

Law No. 8 for the Year 1996
The Jordanian Labor Law

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First Chapter

Scope of the Law Application & the Interpretation of its Terms

Article 1: The Name of the Law and the Effective Date of the Same

The current Law shall be cited (Labor Law for the Year 1996) to be effective sixty days as from the date on which the same shall be published at the Official Gazette.

Article 2: Definition of Terms & Expressions

The following terms and expressions shall have the meanings assigned for them hereunder wherever mentioned herein unless otherwise indicated by the text

- The Ministry: The Ministry of Labor
- The Minister: The Minister of Labor
- The Secretary General: The Secretary General of the Ministry
- The Employer: Every natural or artificial person who hires a person or more against salary in any capacity.
- The Association: The party that represents the employers.

- The Employee: Every person whether a male or female who performs a paid work being associated with the employer under the control of the latter including juveniles who are subject to probation or rehabilitation.
- The Work: Every intellectual or physical endeavors made by a paid worker whether constant, coincidental, temporary or seasonal.
- Coincidental Work: The work required pursuant to incidental necessities the accomplishment term of which shall not exceed three months.
- Temporary Work: The work which accomplishment nature shall require a limited term.
- Seasonal Work: The work carried at specific seasons of each year the term of which shall not be more than six months.
- Joint Labor Contract: An agreement in writing pursuant to which the work terms concluded between the employer or the association as from one part and a group of workers or the union as from another part shall be laid down.
- Labor Contract: An agreement made verbally or in writing whether expressly or by implication by virtue of which the worker shall be committed to work for the employer under the supervision or the management of the latter against a salary. However, the labor contract may be limited or unlimited for a specific or non specific work.
- Salary: Every payment due for the worker against his work whether the same shall be in cash or in kind in addition to the other payable allowances whatever in case the same shall be provided by the Law, the labor contract or the bye-law or otherwise the payment of which shall be common excluding the salary due for the overtime.
- The Juvenile: Every male or female person who has reached the age of seven years old but less than eighteen years old
- The Institute: The party the renders services, practice the business of goods production or distributing the same.
- The Medical Reference: The physician or the medical committee appointed by the Minister.
- The Vocational Disease: The infection with any of the industrial diseases shown at schedule No. (1) or any of the vocational infections stated at schedule (2) attached herewith.
- Accident of Labor: The damage caused to the labor as a result of an accident occurred while performing the work or out of the same including those sustained by him while going or returning from his work.
- The Beneficiary: The beneficiary or beneficiaries of the labor family as provided for at the Social Security Law applicable.
- The Union: A labor vocational organization to be constituted pursuant to the provisions of the current Law.
- The Administrative Body: The administrative body of the Union.
- The Joint Labor Dispute: Any dispute that may incur between a group of labors or the union from one part and the employer or the association from another part regarding the application of a joint labor contract, its interpretation or otherwise related to the terms and conditions of the work.

Article 3: Persons who are not subject to the Law

The provisions of the current Law shall be applied to all the labors and employers excluding:

- A. Public employees and those working for municipalities.
- B. The members of the employer family who are working for his projects free of charge.
- C. Servants who are working for houses, their gardens, the cooks of the same and those of similar capacity.
- D. Farming labors except those determined to subject to the provisions of the current Law by the Prime Ministry pursuant to a recommendation of the Minister.

Article 4: The Scope of the Law Application

- A. The provisions of the current Law shall not be of any effect to any of the rights vested to the labor by virtue of any other law, labor contract, agreement or resolution in case any of the same shall produce rights to the labor that are better than those laid down for the latter pursuant to the provisions hereof.
- B. Every term of a contract or agreement whereby the labor shall waive any of the rights vested to the same by virtue of this Law shall stand null and void whether such contract or agreement has been concluded before the current Law or thereafter.

Second Chapter **Labor Inspection**

Article 5: Inspection Duties

The Ministry shall assume the inspection duties pursuant to the provisions of this Law.

Article 6: Duties of Labor Inspector

Each person assuming inspection duties shall sign to a declaration under oath to the effect that he shall perform his duty honestly and in good faith in addition to the non disclosure of secrets that may come to his knowledge by virtue of the same.

Article 7: Inspection Regulations

The qualifications, duties, powers and salary of the labor inspectors and the liabilities of the employers toward the same shall be laid down pursuant to regulations to be issued to that effect.

Article 8: The Duties of the Employer Towards Inspection

The employer or who acts on his behalf shall:

- A. Sent a notice to the Ministry or any of its Directorates located within the labor area stating at the number of labors working for him, the labor site of each of them, the nature of his work, the date on which he has commenced working and his salary which shall be made on the first month of every year.
- B. Keep the records that shall be maintained at his establishment including the records of the labors and the trainees of the same.

Article 9: The Powers of the Labor Inspector

- A. While performing his duty, the labor inspector shall practice the powers vested to the members of the Judicial Police by virtue of the Criminal Procedures Law applicable. However, the minutes by the same within the limits of his duty shall be effective till otherwise shall be proved.
- B. The inspector may demand that the employer shall rectify the breach within a term that shall not exceed seven days as from the date on which he shall be served with a warning in writing to that effect to the contrary of which the Minister or whom he shall delegate may determine to close the establishment till the breach shall be rectified or the delivery of a judgment for the same by the Court.

Third Chapter

Employment & Vocational Direction

Article 10: Labor Market Organization

- A. The Ministry shall assume the organizing duties of the labor market, the vocational direction and laying down the instructions necessary for providing job opportunities and employment for Jordanians inside and outside the Kingdom in cooperation with the competent parties.
- B. Private employment offices may be established pursuant to a license issued by the Minister which terms, goals, duties method of management and the manner of the Ministry supervision to the same shall be set pursuant to a bye-law to be issued to that effect. However, the Minister may determine the fees to be collected by such offices against their services.

Article 11: Labor Market Protection

No entity other than the Public Employment Directorates and the licensed private employment offices shall carry the business of brokerage for the employment or facilitating the employment of labors inside and outside the Kingdom. However, the Minister may cause the closing of the business place acting against the provisions of the current Article and to refer the same to the Court for which any entity which stands acting against the provisions of this Article shall be punished by a fine that shall neither be less than Jordanian Dinar two hundred nor more than Jordanian Dinar, sentencing to jail not less than thirty days or by both of the same in addition to closing the place that is used to such purpose and confiscating its assets related to the purpose of operation.

Article 12: Non Jordanian Labors

- A. It shall not be allowed to hire any non Jordanian labor unless the consent of the Minister or whom he shall delegate to that effect shall be obtained provided the work shall require an experience and efficiency that are not available for the Jordanian labors or that the available number of the same shall not meet the demand. However, the priority shall be given to the Arab experts, technicians and labors.
- B. The non Jordanian labor shall procure a labor permission from the Minister or whom he shall delegate to that effect before calling upon or hiring the same which term shall not be more than one year renewable.
- C. The Ministry shall cause the employer to pay a fee against the issuance of the labor permission for each non Jordanian labor or the renewal of the same which fee shall be considered a revenue for the Treasury which amount shall be determined pursuant to a bye-law.
- D. The Minister may, upon a recommendation made by the Ministry of Social Development exempt the handicapped suffering a severe disability, his trustee or custodian from the payment of the fee due for the labor permission related to one non Jordanian labor in case the handicapped shall be in need mostly and constantly for the assistance of the others while performing the duties of his daily

- life and in case the duties of the non Jordanian labor shall be dedicated exclusively to rendering the assistance to the handicapped.
- E. The employer or the director of the establishment, pursuant to the case, shall be punished by a fine that shall not be less than Jordanian Dinar fifty nor more than Jordanian Dinar for each month or any part thereof for every non Jordanian labor that shall be hired against the provisions of this Law. However, the amount of the fine may not decreased to less than the minimum rate of the same in any case or for any reason whatever.
- F. The Minister shall issue a decision to the effect of the expelling of the labor standing in breach of the provisions of this Article outside the Kingdom at the expense of the employer or the director of the establishment which decision shall be carried by the competent authorities.

Article 13: Hiring Handicapped Labors

The employer who hires fifty labors or more and the nature of his business may allow the employment of handicapped labors qualified through the programs, arrangements and vocational qualification institutes related to the handicapped persons appointed by the Ministry or founded by the same in cooperation with the official or private institutions shall hire such labors at the rate of 2% (two percent) as minimum of his total labors. However, he shall sent a statement to the Ministry stating the positions occupied by the handicapped qualified as such and the consideration of each of them.

Article 14: Hiring Partially Disabled Labor

In case the labor shall sustain an industrial accident leading to a partial constant disability that shall not hinder his performance for a work other than his work previously performed by him, then the employer shall assign another work to him that shall suit his case, if any, for the consideration assigned to the same provided his financial rights related to the term that precedes his accident shall be computed on the basis of his last salary due before the accident.

Fourth Chapter **Labor Contract**

Article 15: The Conclusion of the Contract/Terminating the Employment, the Expiry of the Limited Term Work, Performing a Specific Work at Once and the Labor sub Contract

- A. The labor contract shall be made in Arabic of at least two copies of which the parties thereof shall keep one. However, the labor may prove his rights through all the legal proving methods in case the contract shall not be made in writing.
- B. The labor appointed for an unlimited term shall be considered on duty till his service shall expire pursuant to the provisions of the current Law while in cases in which the labor shall be hired for a limited term, then he shall be on his duty through such term.
- C. In case the labor contract shall be for a limited term, then it shall expire automatically upon the expiry of its term. However, and in case the parties thereof shall continue performing the same after the expiry as such, then it shall be considered as a renewal of the same for an unlimited term as of the first hiring.
- D. The labor who is hired regularly for a specific work to be done at once at the place of business as an unlimited term labor.
- E.
 - 1. The labors of the contractor who work for performing a contracting may file a case directly against the owner of the project to claim for their payable sums towards the contractor within the limits of the contractor due payment towards the owner of the project at the time of instituting the case.
 - 2. The labors of the subcontractor either may file a case directly against each of the principal contractor and the owner of the project within the limits of the sum payable by the latter for the principal contractor and that is due for the subcontractor from the principal one at the time of instituting the case.
 - 3. The labors mentioned at the aforementioned paragraphs may collect their rights at a priority of the sums due for the principal or subcontractor while in case of their competition, then they shall collect their rights pro rata the right of each of them.

Article 16: The Effectiveness of the Labor Contract to the Public & Private Successor

The labor contract shall remain applicable no matter if the employer shall be altered following the sale of the project, the transfer of the same through legacy, the amalgamation of the establishment or otherwise. However, the principal and the new employers shall stand jointly liable for a term of six months for executing the liabilities incurred out of the labor contract being due before the date of the alteration after which term the new employer shall be held solely liable for the same.

Article 17: Obliging the Labor to Perform a Work Other than his Work

The labor shall not be obliged to perform a work that is greatly different the nature of that agreed upon pursuant to the labor contract unless the same shall be necessary aiming at avoiding an accident, maintaining what has incurred out of the same, the case of the force majeure or the other cases as provided by the Law provided that the same shall be within his capability and pursuant to the situation that has necessitated such work.

Article 18: Replacing the Place of Work

The labor may not be obliged to work at a place other than that assigned for his work in case the same shall cause him to change his place of accommodation unless otherwise stated by the labor contract allowing the same.

Article 19: Duties of the Labor

The labor shall:

- A. Perform the work himself through which he shall be the attention of the normal person in addition to abiding with the orders of the employer related to the performance of the work agreed upon within the limits that shall cause him to be exposed to a danger or otherwise shall be inconsistent with the provisions of the applicable laws or the public morals.
- B. Keep the industrial and commercial secrets of the employer which may not be disclosed in any manner whatever even after the expiry of the labor contract as shall be required by the agreement or the custom.
- C. Look after the things delivered to him for the purposes of performing the work including the work tools, substances and other supplies related to the same.
- D. Be subject to the necessary medical tests which the nature of work shall require to be performed before joining the work or after the same to verify his being free from the industrial and contagious diseases.

Article 20: The Invention

- A. Without prejudice to the provisions of paragraph (B) of this Article, and in case the labor shall establish a new invention, then the employer shall not be entitled to any right of such invention even if the labor shall conclude the same while

performing his work provided that the priority to purchase such invention shall be vested to the employer.

- B. In case the nature of the works assigned to the labor shall require that he should dedicate his effort for inventing, then the labor may share the rights related to the invention at a rate that shall not exceed (50%) fifty percent of the same. However, computing such percent shall be without prejudice to the volume of the scientific and material effort rendered by the labor in addition to the substances, tools, institutes and other facilities offered by the employer.

Article 21: The Expiry of the Labor Contract

The labor contract shall expire in any of the following cases:

- A. In case the parties thereof have agreed to its expiry.
- B. In case the term of the labor contract has expired or the work itself has expired.
- C. In case labor has died, a disease has caused him to be disable or become incapable to perform the work pursuant to a medical report issued by the medical reference.

Article 22: The Death of the Employer

The labor contract shall not expire as a result of the employer death unless the personality of the employer shall be considered in the labor contract.

Article 23: The Service Termination

- A. In case either party shall wish to terminate the unlimited labor contract, then he shall notify the other party in writing to that effect at least one month which notice may not be withdrawn except upon the consent of both parties.
- B. The labor contract shall remain effective all through the term of the notice which term shall be computed of the term of the service.
- C. In case the notice shall be made by the employer, then he may discharge the labor of duty through its term or to cause him to work except for the last seven days of the same. However, the labor shall be entitled to receive his salary due for the term of the notice in all the cases.
- D. In case the notice shall be made by the labor and in case he shall quit the work before the expiry of the term of the notice, then he shall not be entitled for any salary related to the term through which he has quitted the work. Further, he shall compensate the employer for such term equally to his salary due for the same.

Article 24: An Exclusion of the Service Termination

Without prejudice to the provisions of Article (31) of the current Law, the labor may not be dismissed or be subject to a disciplinary measure for causes related to complaints and claims instituted by the labor to the competent parties regarding the application of this Law upon him.

Article 25: Abusive Dismissal

In case the competent Court shall arrive at a conclusion pursuant to a case filed by the labor within sixty days as from the date of his dismissal that the same has been abusive and in breach with the provisions of this Law, then it may deliver an order to the employer instructing him to return the labor to his principal work or to pay him a compensation in addition to a notice consideration and other payable sums as provided in Articles (32) & (33) of the current Law provided that the amount of the compensation shall neither be less than the salary of three months nor be more than six months which shall be computed on the basis of the last salary received by the labor.

Article 26: Terminating the Limited Term Labor Contract

- A. In case the employer shall terminate the limited term labor contract before the expiry of its term or be terminated by the labor following any of the reasons provided for in Article (29) hereof, then the labor shall be entitled to receive all the rights and privileges stated at the contract unless the termination of the contract shall be a dismissal pursuant to Article (28) of this Law.
- B. In case the termination of the limited term contract shall be made by the labor in cases other than those provided for in Article (29) hereof, then the employer may claim him for the proceeds of such termination related to the damage which assessment shall be referred to the competent Court provided the sum that shall be ruled for the labor shall not exceed the salary of a half month for each month of the remaining term of the contract.

Article 27: An Exclusion of the Service Termination

- A. Without prejudice to the provisions of paragraph (B) of this Article, the employer may not terminate the service of the labor or address a notice to same effecting the termination of his service in any of the following cases:
 - 1. The working pregnant woman as of the sixth month of its pregnancy or through the motherhood leave

2. The labor who is subject to the compulsory or reserve service while performing such service.

3. The labor who is on an annual or sick leave or otherwise the leave granted to him for purposes related to labor education or pilgrimage or his leave agreed upon between the parties to dedicate himself for union work or joining an appointed institute, college or university.

B. The employer shall be exempted from the provisions of paragraph (A) of this Article in case labor shall be hired by another employer through any of the terms provided for in such paragraph.

Article 28: Dismissal Without a Notice

The employer may dismiss the labor without a notice in any of the following cases:

In case the labor shall assume the character or identity of the other or shall submit forged certificates or documents aiming at bringing a benefit for himself or damaging the other.

In case the labor shall not satisfy his liabilities pursuant to the labor contract.

In case the labor shall commit a mistake that shall cause a gross material loss to the employer provided that the employer shall report the accident to the competent party or parties within five days as from the date on which he shall know the incidence.

In case the labor shall violate the establishment bye-law including the safety conditions of the work and labors though he would have been warned twice in writing.

in case the labor shall be absent having no legal excuse more than twenty discontinuous days through the one year or more than ten consecutive days provided the dismissal shall be preceded by a warning in writing to be sent by the registered mail addressed to his address in addition to being published at one of the daily local newspapers for one time

In case the labor shall disclose the secrets related to the work.

In case the labor shall be convicted of a crime or an offense that encroaches the honor and public morals by virtue of a definite judgment.

In case he shall be found greatly drunk, under the influence of a drug or an intellectual effect or has committed an act that would be against the public morals at the place of work while performing his duty.

In case the labor shall trespass the employer, the in charge manager, any of his heads, any labor or any other person while performing his duty or out of the same by hitting or insulting.

Article 29: Quitting Work Without a Notice

The labor may quit the work without a notice without prejudice to his legal rights related to the expiry of the service and his payable sums of damages compensations in any of the following cases:

Assigning him to a work that differs greatly from the work agreed upon to be assigned to him pursuant to the labor contract provided that the same shall be of no prejudice to the provisions of Article (17) of this Law.

Hiring him in a manner that shall require him to change his constant place of accommodation unless the contract shall provide the same to be allowed.

Transferring him to a work that is of a lower degree in comparison with the work agreed upon to be hired for the same.

Decreasing his salary. However, the same shall be of no prejudice to the provisions of Article (14) of the current Law.

In case it shall be proved pursuant to a medical report issued by a medical reference that his continuing of his work may threaten his health.

In case the employer shall trespass him or who represents him while working or out of the same by hitting or insulting.

In case the employer shall fail the performance of any provision of this Law or any ordinance to be issued by virtue of the same provided he shall have received a notice issued by a competent party at the Ministry instructing him to abide by such provisions.

Article 30: The Service Certificate

The employer shall give the labor upon the expiry of his service upon his request a service certificate that shall indicate the name of the labor, the type of his work, the date on which he has joined the service and the date of its expiry. Further, the employer shall be committed to return what have been submitted by the labor including the papers, certificates or tools.

Article 31: Suspending the Unlimited Term Labor Contract

The employer may terminate the unlimited term labor contracts in full, in part or suspend the same in case economic or technical conditions shall necessitate such termination or suspension such as reducing the volume of the work, replacing the production method with another or the definite ceasing of business provided the same shall be reported to the Ministry.

The Minister of Labor may constitute a committee of the three production parties to verify that the measures are duly carried.

The labors whose services have been terminated pursuant to paras. (A, B) of this Article shall enjoy the right to be reemployed within one year as from the date of their quitting the work in case the work shall recover its nature and they shall be capable of being hired by the employer.

The labor whose labor contract has been suspended pursuant to paragraph (A) of this Article shall be entitled to quit the work without a notice without prejudice to his legal rights related to the expiry of the service.

Article 32: Service Expiry Reward

Without prejudice to the provisions of Article (28) of this Law, the labor who works for an unlimited term being not subject to the provisions of the Social Security Law whose service would be terminated for any reason whatever shall be entitled to get a service expiry reward at the rate of a month salary for each year of his actual service while he shall be granted a pro rata reward for the fragments of the year. However, the reward shall be computed on the basis of the last salary received by the labor through the term of his employment while in case the salary in full or in part shall be computed on the basis of a commission or a specific work to be performed, then the computation of the reward shall be laid down on the basis of the monthly average of what has been actually gained by the labor through the twelve months that precede the expiry of his service and in case his service shall not reach such rate, then the monthly average for the total service achieved shall be accredited. However, the intervals that shall incur between a work and another that do not exceed one month shall be considered as a consecutive service term upon computing the reward.

Article 33: Saving & Retirement Fund

- A. In addition to the service expiry reward, the labor who is subject to bye-laws that belong to the establishment for which he works related to saving, retirement or any other similar fund shall be entitled to get all the merits granted to him pursuant to such bye-laws in case of the service expiry.
- B. The bye-laws related to the funds provided for in paragraph (A) of this Article shall be approved by the Minister.

Article 34: The Rights of the Deceased Labor

In case a labor shall pass, then all his rights related to the service expiry reward provided for herein shall be transferred to his legal heirs as if his services have been terminated by the employer in addition to his rights due from any of the funds stated upon in Article (33) of this Law.

Article 35: The Probation Term

- A. The employer may hire any labor under probation for the purposes of verifying his efficiency and abilities to perform the required work provided that such term shall not exceed in any case three months and that the salary of the labor working as such shall not be less than the minimum rate set for the same.
- B. The employer may terminate the employment of the labor under probation without a notice or a reward through the probation term.

- C. In case the labor shall continue his working after the expiry of the probation term, then the contract shall be considered as a labor contract for an unlimited term. However, the probation term shall be computed within the labor service for the employer.

Fifth Chapter **Vocational Training Contract**

Article 36: Concluding the Training Contract

- A. The vocational training contract shall be made in writing between the labor and the employer in addition to that the trainer shall be enjoying the qualifications and experiences sufficient for the profession or the craft aimed for the training of the labor. Further, the establishment itself shall meet the conditions suitable for training.
- B. The training contract shall be made in accordance with the form and the terms set by the Vocational Training Corporation pursuant to instructions to be issued by the same to that effect and be published at the Official Gazette. However, the contract shall be exempted from the revenue stamps.
- C. The trainee who has reached the eighteen years old shall conclude the contract himself while if the same shall be a juvenile, then his trustee or custodian shall act on his behalf.

Article 37: The Term of the Training Contract

The training contract shall set its term, the consecutive stages and the salary due for the trainee for each stage which shall not be less than the minimum rate granted to a similar work at the last stage and that its determination shall not be made in any case on the basis of a specific work to be performed or the production. However, the training shall be carried pursuant to the programs set by the Vocational Training Corporation according to instructions to be issued by the same to that effect to be published at the Official Gazette.

Article 38: The Termination of the Training Contract

The training contract may be terminated upon the request of either party in any of the following cases:

- A.
In case either of them shall commit a violation against the provisions of the current Law or the regulations issued by virtue of the same.

- B. In case any of them shall not meet his duties pursuant to the terms of the contract concluded between them.
- C. In case the performance of the contract terms shall stand impossible for causes beyond the control of either party.
- D. In case the employer shall transfer the training place set at the contract to another one which shall constitute a difficulty for the trainee or shall damage his interest. However, the trainee may not protest by such reason after having one month passed from the date on which he has been transferred to the new place of training.
- E. In case the trainee continuation of the work shall threaten his safety or health which matter shall be proved through a report made by a labor inspector or a medical report issued by an appointed medical committee.

Sixth Chapter **Joint Labor Contract**

Article 39: The Conclusion of the Joint Labor Contract

The joint labor contract shall be made at least of three original copies of which each party shall keep one while the third copy shall be deposited at the Ministry to be entered at a special record. However, the joint labor contract shall be binding as from the date set at the same while in case such date shall not be available, then the same shall be effective as from recording it at the Ministry.

Article 40: The Term of the Joint Labor Contract

The joint labor contract may be for a limited or unlimited term and if the same shall be for a limited term, then it shall not exceed two years while in case it shall be unlimited, then each of the parties to the contract shall be entitled to terminate the same pursuant to a notice to be served to the other party at least one month prior to the date of the termination. However, the Ministry shall be served with a copy of such notice.

Article 41: The Renewal of the Joint Labor Contract

- A. In case the joint labor contract shall come to an end following the expiry of its term or by terminating it through any of the parties pursuant to the provisions of Article (40) of the current Law having there negotiations for its renewal, extending its term or amending the same, then it shall stand effective all through the negotiations for a term that shall not exceed six months while in case such negotiations shall not reach an agreement within such term, then it shall stand expired.
- B. The expiry of the joint labor contract shall not entitle the employer to break the rights acquired by the labors included in the contract in any manner.

Article 42: The Parties Towards Which the Joint Labor Contract shall be Binding

- A. The joint labor contract shall be binding for the following parties:
1. The employers and their successors including their heirs and the persons to whom the establishment has been transferred in any matter whatever or upon its merger with another.
 2. The labors who are subject to its terms and conditions in case of their withdrawal from the union or the withdrawal of the union from the association which is a party to the joint contract in case they shall be members in such union or the union shall a member in the association upon concluding the contract.
 3. The labors of any establishment that is subject to the provisions of the joint labor contract being related to such establishment pursuant to individual labor contracts which terms shall be of less benefit for them than the terms of the joint contract.
- B. Each term that is inconsistent with the joint labor contract included in any individual contract concluded between persons related to the joint contract shall stand null and void unless such term shall be of more benefit to the labors.

Article 43: Extending the Scope of the Joint Labor Contract

The Minister may decide, upon the request of any of the employers or the labors and after carrying a suitable study that shall include looking through the recommendations of a committee to be instituted of the related employers and the labors to extend the scope of the comprehensiveness of any joint contract of which term of effectiveness at least two months have passed to be applied in full to the employers and labors of a specific sector or to part of the same in all the areas or a specific on. However, the decisions issued pursuant to this Article shall be published at the Official Gazette.

Article 44: Joint Labor Contracts Recording Instructions

The Minister shall issue instructions whereby the method of recording the joint labor contracts, joining them, procuring copies of the same and other organizational matters related to such contracts shall be set. However, a declaration to the effect of the availability of the joint contract, the parties thereof, its date and the venue of the contract shall be placed inside the establishment and at the working places.

Seventh Chapter
Salary Protection

Article 45: Salary Fixing

The amount of the salary shall be fixed at the contract to the contrary of which the labor shall receive the salary estimated for a similar work if any or shall be estimated pursuant to the custom. However, and in case the same shall not be available, then the Court shall assume fixing the same pursuant to the provisions of the current Law considering the same as a labor dispute related to the salary.

Article 46: The Payment and Collection of the Salary

- A. The salary shall be paid within a term that shall not exceed seven days as from its due date. However, the employer may not deduct any part thereof except in the cases allowed by the Law.
- B. The signature subscribed by the labor to any statement or record of salaries or otherwise a receipt of the amount of the sum entered to the same shall not mean waiving his right related to any increase to the collected sum pursuant to the Law, the bye-law or the contract.

Article 47: The Deduction of the Salary

It shall not be allowed to deduct any sum of the labor salary except in the following cases:

To recover what have been submitted to the labor by the employer of loans provided the installment recovered as such shall be more than (10%) of the salary.

To recover any sum paid to the labor being an overdue sum.

The social security subscriptions, the premiums of the same due from the labor and the deductions that should be satisfied by virtue of the other laws.

The labor subscriptions to the saving fund.

Deductions related to housing facilities offered by the employer and the other privileges or services pursuant to the rates or percentages agreed upon between the parties.

Each debt collected pursuant to a judgment.

The sums that shall be charged against the labor out of his breaking of the provisions of the bye-law of the establishment or the labor contract or otherwise against the damaged substances or tools caused by his negligence or mistakes pursuant to the special rules stated upon herein.

Article 48: Disciplinary Measures & Fines

The employer may not adopt a disciplinary measure or charge a fine to the labor for a breach that is not provided for in the penalties statement approved by the Minister provided the following shall be considered:

- A. The labor shall not be subject to a fine that shall exceed the salary of three days at the one month or to be suspended of work for no salary for a term that exceeds three days at the one month. Further, he shall be granted the opportunity so that his affidavit shall be heard to defend himself before imposing the same and that he shall be entitled to object to the penalty charged against him before the work inspector within one week as from the date of being served with it.
- B. Neither disciplinary measure shall be adopted nor a fine shall be charged against him for any breach stated upon at the approved statement of penalties after having fifteen days passed as from the date of the commitment of the same.
- C. The fines charged by virtue of this Article shall be entered to a special record that shall show the name of the labor, the amount of his salary and the reasons of the fine. However, the fines shall be dedicated for realizing social services for the labors working for the establishment as shall be determined by the Minister.

Article 49: Deduction of the Salary

In case it shall be proved that the labor has caused the loss or the damage for tools, equipment or products owned or acquired by the employer or otherwise under the custody of the labor resulting from the misconduct of the labor or his breaking of the employer instructions, then the latter shall be entitled to deduct the value of the lost or damaged things or otherwise the cost of maintaining the same from the labor salary provided the amount deducted as such shall not exceed the salary of five days a month. However, the employer shall have the right to refer to the competent civil Courts to claim for the compensation related to the damages caused by the labor.

Article 50: Work Suspension

In case the employer shall be obliged to suspend the work temporarily for a reason that is not attributed to him being unavoidable by the same, then the labor shall be entitled to the full salary for a term that shall not exceed the first ten days as of the work suspension while he shall be paid half of his salary for the term that exceeds the same whereby the total suspension paid shall not exceed sixty days a year.

Article 51: Privileges of the Labors Salaries & Rights

- A. Notwithstanding the provisions of any other law, the salaries and sums due pursuant to the provisions of the current Law for the labor, his heirs or the persons entitled to the same after his death shall be considered shall be debts of a general preference of the first class that shall supersede the other debts including the taxes, fees, other rights due for the Government and the debts guaranteed through real estate mortgages or deposits in kind.
- B. In case the establishment shall be under liquidation or the employer shall become a bankrupt, then the liquidator the agent of the bankruptcy shall pay the labor or his heirs the equivalent to a one month salary of the sums due to him promptly after attaching the properties of the employer before causing the payment of any other expenses including the judicial expenses and those of the bankruptcy or the liquidation.

Article 52: Salaries Minimum Rate

- A. The Ministers Board shall, pursuant to the recommendation of the Minister form a committee constituted of an equivalent number of representatives for the Ministry, the labors and the employers. However, the board shall appoint its president among its members which committee shall assume fixing the minimum rate for the salaries to be estimated by the Jordanian Dinar in general or otherwise regarding a specific area or profession which term of membership shall last for two years renewable.
- B. The committee shall hold its meetings upon necessity by an invitation addressed by its president which resolutions shall be submitted to the Minister in case the same shall not be unanimously to be referred to the Ministers Board to adopt the resolution related to the same provided it shall consider the living costs laid down by the competent parties while estimating the salary. However, the final resolutions issued by virtue of this Article shall be published at the Official Gazette including the effective date of the same.

Article 53: Protecting the Salaries Minimum Rate

The employer or his representative shall be punished by a fine that shall not be less than

twenty five Dinar not more than one hundred Dinar for each case in which he shall pay a labor a salary that shall be less than the minimum rate fixed for the salaries in addition to ruling for the labor to be entitled to the difference of the salary which penalty shall be doubled in case the breach shall be repeated.

Article 54: Salaries Authority/Salaries Case Approval Conditions/Salaries Case Measures

- A. The Ministers Board may, upon the recommendation of the Minister appoint an authority to be constituted of the experts in the field of labor affairs cited (the Salaries Authority) constituted of a person or more to look through the cases related to the salaries in a specific area including the decrease of the paid salary, the illegal deductions, the delayed payment of the same or the overtime fees provided they shall be settled urgently. Further, and for the purposes of approving the case, the labor shall be on duty or that the expiry of his work has been less than six months ago then. However, and in case such condition shall not be available, then the labor shall be entitled to refer to the competent civil Court.
- B. The Salaries Authority shall not be bound to apply the measures and rules applicable at the Courts which shall enjoy the same powers of the civil Courts regarding the following matters:
 - 1. Calling upon any person to hear his affidavit after administering the oath and to subpoena him through the competent police authorities in case of his failure to attend.
 - 2. To demand that the parties of the case shall submit the documents and data deemed suitable by the same for settling the case.
- C. The labor himself or the Labors Union on his behalf shall submit the claim in writing. However, one claim may be submitted by a number of labors in case they shall be working for the same establishment the cause of which shall be the same. Further, both of the opponent parties shall be entitled to appoint who shall act on his behalf before the competent Salaries Authority.
- D. The Salaries Authority may request that the employer shall pay the labor the fees illegally deducted, unpaid salaries or those delayed within a period of time to be fixed by the same in addition to being entitled to add a compensation to be estimated by it provided that the amount of the compensation shall not exceed the deducted or the unpaid sum for the term the salaries of which are being claimed and provided either that the employer shall not be bound to pay a compensation for the decreased or the delayed salaries in case the Authority shall arrive to the conclusion that the delay has been out of a mistake made in good faith, a dispute incurred about the amount that should be paid, the occurrence of an incidental case, the failure of the labor to claim for the payment of the salaries or otherwise accepting the same.

- E. The Salaries Authority shall look through the case submitted to it with the attendance of the parties or who shall be acting on their behalf which case shall be dropped in case the plaintiff labor shall be absent while it shall be heard in case of the employer absence in which case it shall deliver its decision in absence against the latter which decision shall be subject to appeal within ten days as from the date of serving the same in case the sum ruled for the labor shall exceed one hundred Dinar.
- F. The decisions of the Salaries Authority shall be executed by the competent Executive Departments as if the same are judgments issued by the civil Courts provided that the ruled sums shall not be subject to being paid in installments.
- G. The claim submitted by the labor to the Salaries Authority in addition to the decisions of the latter submitted to the Executive Departments for execution shall be exempted from the legal fees and revenue stamps.
- H. The Authority and the employees working for the same shall be entitled to receive the remuneration determined by the Minister. However, the number of the cases submitted and settled by the same shall be considered provided that the Authority shall perform its duties after the official working time.

Eighth Chapter **Organizing the Work & the Leaves**

Article 55: The Bye-Laws

Each employer who hires ten labors and more shall lay down a bye-law for the purposes of organizing the work in his establishment in which he shall state the working times, the daily and weekly break times, the work breaches and the measures adopted in regard of the same including the dismissal of the work, the manner of their execution and any other details that shall be required pursuant to the nature of the business. However, the bye-law of the establishment shall be subject to the approval of the Minister which shall be effective as from the date of such approval.

Article 56: Fixing the Working Hours

The normal working hours shall be eight hours per day provided that the working hours shall not exceed forty eight hours per week to be distributed on six days at most of which the time dedicated for taking lunch and break shall not be computed. However, the working timed shall not exceed as aforementioned except for the cases provided for herein.

Article 57: Compulsory Overtime Work

The employer may cause the labor to work more than the normal daily working hours in any of the following cases provided that he shall receive the extra remuneration provided herein in any of such cases:

- A. Performing the annual inventory works of the establishment, preparing the balance sheet and the final accounts in addition to the preparation for sale at decreased prices provided that the number of the days that are subject to the provisions of this paragraph shall not exceed thirty days per year while the actual working hours shall not exceed ten hours per each day of the same.
- B. For the purposes of avoiding the occurrence of a loss to the goods, any other material exposed for damage, avoiding the risks of a technical work or otherwise in order to receive, deliver or transfer specific materials.

Article 58: An Exclusion of Fixing of the Working Hours

The provisions related to the working hours provided for herein shall not be applied to the persons who assume general supervision or management missions in any establishment who shall be working in some cases outside the establishment or otherwise their works shall require traveling or moving inside or outside the Kingdom.

Article 59: The Optional Overtime Work

- A. The labor may be caused to work for more than the normal working hours upon his consent provided that the labor shall receive a remuneration for the overtime working hour that shall not be less than 125% of his normal remuneration.
- B. In case the labor shall be working on his weekend, the national days or the official holidays, then he shall receive an extra remuneration for such day that shall not be less than (150%) of his normal remuneration.

Article 60: The Weekend

- A. The Friday of each week shall be considered the weekend for the labor unless the nature of the work shall require otherwise.
- B. The labor may gather his weekends and obtain the same within a term that shall not exceed one month.
- C. The weekend shall be granted to the full paid labor unless he shall be working on a daily or weekly basis, then he shall be entitled in both cases to receive the remuneration of the weekend in case he shall be working six consecutive days prior to the day fixed as a weekend while he shall be entitled to such

remuneration pro rata the days on which he shall be working through the week in case the same shall be three days or more.

Article 61: Annual Leave

- A. Each labor shall be entitled for a full paid annual leave for fourteen days per year unless it shall be agreed to be more than the same provided the term of the annual leave shall be twenty one days in case his service for the same employer shall last for five consecutive years. However, the national days, religious anniversaries and weekends shall not be considered of the annual leave unless the same shall occur through the same.
- B. In case the service of the labor shall not be amounted to one year, then he shall be entitled for a paid leave pro rata the period through which he has worked per the year.
- C. The leave of the labor for any year may be delayed to the next year that immediately follows such year pursuant to a mutual agreement between the labor and the employer. Further, the right of the labor related to the leave delayed as such shall be dropped in case the year to which the same has been delayed shall pass having not applied to use it through the same. However, the employer may not reject the request of the labor to get his leave.
- D. The employer may fix the date of the annual leave for each labor and the manner of using the same within the first month of the year pursuant to the necessities of the work provided the same shall not be of prejudice to the interest of the labor.

Article 62: Partitioning the Annual Leave

In case the annual leave shall not be used at once, then the part thereof shall not be less than six days at each time.

Article 63: Terminating the Employment Before Using the Leave

In case the service of the labor shall expire for any reason whatever before using his annual leave, then he shall be entitled to receive remuneration for the days that have not been used of such leave.

Article 64: The Waiver of the Annual Leave

Any agreement to the effect that the labor shall waive his annual leave or any part thereof shall stand null and void.

Article 65: Sick Leave

Each labor shall be entitled to a sick leave the term of which shall be fourteen days per year paid in full pursuant to a report made the physician appointed by the establishment. However, the same may be renewed for another term of fourteen days paid in full in case he shall be a resident patient at any of the hospitals and for half of his remuneration pursuant to a report made by a medical committee appointed by the establishment being not accommodated at any of the hospitals.

Article 66: Extra Leaves

A. Each labor shall be entitled to fourteen days leave per year fully paid in any of the following cases:

1. In case he shall join a course for the labor education appointed by the Ministry pursuant to the nomination of the employer or the director of the establishment in coordination with the related union.
2. For performing the pilgrimage provided that the labor has worked at least five consecutive years for the employer. However, such leave may not be granted except for once through the term of service.

B. The labor shall be entitled to an unpaid fourteen days leave in case he shall officially join an accredited university, institute or college for the purposes of study.

Article 67: The Leave of the Mother to Look After her Children

The woman who works for an establishment that hires ten labors or more shall be entitled to an unpaid leave for a term that shall not exceed one year to dedicate her time for upbringing her children after which she may get back to her position. However, she shall loose this right in case she shall be working for any other establishment through such term against a remuneration.

Article 68: The Leave of the Husbands Following the Transfer of the Work of Either of Them

Both of the working husbands shall be entitled to get an unpaid leave for one time for a term that shall not exceed two years for accompanying his spouse in case he shall be transferred to another work that shall be located outside the governorate in which he works inside the Kingdom or outside the latter.

Article 69: The Limits Applied to the Hiring of the Woman

The following shall be set pursuant to a resolution to be made by the Minister after inquiring about the opinion of the competent official parties:

- A. The industries and works for which women may not be hired.
- B. Times at which women may not be caused to be working and the cases excluded from the same.

Article 70: Motherhood Leave

The working woman shall be entitled to get a motherhood leave fully paid before and after giving birth the total term of which shall be ten weeks provided the term that shall be spent of the same after giving birth shall not be less than six weeks for which she may not be caused to work before the expiry of such term.

Article 71: Infant Nursing

The working woman shall be entitled to get a paid period or periods of time aimed for nursing her new infant that shall not exceed in total an hour per day which shall be practiced through the year as of the date of birth.

Article 72: Looking After the Children of the Working Women

The employer who hires at least twenty married female labor shall provide a suitable place under the custody of a baby sitter qualified for looking after the children of the working women whose ages are less than four years old provided the number of the same shall not be less than ten children.

Article 73: Banning the Hiring of the Juveniles who are less than Sixteen Years Old

Without prejudice to the provisions related to the vocational training, under no circumstance shall the juvenile who has not reached the sixteen years old may be caused to work in any manner whatever.

Article 74: Limits to the Hiring of the Juveniles who are less than Seventeen Years Old.

The juvenile who is under the age of seventeen years old may not be hired for dangerous, exhausting or works that may damage the health which works shall be determined pursuant to decisions to be issued by the Minister after inquiring the opinions of the official competent parties.

Article 75: Hiring the Juveniles

A juvenile may not be caused to work:

- A. More than six hours per one day provided he shall be granted a break that shall not be less than one hour after working four consecutive hours.
- B. Between 8:00 p.m. and 6:00 a.m.
- C. On the religious days, national holidays and the weekends.

Article 76: Juveniles Hiring Terms & Conditions

Prior to employing any juvenile, the employer shall request him or his trustee to submit the following documents:

- A. A certified copy of the birth certificate
- B. A certificate to the health competency of the juvenile regarding the required work issued by a specialized physician certified by the Ministry of Health.
- C. The consent of the juvenile trustee in writing to work for the establishment.
However, such documents shall be kept in a file that shall be dedicated for the juvenile in addition to sufficient data related to his place of residence, the date of his employment, the work he has been hired for, his remuneration and the leaves.

Article 77: The Penalty Applied to the Breach of the Provision of the Eighth Chapter

The employer or the director of the Establishment shall be punished for any breaking of any of the provisions of the current chapter, bye-law or a resolution issued by virtue of the same by the payment of a fine that shall not be less than one hundred Dinar not more than five hundred Dinar which shall be doubled in case of repetition. However, the penalty may not be decreased to less than its minimum rate for the estimated lightning causes.

Ninth Chapter
Safety & Vocational Health

Article 78: The Duties of the Employer to Provide for the Safety of the Labors

The employer shall cause the following to be effected:

1. Provide for the precautions and measures necessary for protecting the labors of the risks and diseases that may incur out of the work or the tools applied therewith.
 2. Provide the personal protection and preservation means for the labors regarding the risks of the work and the industrial diseases such as the clothes, glasses, gloves, shoes and others in addition to guiding them to the method of applying the same and keeping them as well as their cleanliness.
 3. To draw the attention of the labor to the risks of his work and the manners of preservation that should be applied before commencing his work. Further, he shall affix instructions and directions to an obvious place pointing out the risks of the work and the preservation means related to the same pursuant to the regulations and resolutions issued to that effect.
 4. Providing the medical aid means and tools for the labors of the establishment pursuant to the levels to be set by a decision made by the Minister after inquiring about the opinions of the competent official parties.
- B. The labors may not stand liable for any expenses that shall incur out of performing or providing what has been stated upon in paragraph (A) of this Article.

Article 79: Public Safety Instructions

The Minister shall determine the following pursuant to instructions issued by him after inquiring about the opinions of the competent official parties:

- A. The precautions and measures that shall be adopted or provided in all the establishments or any of them for the purposes of protecting the labors and the establishments from the risks of the work and the industrial diseases.
- B. The tools and means that shall be available at the establishments or any of them for protecting the labors of the same from the risks of the work and the industrial diseases as well as preserving them of the same.
- C. The basics and standards that shall be satisfied by the industrial corporations to assure an environment free from the pollution of whatever type and the preservation from the noise, vibrations as well as all that may be of any harm to the health of the labor pursuant to the appointed international standards in addition to determining the methods of examining and testing related to controlling such standards.

Article 80: The Preservation from Dangerous Substances

The employer shall adopt the precautions necessary for protecting the establishment and the labors of the same from the risks of the fire and explosions, the storage of the dangerous flammable substances, transferring or dealing with the same in addition to supplying the technical means and tools sufficient to that effect pursuant to the instructions of the competent official authorities.

Article 81: Banning the Entry of Substances of Mental Effects to the Place of Work

It shall be prohibited that the employer or the labor may allow the entry of any type whatever of liquors, drugs, substances of mental effects or dangerous drugs to the places of work or to offer the same therein. Further, it shall not be allowed for any person to enter such places or remain at the same for any reason whatever being under the effect of such beverages or drugs.

Article 82: The Labors Abiding by the Preservation Instructions

The labors of any establishment shall abide by the provisions, instructions and resolutions related to the precautions of preservation, safety and industrial health in addition to using and maintaining the tools related to the same. Further, they shall distinguish from misusing the tools of preservation, safety and industrial health or causing damage to the same under the penalty of being subject to the disciplinary penalties provided by the by-law of the establishment.

Article 83: Health Preservation Instructions

After inquiring the opinions of the concerned parties, the Minister may issue instructions whereby he shall determine each work for which any person may not be hired before being subject to a medical test to assure his medical competency regarding the performance of such work. However, such instructions issued by virtue of the current Article shall be published at two daily local newspapers and the Official Gazette.

Article 84: The Penalty Applied Against the Person in Breach with the Provisions of the Eighth Chapter

- A. In case the employer shall break any of the provisions of the current chapter, then the Minister shall be entitled to close the establishment or the place of business in full or in part or otherwise suspend any tool therein in case the same shall cause the labors, the establishment or the tools to be subject to a danger till the employer shall remove such breach.
- B. The Minister shall not issue his decision provided for in paragraph (A) of this Article before addressing a warning to the employer to the effect of removing the breach within the term set by the same for him through the warning pursuant to the extent of the volume and the danger of the breach.

- C. The closing of the establishment or the place of work or otherwise the suspension of tools therein shall be of no prejudice to the right of the labors regarding their collection of their remuneration in full for the term of closing or suspension.
- D. The Minister shall be entitled to refer the person in breach to the competent Court in which case he shall be punished by a fine that shall not be less than one hundred Dinar not more than five hundred Dinar which may be doubled in case of repetition. However, the fine may not be decreased to less than its minimum rate for any reason whatever.

Article 85: The Regulations Related to Safety & Industrial Health

Pursuant to the recommendation of the Minister, the Ministers Board shall issue the necessary regulations for the following matters:

- A. Instituting safety and industrial health committees, appointing supervisors in public establishments and determining the powers and duties of such committees and supervisors.
- B. The medical preservation and curing care for the labors, the duties of the employers to provide for the same, the manner for establishing the joint medical units between more than one establishment, the method of their financing, the technical tools that should be available in such units and the periodical medical tests held for the labors.
- C. The preservation and safety from the industrial tools and machines in addition to that related with the work sites.

Tenth Chapter

Labor Accidents & Industrial Diseases

Article 86: The Application of the Provisions of the Tenth Chapter

The provisions of the current chapter related to the labor accidents and industrial diseases shall be applied to the labors who are not subject to the provisions of the Social Security Law applicable

Article 87: Reporting the Accidents Accompanied by a Physical Damage

- A. In case a labor shall sustain a labor accident that shall result in his death or shall cause him a physical damage which shall hinder his continuation of work, then the employer shall carry the casualty to a hospital or any medical center, report the same to the competent security parties and sent a notice to the Ministry informing it of the same within a period of time that shall not exceed (48) hours as from the date of the accident. However, the employer shall bear the expenses of transferring the casualty to the hospital or the

medical center for the purposes of curing him.

- B. The employer, the director of the establishment or its representative shall be punished in case he shall break the provisions of paragraph (A) of this Article by a fine that shall not be less than one hundred Dinar not more than five hundred Dinar for each breach which penalty shall be doubled in case of repetition.

Article 89: The Compensation for the Accident and the Industrial Diseases

Without prejudice to the provisions of any other law or legislation, the casualty or the beneficiary on his behalf shall not be entitled to claim the employer to pay any compensations not being provided for herein regarding the labor accidents unless the same shall be resulted from a misconduct of the employer.

Article 90: Amount of the Compensation

- A. In case the labor accident shall lead to the death of the labor or his total disability, then a compensation shall be payable by the employer equivalent to the remuneration of one thousand two hundred working days provided the compensation shall not be more than five thousand Dinar and not less than two thousand Dinar.
- B. In case the labor accident shall cause a temporary accident to the labor, then he shall be entitled to receive a daily consideration at the rate of (75%) of his daily remuneration as from the date on which the accident has happened through the period of treatment pursuant to a medical report issued by the medical reference in case the same shall be carried in a hospital while such consideration shall be decreased to (65%) of such remuneration in case the casualty shall be treated at any of the appointed treatment centers.
- C. In case the labor accident shall lead to a constant partial disability pursuant to a report issued by the medical reference, then the labor shall be paid a compensation pro rata such disability towards the compensation determined for the total disability pursuant to appendix No. (2) attached herewith.
- D. In case the one labor accident shall result in more than one physical damage, then the labor shall be entitled to be compensated for each damage as such pursuant to the basics provided for herein provided that the total sum that should be paid in such case shall not exceed the amount of the compensation payable in the case of the total disability.

Article 91: Compensation Computation

The compensation provided for in the current Law shall be computed on the basis of the last salary received by the labor while in case he shall be working for the performance of

a specific work at once, then the same shall be computed on the basis of the remuneration average through the last six months of his work.

Article 92: Compensation Assessment

- A. The compensation payable shall be assessed upon the request of the employer, the labor or the beneficiaries on his behalf. However, and in case of the non agreement to the compensation, the same shall be assessed by the secretary general being the person authorized to assess the compensation who shall be an opponent to the case related to it. Further, the Minister may appoint other persons of the Ministry employees authorized to practice the powers of the authorized person within any area of the Kingdom. However, the compensation shall be paid in one installment within thirty days as from the date of serving the decision of the authorized person of his assessment to the related parties.
- B. The payment of the compensation provided for herein shall not be of prejudice to the obtaining of the labor or the beneficiaries on his behalf of the service expiry reward in case the terms of the same shall be available.
- C. Any case related to the compensation stated upon herein shall not be heard before the Court in case the demand to that effect has been submitted to the authorized person being still subject to consideration.

Article 93: Lapse of the Claim of Compensation

The demand for a compensation for any labor accident shall not be approved unless the same shall be submitted to the authorized person within two years as from the date of its occurrence or the date of the labor death. However, the authorized person may approve the demand after the lapse of tow years in case the delay of the same shall be caused by a legal excuse including the non arrival to the final findings of the accident.

Article 94: The Labor Loss of the Right of Compensation

- A. Without prejudice to the provisions of paragraph (B) of this Article, the right of the labor related to the daily consideration and the cash compensation shall be lost provided it shall be proved through the investigation carried by the competent parties after hearing the affidavit of the employer or his representative and the casualty once his condition shall allow the same in any of the following cases:
 - 1. In case the accident shall be incurred out of a deliberate act, a gross misconduct or negligence by the casualty.
 - 2. In case the accident shall be caused by the effect of spirits, drugs or mental effects.

3. In case the casualty shall break the instructions established for his treatments of the accident or regarding the preservation and the industrial security declared which shall be applied which breach has resulted in the occurrence of the accident.
- B. The provisions of paragraph (A) of this Article shall not apply to any case of accidents including the cases stated upon in such paragraph in case the same shall lead to the death of the casualty or he shall sustain a constant disability out of the same the rate of which being not less than (30%). However, the casualty of the same or the beneficiaries on his behalf shall receive the daily consideration or the cash compensation as the case shall be.

Article 95: Attachment Caused to the Compensation

It shall not be allowed in any case to pledge the compensation that shall be paid pursuant to the provisions of the current Law or attach the same except for an alimony debt which shall not exceed third of the compensation amount which shall not be either referred to another person other than the labor or the beneficiaries on his behalf or otherwise to claim for the clearance of the due compensation after the death of the labor.

Article 96: The Distribution of the Compensation

Without prejudice to the provisions of Article (95) of the current Law, the compensation shall be distributed in case of the labor death to the beneficiaries on his behalf pursuant to the quorums determined in Appendix No. (3) attached herewith.

Eleventh Chapter

Labors Union & Employers Societies

Article 97: Joining the Union

- A. The labor of any profession may found a union related to them pursuant to the provisions of this Law for which the labor of such profession shall be entitled to join the same in case he shall meet all the membership conditions.
- B. The employer shall not be allowed to cause the employment of the labor to be subject to the condition not to join a labors union, the waiver of his membership to the same, attempt to dismiss him from any union or otherwise break any of his rights for joining it or sharing its activities after the working times.

Article 98: The Foundation of the Union

- A. Without prejudice to the provisions of paragraph (B) of this Article, the union shall be founded by founders whose number shall not be less than fifty persons of those working in the one profession, the similar professions or those connected with each other for one production.
- B. The Minister may deliver a decision to the effect of classifying the professions and the industries which labors shall be entitled to found a union for them in agreement with the General Association of the Labors Unions. Further, he shall set through his decision the groups of the professions and industries for which more than one union may not be founded for all the labors of the same pursuant to being similar, connected with each other, sharing one or comprehensive production and that he may cause his decision as such applicable to the current unions.

Article 100: The Unions Bye-Laws

After consulting with the opinion of the Ministry, the General Association of the Unions shall lay down a bye-law for the association and the unions provided the bye-law of the unions shall include the following:

- A. The name and the address of the union headquarters.
- B. The purposes for which the union shall be founded.
- C. The measures related to the members joining of the union and their dismissal from the same.
- D. The manner for founding the branches of the union all over the Kingdom, the terms for instituting the committees in the same and its measures.
- E. The number of the members of the administrative body of the union, its term, the manner of its election, the dates of its meetings, the method applied for filling the vacancies related to its membership and its power.
- F. The rights vested to the member of the union, the liabilities born by the same and the cases through which he shall be subject to behavior penalties including the fine and the dismissal from the union.
- G. The services and financial supports rendered to the member of the union upon necessity including sharing the expenses of treatment and advocates appointing.
- H. The terms provided for appointing the employees and servants in the union, the measures of the same and terminating their services.

- I. The manner for maintaining the funds of the union as well as keeping its records and financial entries.
- J. The measures applied for inviting the union general assembly for its ordinary and extraordinary meetings.

Article 101: Adapting the Situations of the Registered Unions

- A. The labors unions registered before the enforcement of the current Law shall be considered valid as if they have been registered by virtue of the same.
- B. The labors unions registered before the enforcement of the current Law shall be considered as societies registered by virtue of the same.
- C. The aforementioned labors unions and employers societies shall rectify their situations, bye-laws and titles in accordance with the provisions of the current Law within a period of time that shall not exceed six months as from the date of its effectiveness.

Article 102: Registering the Union or the Society

- A. The foundation application of any labors union or employers societies shall be submitted signed by the founders to the registrar of the unions and societies at the Ministry accompanied with the following:
 - 1. The bye-law of the union or the society in which its name, headquarters and address shall be enlisted.
 - 2. The members of the first administrative body of the same elected by the founders.
- B. The registrar of the unions and societies may instruct the administrative body to provide him with any details he shall deem necessary for looking through the application and accomplishing the registration measures of the union or the society.
- C. The registrar of the unions or the societies shall deliver his decision related to the registration application of any union or society within a term that shall not exceed thirty days as from the date on which the same shall be submitted. However, in case he shall approve the application, then he shall issue the registration certificate of the union or the society which registration decision shall be published at the Official Gazette while in case he shall reject the same, then the founders may challenge his decision before the Higher Court of

Justice within thirty days within thirty days as from the date on which the same shall be served.

- D. The persons sustained a damage out of the registration of any union or society may challenge the decision of its registration before the Higher Court of Justice within thirty days as from the date on which the decision shall be published at the Official Gazette.

Article 103: Artificial Personality

- A. The union or the society shall be considered existed in the name under which it has been registered and shall acquire the artificial personality by which capacity it shall practice all the works vested to it pursuant to the provisions of the current Law and the regulations issued by virtue of the same and pursuant to its bye-law as from the date of:
1. Publishing the decision of the unions and societies registrar to the effect of registering the union or the society at the Official Gazette.
 2. The issuance of the decision of the Higher Court of Justice to the effect of canceling the registrar decision related to the rejection of the union or society registration.
 3. Or the expiry of the challenge term provided for in Article (103) hereof.
- B. The union or the society shall provide the registrar of the unions and societies of any change or alteration that may incur to its bye-law within fifteen days as from causing the same to be effected.

Article 104: The Union Address

All the correspondences and notices shall be sent to the union or the society at its registered address. However, the registrar shall be notified by any change that shall incur to the same within seven days as of the date of its occurrence which shall be entered to the record of the unions and societies kept by the registrar to the contrary of which the address originally registered shall be considered valid.

Article 105: Canceling the Registration of the Union

The registrar shall cancel the registration certificate of the union or society in case it shall prove to him that the same has become non existed either for having optionally dissolved or has become so pursuant to the provisions of the current Law or otherwise by virtue of a judgment.

Article 106: The Optional Dissolving of the Union

The union shall be dissolved optionally upon the consent of two thirds of its members who have paid their subscriptions through an extraordinary meeting held by the general assembly of the union or the society for that purpose only. However, and in this case, its funds and rights shall be liquidated and be disposed of pursuant to the provisions of the bye-law in addition to that the Minister and the General Association of the Labors Unions shall be notified with the dissolving decision within fifteen days as from the date of its issuance which shall be published at the Official Gazette.

Article 107: The Penalty Ruled for the Breaches of the Union

- A. In case the union or the society shall fail submitting any notice, statement, balance sheet, any of the accounts or documents that shall be provided to the Ministry pursuant to the Law and the regulations issued by virtue of the same, then the union, the society or who shall be duly representing the same shall be punished by a fine that shall not be less than fifty Dinar and not less than one hundred Dinar. However, the fine ruled shall not be decreased for any reason whatever.
- B. In case the union or the society shall breach the provisions of its bye-law, then it shall rectify the same within a term that shall not exceed three months either itself or upon the request of the Ministry or the General Association of the Labors Unions to the contrary of which it shall be referred by the Minister or who he shall delegate to that effect to the competent First Instance Court to be subject for a trial for such breach. However, the Court may suspend the work of the union or the society till the delivery of the judgment to the case.

Article 108: Founding The Employers Societies

- A. the employers in any profession may found a society for them to look after their professional interests regarding the application of the current Law provisions.
- B. The employers society shall be founded by founders whose number shall not be less than thirty persons of employers within one profession, similar professions, connected or sharing one production. However, such professional groups shall be set pursuant to a decision to be made by the Minister in agreement with the representatives of the society. Further, the employer in any profession shall be entitled to join the society that represents his profession or refrain from the same.
- C. The founder of any of the employers societies and the labors unions as well as the applicant for joining the same shall meet the following conditions:

To be of the Jordanian Nationality.

He shall not be less than 25 years old.

He shall not be convicted of any crime or offense that encroaches the honor and public morals.

Article 109: The Funds of the Union

- A. The funds of the labors union may not be spent except for the legal purposes that shall inure to the interest of the union including the following:
- B. The salaries, allowances and expenses of the employees working for the same and full time members as well.
- C. The expenses of the management of the union including the fees of its accounts auditing.
- D. The legal fees of the judicial cases filed by or against the union and the expenses of the same in case the union or any of its members shall be a party to such case which shall be aimed for indemnifying any rights of the union or the protection of the same or otherwise shall be related to rights incurred out of a relationship concluded between a member of the same and an employer.
- E. The expenses of any labor dispute related to the union or any member thereof.
- F. Compensating the members for any loss incurred out of a labor dispute.
- G. Supports paid for the members of the union or of their families out of death, old age, disease, unemployment or the accidents sustained by the same.
- H. The expenses of the educational and social services rendered by the union to the members.

Article 110: Vocational Association & Labors Unions Association

- A. The labors unions shall constitute the General Association of the Labors Unions which shall be of an artificial personality through which each union shall reserve its special rights.
- B. The association shall be constituted of the members of the unions that institute the association that shall enjoy that rights vested to the union in full.
- C. Two unions or more shall be entitled to form a vocational association upon the consent of the General Association of the Labors Unions provided each of them shall obtain the consent of the ordinary majority of its general assembly. However, the same shall be reported to the registrar in writing.

- D. The General Association of the Labors Unions and the registered vocational association shall be entitled to join any Arab or International labor organization of legal purposes and means.
- E. The affairs of the General Association and the vocational associations shall be organized pursuant to a special by-law to be issued to that effect.

Article 111: Protecting the Members of the Union

Any employee of any labor union or any member of the same shall not be punished and that no legal or judicial measures against the same shall not be adopted following an agreement concluded among the members of the union regarding any of the legal purposes of the labor union provided such agreement shall not be inconsistent with the laws and regulations applicable.

Article 112: Protecting the Union

Any labor union shall not be considered an illegal mission for the mere claim that any of its purposes aims at limiting the scope of trading.

Article 113: The Records of the Union

- A. Each union shall prepare the records and books pursuant to the situations and conditions set by the Minister.
- B. The labor inspector may look through the accounting books of any union and any other books and records maintained by the union as well as the lists of the members of the same any time. Further, any employee and member of the union shall be entitled to look through such books, records and lists within the times set by the by-law of the union provided such measurements shall be carried at the headquarters of the union.

Article 114: The Member of the Administrative Body

Any person may not be elected a member to the administrative body of any union unless he shall be a laborer registered at the same or being employed for it dedicating his full time. However, No person shall be elected for such body in case a judgment shall be delivered against him regarding a criminal crime or regarding an offense that encroaches the honor and public morals.

Article 115: Branches of the Union

The union may establish branches for the same all over the Kingdom. However, the union by-law shall state at the relationship between it and its branches in addition to that held between it and the General Association of the Labor Union.

Article 116: Judicial Dissolving of the Union

- A. The Minister may file a case to the First Instant Court whereby he shall request dissolving any union in any of the following cases:
1. In case it shall commit any breach for the provisions of the current Law provided he shall have addressed a warning in writing to the union before filing the case requesting the same to remove the breach within the term set by him for it but it has not responded to such request.
 2. Stimulating for quitting the work, abstaining from the same, striking or demonstrating in cases through which the same shall not be allowed by virtue of this Law and the other legislations applicable.
 3. Using the power, violence, threat or the legal measures through aggression or initiating with the same over the right of the other related to working or any other right of the same.
- B. The judgment of the First Instant Court to the effect of dissolving the union may be appealed before the Court of Appeal within thirty days as from the date of its delivery in case it shall be in presence and from the date of its being served in case the same shall be as in presence. However, the judgment of the Court of Appeal shall stand definite.

Article 117: The Funds of the Union Following its Being Dissolved

In case the union shall be dissolved in an obligatory manner for any reason whatever, then its funds shall be deposited at the bank appointed by the General Association of the Labors Union till a new union shall be founded for the same profession or professions. However, and in case such union shall not be established within one year as from the date of dissolving first union, then its movable and immovable properties shall be conveyed to the General Association of the Labors Union.

Article 118: Union Balance Sheet

- A. Each labors union shall a copy of its balance sheet to the registrar before the first of April of each year to be prepared on the determined form to be duly audited by an auditor stating at its revenues, expenses, assets and liabilities realized through the previous year ended on the thirty first of December. However, the registrar of the unions may request that the union shall provide him with additional data or clarifications of the balance sheet.
- B. A statement including the names of the employees and the other labors of the union as well as the alterations carried to them and their situations through the year related to such balance sheet shall attached with the copy of the balance sheet of the union sent to the registrar.

Article 119: The Penalty Applied Against the Union Violations

A.

In case any union shall fail submitting any notice, list, statement, balance sheet or any other document required by the provisions of the current Law, the Minister or the registrar, then the employee or the person liable for submitting or sending the same shall be punished by a fine that shall not be less than fifty Dinar nor more than one hundred Dinar which fine shall be doubled considering its higher rate in case of repetition of the breach.

B. Every person who shall cause the entry of false statement to the balance sheet of the union deliberately, share the same or omit enlisting any statement therein shall be punished by a fine that shall not be less than five hundred Dinar and not more than one thousand Dinar or be sentenced to jail for a term that shall not be less than three months not more than one year which penalty may be doubled considering its maximum rate in case of the repetition of the breach.

Twelfth Chapter

Settlement of Joint Labor Disputes

Article 120: Reconciliation Representative

The Minister may appoint one reconciliation representative or more of the Ministry employees to perform the mission of mediation related to the settlement of the joint labor disputes within the area set by him for the term he shall deem suitable.

Article 121: Reconciliation Council

A. In case a joint labor dispute shall incur, then the reconciliation representative shall commence the mediation measures between the parties for settling such dispute which in case of agreement to the same through a joint contract or other, then the reconciliation representative shall keep a copy of the same countersigned by the parties thereof.

B. In case the holding of negotiations between the parties shall fail for any reason whatever or it has been shown that continuing the same shall not lead to the settlement of the dispute, then the reconciliation representative shall report the same to the Minister stating at the causes of the dispute, the negotiations held between the parties and the conclusion of the same within a term that shall not exceed twenty one days as from the date of referring the dispute to him.

- C. In case the Minister in his turn shall not be able to settle the dispute, then he shall refer the same to a Reconciliation Council to be constituted by him as follows:
1. A president to be appointed by the Minister provided he shall not be of those concerned with the dispute or otherwise related to the Labors Unions or the Employers Societies.
 2. Two members or more representing both of the employers and the labors equally. However, each party shall nominate his representatives to the Council.

Article 122: The Missions of the Reconciliation Council

- A. In case a labor dispute shall be referred to the Reconciliation Council, then it shall do its best to settle the same as it shall deem suitable. However, and if it shall settle such dispute whether I part or full, then it shall submit a report to that effect attached with the settlement deed signed by the parties thereof.
- B. In case the Reconciliation Council shall not arrive at a settlement, then it shall submit a report to the Minister including the reasons of the dispute, the measures adopted for settling the same, the causes that hindered the settlement of it and the recommendations deemed suitable by it to that effect.
- C. However, and in all cases, the Council shall accomplish the reconciliation measures and submit its report stating at the findings at which it has arrived within a term that shall not exceed twenty one days as from the date on which the dispute has been referred to it.

Article 123: Appointing an Attorney Through the Labor Dispute

Neither party to a labor dispute may appoint advocates to attend before the Reconciliation Representative or Council.

Article 124: The Labor Court, the Formation & the Measures of the Same

- A. In case the Reconciliation Council shall not be able to settle the joint labor dispute, then the Minister shall refer the same to a Labor Court to be constituted of three civil judges to be delegated by the Judicial Council to that effect upon the request of the Minister which shall be chaired by he who shall be of the higher rank. Further, such Court may be held by the attendance of two of its members. However, and in case of their difference in opinion, the third judge shall be called

- to share looking through the case and deliver the judgment of the same.
- B. The labor dispute referred to the Labor Court shall be vested the urgent capacity whereby it shall commence hearing the same within a term that shall not exceed seven days as from the date of reference provided that the Court shall deliver its judgment of the same and serve it upon the Minister within thirty days which shall be definite being unable to be challenged before any judicial or administrative party.
 - C. The Labor Court shall look through the labor dispute submitted to it and settle the same pursuant to the measures that it shall deem suitable for realizing the justice between the parties.

Article 125: The Powers of the Labor Court & the Reconciliation Council

The Labor Court and the Reconciliation Council shall enjoy the following powers while looking through any labor dispute:

- A. To hear the affidavit of any person or ask for his experience related to the dispute after administering his oath.
- B. To instruct any party of the parties to the dispute to submit the documents and data under the custody of the same which shall be deemed by the Court or the Council necessary for hearing or settling the dispute.

Article 126: The Labor Court / Interpreting its Judgments

The Labor Court may interpret any judgment delivered by the same upon the request of the Minister or any party to the dispute aiming at clarifying the same whereby the judgment shall not be beyond the findings at which it has arrived. Further, it shall be entitled at any time to cause that the mistakes or errors made in writing or in figures by way of coincidental omission to be corrected by itself or otherwise upon the request of the Minister or any of the opponents.

Article 127: Venue of the Labor Court & the Reconciliation Council

The sessions of the Labor Court and the Reconciliation Council shall be held at the Ministry. However, the Ministry shall be liable for providing the administrative requirements, facilities and tools that shall enable it performing its duties.

Article 128: The Judgments of the Labor Court & the Report of the Reconciliation Council

- A. The report of the Reconciliation Council and the judgment of the Labor Court shall be made in writing to be signed by all the members of the Council or the Court as the case shall be. Further, the judgment of the Court shall be delivered unanimously or by majority. However, any member of the Council or the Court being in opposition shall set his opinion in writing through the report or the judgment.
- B. The report of the Council or the judgment of the Labor Court shall be published at one local newspaper or more at the expense of the parties of the dispute within thirty days as from the date on which the Minister shall receive the report or the judgment.

Article 129: The Rewards of the Labor Court and the Reconciliation Council

The rewards determined by the Ministers Board pursuant to the recommendation of the Minister shall be paid the president and members of the Labor Court, the head of the Reconciliation Council and the sessions clerk.

Article 130: The Effectiveness of the Settlements & Judgments

The settlement reached by the measures of the reconciliation pursuant to the provisions of the current Law or the judgment of the Labor Court shall be binding for the following parties:

- A. The parties of the labor dispute.
- B. The successors of the employer including his heirs to which the establishment related to the dispute shall be transferred.
- C. To all the persons who have been working for the establishment related to the dispute at the time of the dispute occurrence or any part thereof as the case shall be in addition to all the persons hired for the establishment or any part thereof thereafter in case the report of the settlement or the judgment of the Labor Court shall require the same having the Law or the regulations issued by virtue of the same shall include any thing that shall hinder the same.

Article 131: The Execution of the Judgments & Recommendations

- A. The judgment of the Labor Court shall be executed as from the date appointed by the same.

- B. The settlement reached through the reconciliation measures shall be effective as from the date agreed upon by the parties of the labor dispute to the contrary of which the settlement shall be effective as of the date on which the report of the settlement shall be signed which shall be binding for all the parties thereof pursuant to the terms included through the same.

Article 132: Restrictions to the Employers Through Hearing the Labor Dispute

Any employer may not perform any of the following acts while hearing the labor dispute before the reconciliation representative, the Council of the same or the Labor Court:

- A. To cause any alteration to be caused to the employment terms and conditions applicable.
- B. To dismiss any labor without obtaining a permission in writing from the reconciliation representative, the Council of the same or the Labor Court as the case shall be.

Article 133: The penalty Applied Against Those in Breach with the Settlement or the Judgment of the Labor Court

- A. In case any labor shall act against a term of the settlement or the judgment of the Labor Court that shall be binding for him by virtue of the current Law, then he shall be punished by a fine that shall not be less than fifty Dinar and more than two hundred for the first time while it shall be doubled in case of repetition. However, it may not be decreased less than its minimum rate for the assessing lightning causes.
- B. In case the employer shall break any term of the terms of the settlement or the judgment of the Labor Court binding for him by virtue of the current Law, then he shall be punished by a fine that shall not be less than two hundred Dinar not more than four hundred Dinar for the first time while it shall be doubled in case of repetition. However, the fine may not be decreased to less than its minimum rate for the assessing lightening causes.

Article 134: The Strike & Closing

It shall not be allowed that a labor may strike or that an employer may close his establishment in any of the following cases:

- A. In case the dispute shall have been referred to the Reconciliation Representative, the Council of the same or the Labor Court.

- B. Through the term in which any settlement shall be valid or any judgment shall be applicable and that the strike or the closing shall be related to issues included in such settlement or judgment.

Article 135: Notifying the Strike or the Closing

- A. The labor may not strike without giving a notice to the employer at least fourteen days prior to the date fixed for the same which term shall be doubled in case the work shall be related to any of the public interests services.
- B. The employer may not close his establishment without giving a notice to that effect to the labors at least fourteen days prior to the date fixed for the same which term shall be doubled in case the work shall be related to any of the public interests services.
- C. The terms and the other measures of the strike and closing shall be set pursuant to a bye-law to be issued to that effect.

Article 136: The Penalty Applied for the Performance of a Strike & Closing

- A. In case any labor may perform any prohibited strike pursuant to the current Law, then he shall be punished by a fine that shall not be less than fifty Dinar for the first day while each day on which the strike shall last shall be charged with five Dinar thereafter. However, the labor shall be banned from his remuneration all through the same.
- B. In case the employer shall commit a prohibited closing pursuant to the current Law, then he shall be punished by a fine amounted to five hundred Dinar for the first day and fifty Dinar for each day through which the strike shall last thereafter. However, he shall pay the remuneration of the labors all through such term

Article 137: The Cases Incurred out of the Individual Labor Contract

- A. The Magistrate Court shall be competent to look through the cases incurred out of individual labor contracts except for cases related to remuneration which the Salaries Authority shall be competent to look through the same by virtue of the current Law urgently. However, the settlement of the case shall be made within three months as from the date of its submittal to the Court.
- B. The judgment of the Court delivered pursuant to the provisions of paragraph (A) of this Article may be appealed within ten days as from the date of declaring the same in case it shall be made in presence while the same shall be held from the date of its being served in case it shall be made as in presence. However, the Court shall settle such appeal within thirty days as from the date of submitting the

same to its Bureau.

- C. The cases submitted to the Magistrate Court shall be exempted of the fees in full including the fees related to the judgments issued by the same.
- D. The First Instance Court shall continue looking through the cases heard by the same before enforcing the current Law.

Article 138: Limiting The Litigation

- A. No case related to any breach committed against the provisions of the current Law, any bye-law or instructions issued by virtue of the same shall not be heard unless the case shall be filed within one month as from the date on which the same shall be committed.
- B. No case for claiming of any rights due pursuant to the current Law including the remuneration of the overtime working hours of whatever resource or origination shall not be heard after the lapse of two years as from the date of having the cause of the claim of such rights and remuneration has incurred.

Article 139: Breaking the Law & the Regulations Thereof

Each breach for the provisions of the current Law or any regulation issued by virtue of the same having no penalty set for the same shall cause its doer to be subject to a fine that shall not be less than fifty Dinar nor more than one hundred Dinar provided that who shall commit the same shall be subject to the penalty provided for within the applicable Penal Code in case the penalty set by the same shall be greater than that set herein.

Article 140: The Regulations

The Ministers Board may, upon a recommendation of the Minister, issue the regulations necessary for enforcing the provisions of this Law.

Article 141: Cancellations

(The Labor Law) No, (21), 1960 and the amendments thereof shall be canceled provided the regulations, instructions and decisions issued by virtue of the same being not inconsistent with the current Law shall remain effective for a term that shall not exceed two years till the same shall be canceled or replaced by others pursuant to the provisions of this Law.

Article 142: Prime Minister and Ministers

The Prime Minister and the Ministers shall be instructed to enforce the provisions hereof.