makes adjustments to several provisions in order to assist women before and after pregnancy.

**8. The Labour Inspection section** authorizes members of The Commission of Labour Inspection to enter the workplace, make inquiries with employers and/or workers, view and take copies of what pertains to the condition of work, take samples of used materials and issue orders and directives.

**9. Work Injuries and Occupational Diseases** section describes what is required from the employer upon the occurrence of a work injury or death.

### 10. Penalties and Conclusive Provisions

section describes the occasion for and the type of penalties.

**The Labour Law No. 7 is supplemented with about 30 bylaws that were ratified during 2003, 2004, 2005 and 2006. The bylaws cover a broad range of issues, concerning:**

- Special protection and regulation on work for minors, women and seasonal workers.
- Protective safety and health standards and conditions in the workplace, including periodical medical check-ups, on-location first-aid equipment, etc.
- General regulations regarding working hours and extra work and specific regulation regarding dangerous and harmful-to-health work and work during religious and official holidays.

### Inspection

- The Ministry of Labour's (MoL) Inspection and Protection Administration is responsible for insuring adherence to the Labour Law No. 7 in the work place.
- Currently there are around 40 inspectors in the West Bank and around 30 in the Gaza Strip. They visit a minimum of 40 establishments per month, in every district, checking workplace health and safety conditions.

### Impact

- Managed to bring worker's rights closer in line with international standards;
- Empowered employees to take up a larger variety of issues with a responsive authority; and
- Is relatively flexible, providing employers with significant flexibility to hire and fire workers, even more so than in some neighbouring countries.

### Labour Unions

- The history of Palestinian labour unions goes back to the 1920s;
- The Labour Law No. 7 in the Collective Labour Relations section covers collective negotiation, collective labour agreement, the settlement of collective labour disputes and regulation of strikes and lockouts;
- There is a newly-drafted law awaiting the Palestinian President's approval that provides a regulatory framework for the many unions existing in the West Bank and Gaza Strip; and
- A large number of workers maintain a membership with a union, with unions regularly and actively engaging in resolving employee-employer disputes.

An Arabic and/or English version of the Labour Law No. 7 may be acquired upon request from the Ministry of Labour.

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