



DECENT WORK CHECK

LEBANON 2023

Ayesha Kiran
Iftikhar Ahmad

WageIndicator Foundation - www.wageindicator.org

WageIndicator started in 2001 to contribute to a more transparent labour market for workers and employers by publishing easily accessible information on a website. It collects, compares and shares labour market information through online and face-to-face surveys and desk research. It publishes the collected information on national websites, thereby serving as an online library for wage information, labour law, and career advice, both for workers/employees and employers. The WageIndicator websites and related communication activities reach out to millions of people on a monthly basis. The WageIndicator concept is owned by the independent, non-profit WageIndicator Foundation, established in 2003. The Foundation has offices in Amsterdam (HQ), Ahmedabad, Bratislava, Buenos Aires, Cape Town, Islamabad and Venice.

The Authors

Ayesha Kiran works as a Research Associate and is part of the Labour Law and Minimum Wages Team.

Corresponding author: Iftikhar Ahmad works as Labour Law Specialist with WageIndicator Foundation. He is the founder of the Centre for Labour Research which is the global labour law office of the WageIndicator Foundation. He can be contacted at iftikharahmad@wageindicator.org

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Address: Mondriaan Tower, 17th floor, Amstelplein 36, 1096 BC, Amsterdam, The Netherlands.

Email office@wageindicator.org

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INTRODUCTION

Decent Work is the type of work for which all of us aspire. It is done under conditions where people are gainfully employed (and there exist adequate income and employment opportunities); social protection system (labour protection and social security) is fully developed and accessible to all; social dialogue and tripartism are promoted and encouraged; and rights at work, as specified in ILO Declaration on Fundamental Principles and Rights at Work and Core ILO Conventions, are practised, promoted and respected.

WageIndicator Foundation has been working, since late 2007, to raise awareness on workplace rights through a unique tool, i.e., **Decent Work Check**. The Decent Work Check considers different work aspects deemed necessary in attaining “decent work”. The work makes the abstract Conventions and legal texts tangible and measurable in practice.

The Decent Work Check employs a double comparison system. It first compares national laws with international labour standards and scores the national regulations (happy or sad face). If national regulations in a country are not consistent with ILO conventions, it receives a sad face and its score decreases (and vice versa). It then allows workers to compare their on-ground situation with national regulations. Finally, workers can compare their personal score with national score and see whether their working conditions are consistent with national and international labour standards. The Check is based on de jure labour provisions, as found in the labour legislation.

A Decent Work Check is beneficial both for employees and employers. It gives them knowledge, which is the first step towards any improvement. It informs employees of their rights at the workplace while simultaneously enlightening employers about their obligations. Decent Work Check is also helpful for researchers, labour rights organisations conducting surveys on the situation of rights at work and the general public wanting to know more about the world of work. For example, WageIndicator teams worldwide have found out that workers, small employers and even labour inspectors are not, sometimes, fully aware of the labour law. When you are informed – being a worker, self-employed, employee, employer, policymaker, labour inspector – there is a greater possibility that you ask for your rights (as a worker), you comply with rules (as an employer), and you strive to enforce these (as a labour inspector).

The work is relevant to the challenges posed to the future of work, especially the effective enforcement of legislation in financially constrained states, a rise in precarious employment and analysing the impact of regulatory regimes.

In 2023, the team aims to include at least 15 more countries, thus taking the number of countries with a Decent Work Check to 125!

MAJOR LEGISLATION ON EMPLOYMENT AND LABOUR

1. Labour Code 1946, amended in 2010
2. Law No. 36/67 of May 1967 Concerning Minimum Wage Fixing
3. Law of 30 April 1959
4. Law of 21 November 1962
5. Decree No. 11802 of January 30, 2004, Regulating Prevention, Safety and Professional Hygiene
6. Decree No. 3273 of Labour Inspection
7. Social Security Profile for Lebanon, 2018
8. Social Security Act, 1963
9. Lebanon Penal Code, 1943
10. Decree No. 8987 of the Prohibition of Employment of Minors under the Age of 18 in Work that May Harm Their Health, Safety or Morals
11. Law No. 164 Punishment for the Crime of Trafficking in Persons

01/13 WORK & WAGES

ILO Conventions

Minimum wage: Convention 131 (1970)

Regular pay & wage protection: Conventions 95 (1949) and 117(1962)

Lebanon has not ratified the above-mentioned Conventions.

Summary of Provisions under ILO Conventions

The minimum wage must cover the living expenses of the employee and his/her family members. Moreover, it must relate reasonably to the general level of wages earned and the living standard of other social groups. Wages must be paid regularly on a daily, weekly, fortnightly or monthly basis.

Regulations on work and wages:

- Labour Law for Private Sector (Law No. 6 of 2010)
- Labour Code 1946, amended in 2010
- Decree No. 500 of 14 October 2008 fixing the official minimum pay rate for workers and employees of the private sector
- Law No. 36/67 of May 1967 Concerning Minimum Wage Fixing
- Decree No. 6263 of 01/18/1995: Determining the official minimum wage for employees and workers subject to the Labour Code and giving them an increase in the cost of living and giving a transfer compensation and a temporary education grant to employees and workers

Minimum Wage

Minimum wage is the minimum rate of payment that an employer must pay to the employee/worker. The national minimum wage rate is fixed by the Government, as per the recommendations of the tripartite Commission on the Cost of Living Index. The Commission is composed of two representatives each of the government (Ministry of Labour), the workers and the employers.

The minimum wage rates are revised whenever economic circumstances warrant such revision. The amount of minimum wage is dependent on the nature of work however it must be sufficient to meet the basic needs of wage earners or salary earners (workers or employees) and their families.

The minimum wage applies to all workers, both salary and wage-earners, of at least 20 years of age in both the public and private

sector other than those specifically excluded. The excluded workers include domestic servants, workers in agricultural enterprises which are not connected to trade and industry, workers in family enterprises engaging solely family members, workers younger than 20 years of age, and casual or temporary workers in public administration.

Source: §7, 8, and 44-46 of Labour Code 1946, amended in 2010; §1-2 of Law No. 36/67 of May 1967 Concerning Minimum Wage Fixing

In order to check the recent minimum wage in Lebanon, please visit the web page: <https://rawateb.org/lebanon/salary/minimum-wages>

Regular Pay

Wage payment is regulated under the Labour Code. Wages may be paid in legal currency (Lebanese Pounds) or in-kind. Wage payment must be made in the work premises and on work days.

Wages must be paid once a month to the employees (salary earners) and at least twice a month to the workers (wage earners).

As regards the piece rated workers, they must receive down payment on account of every 15 days when the work lasts longer than 15 days. The actual payment date may be fixed by mutual agreement between the parties however a piece rated worker must be paid within a fortnight (15 days) following the delivery of their agreed piece of work.

The “work book”, depending on the worker/employee’s desire, may mention

their daily, weekly or monthly wage or salary.

The following deductions from wages are allowed under the law:

- the social security contributions and income tax contributions;
- disciplinary fines imposed on the employee (equivalent to maximum of 3 days' wages);
- the repayment of debts to a third party, based on a court ruling; and
- Sums payable for the repair or replacement of tools, machines, products or materials that have been lost, damaged or destroyed because of the employee/worker's fault or negligence or breach of the employer's instructions (equivalent to maximum of 3 days' wages).

An employer with at least 15 workers or employees must frame internal regulations. Although law has not stipulated the content of such internal regulations, these generally include the rule of procedure regarding the work organizations, working hours and rest breaks, paid vacations, wage payment method, revision of wages, various allowances as well as health and safety conditions at the workplace.

Source: §14, 47 and 68-71 of Labour Code 1946, amended in 2010

02/13 COMPENSATION

ILO Conventions

Compensation overtime: Convention 01 (1919)

Night work: Convention 171 (1990)

Lebanon has ratified the Convention 01 only.

Summary of Provisions under ILO Conventions

Working overtime is to be avoided. Whenever it is unavoidable, extra compensation is at stake - minimally the basic hourly wage plus all additional benefits you are entitled to. In accordance with ILO Convention 1, overtime pay rate should not be less than one and a quarter time (125%) the regular rate.

Night work means all work which is performed during a period of not less than seven (07) consecutive hours, including the interval from midnight to 5 a.m. A night worker is a worker whose work requires performance of a substantial number of hours of night work which exceeds a specified limit (at least 3 hours). Convention 171 requires that night workers be compensated with reduced working time or higher pay or similar benefits. Similar provisions are found in the Night Work Recommendation No. 178 of 1990.

If a worker has to work on a national/religious holiday or a weekly rest day, he/she should be entitled to compensation. Not necessarily in the same week, provided that the right to a paid compensation is not.

If a worker has to work during the weekend, he/she should thereby acquire the right to a rest period of 24 uninterrupted hours instead. Not necessarily in the weekend, but at least in the course of the following week. Similarly, if a worker has to work on a public holiday, he/she must be given a compensatory holiday. A higher rate of pay for working on a public holiday or a weekly rest day does not take away the right to a holiday/ rest.

Regulations on compensation:

- Labour Code 1946, amended in 2010
- Law of 30 April 1959

Overtime Compensation

The working time is regulated under the Labour Code. While the daily working hours have not been clearly specified in the law, the maximum duration of weekly working hours is forty-eight (48) hours per week except for the agricultural corporations. The Ministry of Labour reduces the working hours for strenuous and hazardous labour. It may also extend the working hours in certain cases including for restaurants and cafes. For adolescent workers under 18, the maximum daily working hours are six hours per day.

The working time, inclusive of overtime, can be increased to twelve hours a day in case of emergency. The Social Affairs Service must be notified within twenty-four hours of emergency and the time required to accomplish the work. The overtime premium is 50%, i.e., it is 50% higher than the normal working hour wage rate during ordinary hours (150% of normal hourly wage rate).

Workers/employees must be given a rest break during working hours. In line with the Labour Code, where daily working hours exceed a specific limit (six hours for men and five hours for women), workers must be given a rest break of at least one hour during the middle of the day. Except in special circumstances, workers must be given a daily rest period of nine hours in a twenty-four-hour period. The daily rest period for adolescent workers must be 13 hours. Employer is required to inform the workers about daily and weekly working

hours of different categories of workers and employees through a placing a poster at a prominent place in the enterprise. These working hours must also be communicated to the Social Affairs Service.

Source: §7, 23 and 31-35 of the Labour Code 1946, amended in 2010

Night Work Compensation

There is no statutory provision for night work compensation. The Labour Code prohibits the working of adolescents between 07:00 pm to 07:00 am.

Source: §23 of Labour Code 1946, amended in 2010

Compensatory Holidays / Rest Days

In cases where a worker is asked to work on a weekly rest day, the worker may choose the alternative weekly rest day or receive monetary benefit in the form of premium payment at the rate of 150% of normal hourly rate. No such provision could be located for working on public holidays.

Source: §33 and 37 of Labour Code 1946, amended in 2010

Weekend / Public Holiday Work Compensation

In line with the provisions of Labour Code, workers may choose between a compensatory rest day and premium payment (150% of normal hourly rate) for working on a weekly rest day. Law of 30 April 1959 (Labour Day) provides for 100% wage premium (Workers to be paid at 200% of the normal hourly wage rate) those working on Labour Day (01 May). No such provision on monetary compensation could

be located for working on other public holidays.

Source: Law of 30 April 1959; §33 and 37 of Labour Code 1946, amended in 2010

03/13 ANNUAL LEAVE & HOLIDAYS

ILO Conventions

Convention 132 (1970) on Holidays with Pay Convention
Conventions 14 (1921), 47 (1935) and 106 (1957) for weekly rest days.
In addition, for several industries, different Conventions apply.

Lebanon has ratified the Conventions 14 and 106 only.

Summary of Provisions under ILO Conventions

An employee is entitled to at least 21 consecutive days of paid annual leave. National and religious holidays are not included. Collective agreements must provide at least one day of annual leave on full remuneration for every 17 days on which the employee worked or was entitled to be paid.

A worker should be entitled to paid leave during national and officially recognized public holidays.

Workers should enjoy a rest period of at least twenty-four consecutive hours in every 7-day period, i.e., a week

Regulations on annual leave and holidays:

- Labour Code 1946, amended in 2010
- Law of 30 April 1959 (Labour Day)
- Law of 21 November 1962 (Independence Day)

Paid Vacation / Annual Leave

Annual leave in Lebanon is regulated under the Labour Code. Workers are entitled to paid annual leave on completion of one year of service. Hence, no paid leave is available to the worker during the first 12 months of service. Workers/employees are entitled to 15 working days of annual leave on completion of 12 months of service. Weekly rest days and public holidays are not included in paid annual leave. The annual leave for adolescent workers cannot be less than 21 days, of which at least two-third (14 days) must be allowed without any interruption. The remainder of annual leave for adolescents must be allowed in the same year.

The timing of annual leave may be determined by the employer, in view of the work requirements. During the paid annual leave, an employer can neither dismiss nor issue a dismissal notice to the worker/employee.

In some exceptional cases, employer may consider some public holidays (bearing the fact that only Labour Day and Independence Day are compulsory public holidays) as annual leave and may deduct it from total annual leave. Payment in lieu of paid annual leave is prohibited, except in case of employment termination where worker/employee still has unused annual leave. Annual leave may be divided in parts however no such part may be less than six

days. Annual leave may be carried forward to the next year, however workers may carry forward annual leave for two years and use it in the third year. Annual leave, generally, cannot be reduced however if a worker has been on sick leave for more than one month in a 12-month period, annual leave may be reduced up to eight days.

Source: §23, 39, and 41 of the Labour Code 1946, amended in 2010

Pay on Public Holidays

The obligatory paid public holidays in Lebanon are set by law and are two only. These are Labour Day (01 May) and Independence Day (22 November). The other public holidays (non-obligatory) are set under a 2005 Decree and are applicable mainly to the public sector. Employers may also allow these under their internal regulations. These are New Year Day (1 January), Armenian Orthodox Christmas Day (6 January), St. Maron Day (9 February), Prophet Mohammad (PBUH) Birthday (12 Rabi ul Awwal), Annunciation Day (25 March), Good Friday (Two Day, one day each for the Catholic and Orthodox denominations), Labour Day (1 May), Assumption of Virgin Mary (15 August), Eid Al-Fitr-End of Ramadan (two days), Eid Al-Adha-Feast of Sacrifice (two days), Independence Day (22 November), Hijri New Year (One Day), Ashura (10 Muharram), Christmas Day (25 December).

The Islamic origin days, Prophet Mohammad (PBUH) Birthday, Eid Al-Fitr-End of Ramadan, Eid Al-Adha-Feast of Sacrifice, Hijri New Year (One Day), and Ashura (10 Muharram) are based on Hijri calendar and thus are dependent on the sighting of moon. Hence, their dates may change every year.

If the Labour Day falls on a Sunday or another holiday, the private sector establishments are closed on the next day, with the exception of hospitals, pharmacies, bakeries and restaurants, provided that the institutions exempt from disruption pay such workers the double wages. All commercial and industrial activity must be suspended on the anniversary of independence.

Source: Law of 30 April 1959; Law of 21 November 1962; Decree No. 15215 of 9/27/2005: Designating Holidays and Occasions in which Public Administrations, Public Institutions and Municipalities are Suspended

Weekly Rest Days

The weekly rest period is provided under the Labour Code. The workers are entitled to an uninterrupted weekly rest period of at least 36 hours a week. These are counted from the end of working hours to the time of return to work after enjoying weekly rest day. The employer sets the weekly rest day according to the nature and requirements of work.

Source: §36 of the Labour Code 1946, amended in 2010

04/13 EMPLOYMENT SECURITY

ILO Conventions

Convention 158 (1982) on employment termination

Lebanon has not ratified the Convention 158.

Summary of Provisions under ILO Convention

The questions under this section measure the security or even flexibility or precariousness of an employment relationship. Although these are not clearly mentioned in a single convention (severance pay and notice requirement are provided in the Termination of Employment Convention No. 158) however, the best practices in the field require that employees be provided with a written contract of employment; workers on fixed term contracts should not be hired for tasks of permanent nature; a reasonable probation period (ideally lower than or equal to 6 months) may be followed to assess the suitability of an employee; a period of notice must be specified in an employment contract before severing the employment relationship; and workers be paid severance allowance on termination of employment relationship.

A contract of employment may be oral or written however workers should be provided with a written statement of employment at the start of their employment.

Fixed Term Contract workers must not be hired for permanent tasks as it leads to precarious employment.

A reasonable probation period must be allowed to let a worker learn new skills. A newly hired employee may be fired during probation period without any negative consequences.

A reasonable notice period, depending on the length of service of an employee, may be required before an employer may sever the employment relationship.

Employers may be required to pay a severance allowance on termination of employment (due to redundancy or any other reason except for lack of capacity or misconduct).

Regulations on employment security:

- Labour Code 1946, amended in 2010

Written Employment Particulars

The employment contract is prepared either in written form or may be concluded in oral form. In both cases, the concluded contract is submitted to the authority of Common Law. The employment contract is prepared in the Arabic language. If a foreigner worker does not understand the Arabic language, for the understanding of the employee, the language of the contract is translated into a foreign language. However, in the case of a dispute, the Arabic text prevails. When in writing, the employment contract is prepared in duplicate, with copies retained by each party (the employee and the employer). In the case of oral contracts, any legal means of evidence may be used to prove the existence of an employment contract and its terms and conditions.

The Labour Code does not specify the minimum terms to be included in the employment contract. The minimum rights, as provided under the Labour Code, must be available under the contract. Otherwise, it is null and void. These rights relate to right to a wage, daily rest, weekly rest period, public holidays, right to leave (annual leave, sick leave, maternity leave, marriage and death leave), right to social security and compensation for occupational diseases, occupational accidents, severance pay, termination period, and arbitrary dismissal compensation.

Source: §12 of the Labour Code 1946, amended in 2010

Fixed Term Contracts

Employment contracts may be concluded for a fixed term or indefinite term. Fixed term contracts are concluded for a specific term or for the performance of specific task. The maximum length of the fixed-term contract including renewals is two years. A fixed term contract, if continued after two years, turns into a contract of indefinite term.

These contracts are not subject to the termination notice requirements and severance pay. Nonetheless, in case of renewal of a fixed-term contract, either by a renewal agreement or by continued execution of the task, the employee is entitled to the same severance pay as would be payable under an indefinite-term contract.

Source: §58 of the Labour Code 1946, amended in 2010

Probation Period

The maximum duration of the probationary period is set as three months from the date of initiation of the employment contract. The employer can terminate the employment contract during the probationary period without any termination notice or severance pay. Both the parties may terminate employment contract during the probationary period without serving any termination notice.

Source: §50(C) and 74 of the Labour Code 1946, amended in 2010

Notice Requirement

The employment contract for an indefinite period is terminated either by the employer

or employee. Both employer and employee must inform each other of their intention to terminate the employment contract by serving following written notice, dependent on the length of service:

- i. One-month notice if the length of service is three years or less;
- ii. Two-month notice if the length of service is three years to six years;
- iii. Three-month notice if the length of service is more than six years but less than 12 years;
- iv. Four-month notice if the length of service is 12 years or more

As indicated above, the employment termination notice must be in writing and communicated to the other party. Payment in lieu of above notice is also acceptable under the law. A termination notice by either party must indicate the grounds for contract termination. Where such reasons are not clearly specified, the other party has the right to ask for clarification regarding the grounds for contract termination.

In the event of gross misconduct on the part of worker, the employer may terminate the contract without serving any notice or paying any severance pay. The cases of gross misconduct are as follows:

- i. False documentation about nationality (illegal workers);
- ii. Unsatisfactory performance during the three-month probationary period;
- iii. Deliberate negligence on the part of worker causing material damage to the employer;
- iv. Three violations of the internal regulations in a year despite repeated warnings by the employer;
- v. Absence from work for seven consecutive days or 15 days in a year without any legal excuse;
- vi. Imprisonment for a term of one year or more;

- vii. Unprovoked assault on the employer or employers' agents on the premises

In case the employer misuses the right of employment contract termination, the employee is entitled to compensation against the unfair termination while considering factors such as nature of the job, service period, family status and health condition; scope of bias and extent of the misuse of employer's right to terminate contract. Considering the cause of dismissal, the compensation for unfair termination lies between wages for two months to twelve months. This compensation is over and above the payment in lieu of notice.

The employee has the right to quit a job without providing prior notice in the following cases:

- Within thirty days of engagement on work if the employer or its representative deceived the employee regarding the terms and condition of work;
- The employer does not fulfil the obligations towards the employee as prescribed in Labour Code;
- The employer or its representative commits misdemeanour against the employee (misconduct against the moral values of the employee);
- The employer or its representative commits an offence and assaults the employee.

If a worker terminates the contract without serving prior notice and without any valid reason causing embarrassment to the employer, the compensation to the employer shall lie between one to four months' wages, depending on the case. Such compensation to the employer shall be over and above the payment in lieu of notice.

Source: §50, 53, 74& 75 of the Labour Code 1946, amended in 2010

Severance Pay

Workers, engaged on permanent or indefinite term contracts, are entitled to severance pay on termination of employment relationship, except in the cases of gross misconduct. Since the social security legislation still does not provide for unemployment benefits, the provisions from the Labour Code are applicable. The severance pay is payable at the rate of one month's wages for every year of service. If the length of service is less than one year or where a full year is not completed, the severance pay for that year is half a month's wages.

However, the maximum severance pay is ten months' wages for wage earners employed in professions, in handicraft, in a master-craftsmen relationship or by the persons mentioned in article 10 of the Code of Commerce.

A worker who has worked in the same establishment for 25 years may get their severance pay at the age of 60 years. The same worker may still work at the establishment till the age of 64 years. However, severance pay shall be paid only once.

Employer has the right to terminate all or part of its workforce in the event of a force majeure, compelling economic and technical circumstances, such as the reduction of size of establishment, replacement of manufacturing process by another firm or final stoppage of work. Employer has to notify the Government (Ministry of Labour and Social Affairs) one month prior to the closure of establishment

of economic dismissals of workers. The dismissed worker is given priority in hiring if the economic situation of the enterprise improves and it starts rehiring within a year of economic dismissals or reduction of workforce.

Source: §50(F) and 53-58 of the Labour Code 1946, amended in 2010

05/13 FAMILY RESPONSIBILITIES

ILO Conventions

Convention 156: Workers with Family Responsibilities Convention (1981) Recommendation 165: Workers with Family Responsibilities (1981)

Lebanon has not ratified the Convention 156 and 165.

Summary of Provisions under ILO Convention

Paternity leave is for the new fathers around the time of childbirth and is usually of shorter duration.

Recommendation (No. 165) provides for parental leave as an option available to either parent to take long leave of absence (paid or unpaid) without resigning from work. Parental leave is usually taken once the maternity and paternity leave have been exhausted. For working parents, laws may define the portion of parental leave that has to be compulsorily taken by fathers or mothers.

Flexible Work Option for Parents / Work-Life Balance Recommendation 165 asks the employers to look into the measures for improving general working conditions through flexible work arrangements.

Regulations on family responsibilities:

Paternity Leave

At the end of 2017, a proposal on paternity leave was approved by Ministers of Council. Under the said proposal, fathers would be eligible for three days of paternity leave on the birth of their child. These three days of paternity leaves are added to the annual leave. The President of the Lebanese Republic referred this proposal, contained in Decree No. 2166, to the House of Representatives in 2018 with the aim to amend the Labour Code. The proposal is still under discussion.

Parental Leave

No parental leave provision is stipulated by law.

Flexible Work Option for Parents / Work-Life Balance

The law does not provide for flexible work option for parents/work-life balance.

06/13 MATERNITY & WORK

ILO Conventions

An earlier Convention (103 from 1952) prescribed at least 12 weeks maternity leave, 6 weeks before and 6 weeks after birth. However, a later convention (No. 183 from year 2000) requires that maternity leave be at least 14 weeks of which a period of six weeks compulsory leave should be after childbirth.

Lebanon has not ratified the Conventions 103 and 183.

Summary of Provisions under ILO Convention

During pregnancy and maternity leave, a worker should be entitled to medical and midwife care without any additional cost.

During pregnancy and while breastfeeding, a worker should be exempt from work that might bring harm to you or your baby.

The total maternity leave should last at least 14 weeks.

During maternity leave, a worker's income should amount to at least two thirds of your preceding salary.

During pregnancy and maternity leave, a worker should be protected from dismissal or any other discriminatory treatment.

Workers have the right to return to same or equivalent position after availing maternity leave.

After childbirth and on re-joining work, a worker must be allowed paid nursing breaks for breast-feeding the child.

Regulations on maternity and work:

- Labour Code 1946, amended in 2010
- Decree No. 11802 of Regulating Occupational Prevention, Health and Safety.
- Social Security Act of 1963

Free Medical Care

Workers, registered with National Social Security Fund, have access to the Medical benefits which include general and specialist care, hospitalization, maternity care, medicine, and laboratory services.

The National Social Security Fund contracts with and pays hospitals for 90% of the cost of benefits. The remaining 10% is paid by the insured person. The Fund reimburses full cost of maternity care.

Source: Lebanon Social Security Profile 2018

No Harmful Work

Pregnant women and breastfeeding mothers are prohibited from engaging in dangerous work. Pregnant women and breastfeeding mothers must not be employed in work that involves exposure to petrol or petrol carrying products. The female workers should not carry loads manually except the lightweights.

Source: §22 and 55 Decree No. 11802 of January 30, 2004, Regulating Prevention, Safety and Professional Hygiene

Maternity Leave

A working female is entitled to maternity leave for ten weeks. This leave includes both antenatal leave (before delivery) and

postnatal leave (after delivery), on presentation of a medical certificate stating the expected date of her confinement.

Source: §28 of the Labour Code 1946, amended in 2010

Income

The female workers, during the term of maternity leave of ten weeks, are entitled to full pay, however this does not include transportation allowance. Generally, the payment of maternity benefit is the responsibility of the employer. However, if a worker is register with the National Social Security Fund, the benefit is paid by the Fund.

According to the Social Security Act, the sum of maternity benefit is equal to two-thirds of the average daily income.

Source: §28 and 29 of the Labour Code 1946, amended in 2010; §26 of Social Security Act, 1963

Protection from Dismissals

It is prohibited by law for an employer to dismiss the female worker or terminate the employment contract during maternity leave. If a female worker is employed in another job while being on leave, she can be dismissed by the employer.

Under the Labour Code, the employer cannot terminate the employment contract by notice during pregnancy and maternity leave.

Source: §29 & 52 of the Labour Code 1946, amended in 2010

Right to Return to the Same Position

There is no explicit provision on the right to return to the same position for a woman worker after completion of maternity leave however it is implicitly provided by Labour Code. Since an employer cannot dismiss female workers during maternity leave, it is assumed that the worker has the right to return to same position.

Source: §29 of Labour Code 1946, amended in 2010

Nursing Breaks

No statutory provisions are found in law.

07/13 HEALTH & SAFETY

ILO Conventions

Most ILO OSH Conventions deal with very specific Occupational Safety hazards, such as asbestos and chemicals.

Convention 155 (1981) is the relevant general convention here.

Labour Inspection Convention: 81 (1947)

Lebanon has ratified the Convention 81 only.

Summary of Provisions under ILO Conventions

The employer, in all fairness, should make sure that the work process is safe.

The employer should provide protective clothing and other necessary safety precautions for free.

Workers should receive training in all work-related safety and health aspects and must have been shown the emergency exits.

In order to ensure workplace safety and health, a central, independent and efficient labour inspection system should be present.

Regulations on health and safety:

- Labour Code 1946, amended in 2010
- Decree No. 11802 of January 30, 2004, Regulating Prevention, Safety and Professional Hygiene.
- Decree No. 3273 of Labour Inspection

Employer Cares

Employers are required to take necessary precaution to protect the employees involved in hazardous work; prevent the hazard or reduce the harmful effect. At the workplace, the employer must ensure the legal requirements for occupational safety and health. Better working equipment must be provided to ensure workers' health and safety. In accordance with characteristics of work, protective machines, transmission devices and their tools must be installed with protective measures.

The Social Affairs Service on the Advice of Council of Ministers has passed the Decrees for adaptation of protective measures. The employer must take protective and hygienic measure to ensure safety, proper ventilation and air refreshment, clean drinking water, separate washrooms, emission of dust and smoke, and precautions to combat the fire. The employer must also take precautionary and necessary actions for health and safety.

The workers must be informed about risks associated with work. Employees must move away from the workplace due to the emergence of any unforeseen condition which can negatively impact their health and safety and inform their respective supervisor(s). The legislative provisions as well as any instructions regarding security and professional hygiene must be communicated to the employees.

Source: §61 & 62 of Labour Code 1946, amended in 2010; §58 of Decree No. 11802 of January 30, 2004, Regulating Prevention, Safety and Professional Hygiene

Free Protection

To ensure safety and health at work, the employer must use technical control methods to reduce the risk of exposure to chemical products.

The employer must provide workers such tools and uniforms for their protection without any charge to the workers. The employees are not allowed to wear protective uniform outside the workplace. The employer is responsible for washing, cleaning and sterilization of uniforms.

Source: §45 of Decree No. 11802 of January 30, 2004, Regulating Prevention, Safety and Professional Hygiene

Training

Continuous training is given to employees for dealing with dangerous chemicals. The law also requires employers to inform workers about the risks associated with work.

Source: §22,45, and 58 of Decree No. 11802 of January 30, 2004, Regulating Prevention, Safety and Professional Hygiene

Labour Inspection System

Under the Labour Code, the labour inspection system has been applied to all employers and employees. The Department of Labour Inspection, Protection and Safety (DLIPS) of the Ministry of Labour administers rules and regulations regarding the protection of

workers at the workplace.

The labour inspectors have the authority to enter the premises of the enterprise without any prior notice within working hours. In the course of the inspection, labour inspectors inform the employers of their presence. The labour inspectors test and investigate according to legal framework; ask questions to both the employer and workers; check the records or any other document required by the law; take the samples of material for analysis; check necessary measures that are adopted for the health and safety of workers and thereafter inform the competent authority in the Ministry for required action.

The Labour inspector warns the employer for violation of the health and safety instructions. The warning is given in the written form and includes the time limit for the removal of infringement.

Source: §63, 64 of Labour Code 1946, amended in 2010 and §2 and 6 of Decree No. 3273 of Labour Inspection

08/13 SICK LEAVE & EMPLOYMENT INJURY BENEFIT

ILO Conventions

Convention 102 (1952), Conventions 121 (1964) and 130 (1969) concerning Social Security, Employment Injury Benefits and Medical Care and Sickness Benefits

Lebanon has not ratified the Conventions 102, 121 and 130.

Summary of Provisions under ILO Conventions

A worker's rights to work and income should be protected when illness strikes. The national labour law may provide that sickness benefit may not be paid during the first 3 days of your absence. Minimally, a worker should be entitled to an income during first 6 months of illness. This income should be at least 45 per cent of the minimum wage. (Countries are free to opt for a system which guarantees 60 per cent of the last wages during the first 6 months of illness or even during the first year). A worker must be entitled to paid sick leave.

During illness, a worker should be entitled to medical care without any additional cost. Employees and their family members should have access to the necessary minimal medical care at an affordable cost.

During the first 6 months of illness, a worker should not be fired.

If a worker is disabled due to an occupational disease or accident, he/she must receive a higher benefit. In the case of temporary or total incapacity/disability, a worker may at least be provided 50% of his average wage while in the case of fatal injury, the survivors may be provided with 40% of the deceased worker's average wage in periodical payments.

Regulations on sick leave & Employment Injury Benefits:

- Labour Code 1946, amended in 2010
- Social Security Profile for Lebanon, 2018

Income

The workers are entitled to paid sick leave under the Labour Code. The paid sick leave is given in case of illness or disease caused by an accident at the workplace. The duration of sick leave for an employee is as follow:

- 15 days with full pay (100%) and 15 days with half-pay (50%) for a worker who has worked for three months or more up to two years;
- 30 days with full pay (100%) and 30 days with half pay (50%) for a worker who has worked for two to four years;
- 45 days with full pay (100%) and 45 days with half pay (50%) for a worker who has worked for more than four years to a maximum of six years;
- 60 days with full pay (100%) and 60 days with half pay (50%) for a worker who has worked for six years to a maximum of ten years;
- 75 days with full pay (100%) and 75 days with half pay (50%) for a worker who has worked for more than ten years period.

The sick leave is granted on the provision of a medical certificate. The sick leaves are renewed on need during the current year as stipulated in Article 40 of the Labour Code. In case sick leave is extended for a month, the employer can reduce the annual leave up to eight days.

Source: §40 & 41 of Labour Code 1946, amended in 2010

Medical Care

The workers registered under the National Social Security Fund receive the medical benefits for general and special care, medicines, hospitalization and appliances.

The Fund contracts with and pays hospitals for 90% of the cost of benefits (the remaining 10% of the cost is paid by the insured person). In line with a schedule in the law, the Fund normally reimburses 80% of the cost of a doctor's treatment and 100% of the cost of maternity care, among others.

Source: Social Security Profile for Lebanon, 2018

Job Security

A worker's job is secure during sick leave. The employer can neither dismiss the wage/salary earners nor give the dismissal notice during the sick leaves. The employer cannot terminate the employment contract by notice during the sick leave.

Source: §42 & 52 of the Labour Code 1946, amended in 2010

Disability / Work Injury Benefit

The work injuries are divided into four categories: (i) permanent total disability (ii) permanent partial disability (iii) temporary disability (iv) fatal injury causing death.

In the case of permanent disability, the disability benefits are paid based on the assessed loss of earning capacity. For an insured person younger than 35 years or older than 50 years, the benefit is paid as a lump sum of eight hundred days of the employee's monthly salary; a lump sum of

seven hundred days of the employee's earning is given for those aged between 35 years to 50 years.

The disability benefits are calculated based on monthly earnings. The permanent disability benefits are based on the insured worker's monthly earnings up to the legal minimum wage plus 25% of the monthly earnings above the legal minimum wage plus 12.5% of the monthly earnings above twice the legal minimum wage.

The partial disability benefit is paid as a percentage of permanent full disability, based on the assessed loss of earning capacity.

The temporary disability benefit, payable to the employee who suffered from an accident or occupational disease, is paid at the rate of 75% of the daily wage until recovery, or certification of permanent disability or death, whichever is earlier.

The survivors' benefits are paid as a lump sum amount equivalent to five hundred days of the deceased worker's last pay. The calculation of worker's wage is done similarly as under the permanent disability.

In case of fatal injury caused by the death of a worker, the survivor's benefits are paid. The eligible survivors include the widow(er) aged 60 or older or disabled; children below 16 (25 years in case of student or disability); parents with a disability or aged 60 or older and dependent both and sisters.

The funeral grant is paid as a lump sum amount equivalent to 200% of the legal monthly minimum wage.

Source: Social Security Profile for Lebanon, 2018

09/13 SOCIAL SECURITY

ILO Conventions

Social Security (minimum standards): Convention 102 (1952). For several benefits somewhat, higher standards have been set in subsequent Conventions

Employment Injury Benefits: Conventions 121 (1964),

Invalidity, Old age and survivors' benefits: Convention 128(1967)

Medical Care and Sickness Benefits: Convention 130 (1969)

Unemployment Benefits: Convention 168 (1988).

Lebanon has not ratified the above-mentioned Conventions.

Summary of Provisions under ILO Conventions

In the normal circumstances, the pensionable age may not be set higher than 65 years of age. If retirement age is fixed above 65 years, it should give “due regard to the working ability of elderly persons” and “demographic, economic and social criteria, which shall be demonstrated statistically”. Pension can be set as a percentage of the minimum wage or a percentage of the earned wage.

When the breadwinner has died, the spouse and children are entitled to a benefit, expressed as a percentage of the minimum wage, or a percentage of the earned wage. This must at least be 40% of the reference wage.

For a limited period of time, the unemployed has a right to unemployment benefit set as a percentage of the minimum wage or a percentage of the earned wage.

Invalidity benefit is provided when a protected person is unable to engage in a gainful employment, before standard retirement age, due to a non-occupational chronic condition resulting in disease, injury or disability. Invalidity Benefit must at least be 40% of the reference wage.

Regulations on social security:

- Social Security Profile for Lebanon, 2018

Pension Rights

Workers, both male and female with at least 20 years of service, have right to old-age benefits on turning 60. Female workers, who leave employment during the first year of marriage are also entitled to old age benefits. The reduced (partial) benefit is paid when the insured person who leaves permanent employment at any time before turning 60. The old age benefit can be deferred until the age of 64 years.

The old age benefits are provided by the National Social Security Fund in which the employer contributes 8.5% of the monthly payroll. The old age benefit is paid as a lump sum equivalent to the insured worker's last monthly earnings multiplied by the number of years of employment, up to 20 years, plus half the insured's last monthly earnings multiplied by the number of years of employment exceeding minimum 20 years.

The reduced or partial old age benefit is paid to the insured person as follow:

- A lump sum of 50% of old age benefit for one to five years of employment;
- A lump sum of 65% of old age benefit for five to ten years of employment;
- A lump sum of 75% of old age benefit for ten to fifteen years of employment;
- A lump sum of 85% of old age benefit for fifteen to twenty years of employment.

Source: Social Security Profile for Lebanon, 2018; §55 of the Labour Code 1946, amended in 2010

Dependents' / Survivors' Benefit

The law provides survivor benefits to the widow(er), orphans (no age limit), brothers, sisters and parents (no age limit) of a deceased insured person. The survivor benefits are paid if the deceased had at least six years of insured employment or receiving the old-age or disability benefit at the time of death. The minimum survival benefit is equal to six times of deceased's last monthly earnings.

The widow(er) benefit is 100% of the deceased last monthly incomes multiply by the number of years of employment. If there are no surviving parents, the eligible orphans equally receive 75% of survivor's benefit and the widow(er) receives 25% of the survivor's benefit. The surviving parents receive 10% of monthly earnings multiplied by the number of years of employment and the remaining 90% is received by the widow(er) and orphans (25% and 75% respectively).

In case the deceased does not have an eligible widow(er) or orphan, 50% of the deceased final monthly income multiplied by the number of years of employment is paid to the surviving parents and 50% to the brothers and sisters. The siblings can receive 100% of survivors' benefit if there are no surviving parents.

Source: Social Security Profile for Lebanon, 2018

Unemployment Benefits

There is no provision regarding the unemployment benefits under the Labour Code or Social Security Law except the severance pay.

Invalidity Benefits

An insured person, who is assessed with a loss of working capacity of 50% and unable to be engaged in their usual occupation is entitled to receive disability benefits. The amount of disability benefit to the insured person's is the lumpsum amount of the last monthly salary multiplied by the number of years of paid employment. The minimum disability benefit for the insured person is equal to the last twenty-month salary before the disability began.

Source: Social Security Profile for Lebanon, 2018

10/13 FAIR TREATMENT

ILO Conventions

Convention 111 (1958) lists the discrimination grounds which are forbidden.

Convention 100 (1952) is about Equal Remuneration for Work of Equal Value.

Convention 190 (2019) is about elimination of violence and harassment in the world of work.

Lebanon has ratified the Conventions 100 and 111.

Summary of Provisions under ILO Conventions

At workplaces, equal pay for men and women for work of equal value is a must, regardless of marital status. Pay inequality based on race, colour, sex, religion, political opinion, national extraction/place of birth or social origin is also forbidden. A transparent remuneration system and the clear matching of pay and position should be in place and to help prevent wage discrimination.

Convention No. 190 recognizes the right of everyone to a world of work free from violence and harassment. It defines violence and harassment as “a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment”. This definition covers physical abuse, verbal abuse, bullying and mobbing, sexual harassment, threats and stalking, among other things.

An employer can't discriminate against you on in any aspect of employment (appointment, promotion, training and transfer) on the basis of union membership or participation in union activities, filing of a complaint against an employer, race, colour, sex, marital status, family responsibilities, pregnancy, religion, political opinion, national extraction or social origin, temporary absence due to illness, age, trade union membership, disability/HIV-AIDS, or absence from work during maternity leave. (Conventions 111, 156, 158, 159 and 183)

People have the right to work and there can't be occupational segregation on the basis of gender.

Regulations on fair treatment:

- Labour Code 1946, amended in 2010
- Lebanon Penal Code 1943
- Decree No. 11802 of January 30, 2004, Regulating Prevention, Safety and Professional Hygiene

Equal Pay

While the Labour Code prohibits discrimination on the grounds of pay, it does not require equal wages for the work of equal value.

Source: § 26 of Labour Code 1946, amended in 2010

Sexual Harassment

Sexual harassment is any kind of unsolicited verbal, non-verbal or physical behaviour that violates the dignity of the victim, degrading, humiliating or creating a hostile environment.

Sexual harassment does not address by the Labour Law and Penal Code. The law neither defines nor use the term sexual harassment. However, the Penal Code contains certain provisions that indirectly suggested sexual harassment as a crime.

In December 2020, Lebanon passed the “Law on Criminalization of Sexual Harassment and Rehabilitation of its Victims,” which criminalizes sexual harassment and establishes protection for those who report it. The new law treats sexual harassment as a crime however other preventive measures including reforms in the Labour Code as well as civil remedies have not been addressed.

The law defines sexual harassment as “any bad, repetitive behaviour, out of the ordinary, unwanted by the victim, and with a sexual connotation that constitutes a violation of the body, privacy, or feelings”. Sexual harassment may occur through words, actions, and electronic means. Every act or endeavour, if repeated, that uses any kind of psychological, moral, material or racial pressure and aims effectively to obtain a benefit of a sexual nature is considered sexual harassment.

The law punishes sexual harassment with up to one year in prison and a fine of up to ten times the minimum wage. In some circumstances, including dependency or being in a position of subordination in an employment relationship, harassment is a serious crime, and the prison term increases to four years, and fines are increased to 50 times the minimum wage.

The new law protects victims from retaliation by harming their salaries, demoting them to a lower position/rank, transferring them to another department, not renewing their contract, or taking disciplinary measures against them. The law includes measures to protect whistle-blowers and prohibits discrimination against those who report or testify about harassment, assault them, or take disciplinary measures against them. Such victimization and retaliations measures are punishable by up to six months in prison and a fine of 20 times the minimum wage.

Source: §385, 507, 519 & 532 of Lebanon Penal Code 1943; Law No. 205 of 30 December 2020 on Sexual Harassment

Non-Discrimination

The Labour Code prohibits discrimination against women in employment related matters.

The employer may not discriminate between working men and women with regard to type of work, amount of wage or salary, employment, promotion, professional qualification, and apparel.

Source: § 26 of Labour Code 1946, amended in 2010

Equal Choice of Profession

The labour law prohibits the employment of female workers in mine industries, oven work for melting, refining and firing of mineral products, alcohol production, tannery work, handling chemicals, cleaning and repairing the driving engines and workshops and piecing up animal carcasses.

The law prohibits the engagement of pregnant and breastfeeding women and minors in work with exposure to petrol and petrol containing products.

Source: §27 of Labour Code; §55 of Decree No. 11802 of 30 January 2004, Regulating Prevention, Safety and Professional Hygiene

11/13 MINORS & YOUTH

ILO Conventions

Minimum Age: Convention 138 (1973)

Worst Forms of Child labour: Convention 182 (1999)

Lebanon has ratified the Conventions 138 and 182.

Summary of Provisions under ILO Conventions

At workplaces, children may not be forced to perform work that could harm their health and hampers their physical and mental development.

All children should be able to attend school. Once this is safeguarded, there is no objection against children performing light jobs between the ages of 12 and 14. The general minimum age is 15 years however developing countries may set this at 14 years. The minimum age for hazardous work, work that is likely to jeopardize the health, safety or morals of young persons, is 18 years. It can also be set at a lower level of 16 years under certain circumstances

Children should not be employed in a work that is likely to harm the health, safety or morals of children. It is considered one of the worst forms of child labour. The minimum age for such hazardous work is 18 years.

Regulations on minors and youth:

- Labour Code 1946, amended in 2010
- Decree No. 8987 of The Prohibition of Employment of Minors under the Age of 18 in Work that May Harm Their Health, Safety or Morals

Minimum Age for Employment

Under the Labour Code, the employment of children under 13 is prohibited. Those under 18 are considered young workers. The children are employed for work after the medical examination. They can be withdrawn from the work if they do not have the physical capacity to perform the work.

The Council of Ministers on the proposal of the Minister of Labour determines the jobs for minors.

The minors under 16/18 are prohibited in works which may harm the health, safety and morals of children. Minor under 18 are not employed in works which deprive them from attaining education. It is considered the worst form of child labour.

Source: § 21-23 of the Labour Code 1946, amended in 2010; §1 & 2 of Decree No. 8987 on the Prohibition of Employment of Minors under the Age of 18 in Work that May Harm Their Health, Safety or Morals

Minimum Age for Hazardous Work

The minimum age for hazardous work is 18 years. The workers under 16 may perform non-hazardous work with specific education and training. The minors at the age of seventeen (17) without technical and vocational education cannot be employed at the plants and factories unless it is

approved by the Minister of Labour along with a medical certificate approved by the Ministry of Public Health.

Workers under 14 cannot be hired in industrial enterprises or jobs which includes the work that is beyond their strength and threatening their health. Adolescents under sixteen cannot be employed to undertake hard or hazardous work that damages health and moral values. The minors are not recruited for work that exposes them to petrol or petrol related products.

Adolescents under 18 years cannot be engaged in work for a period exceeding six hours a day. Where the daily working hours exceed four hours, the hours of work are interrupted by an interval for a break. Thirteen consecutive uninterrupted hours of rest must be given to adolescents between two periods of work.

The night work between 07:00 p.m. to 07:00 a.m. is prohibited. Overtime work or work on weekly rest days or during holidays is prohibited for workers under 18. The adolescents are entitled to 21 days of paid annual leave. Two-third of the paid annual leave must be taken without interruption during the same year.

Source: §23 of Labour Code 1946, amended in 2010; §55 of Decree No. 11802 of 30 January 2004, Regulating Prevention, Safety and Professional Hygiene; §3 and 4 of Decree No. 8987 on the Prohibition of Employment of Minors under the Age of 18 in Work that May Harm Their Health, Safety or Morals

12/13 FORCED LABOUR

ILO Conventions

Forced labour: Conventions 29 (1930)

Abolition of Forced labour: Conventions 105 (1957)

Forced labour is the work one has to perform under threat of punishment: forfeit of wages, dismissal, harassment or violence, even corporal punishment. Forced labour means violation of human rights.

Lebanon has ratified both Conventions 29 & 105.

Summary of Provisions under ILO Conventions

Except for certain cases, forced or compulsory labour (exacted under the threat of punishment and for which you may not have offered voluntarily) is prohibited.

Employers have to allow workers to look for work elsewhere. If a worker is looking for work elsewhere, he/she should not be shortened on wages or threatened with dismissal. (In the reverse cases, international law considers this as forced labour).

If the total working hours, inclusive of overtime exceed 56 hours per week, the worker is considered to be working under inhumane working conditions.

Regulations on forced labour:

- Labour Code 1946, amended in 2010
- Law No. 164 Punishment for the Crime of Trafficking in Persons.

Prohibition on Forced and Compulsory Labour

Forced labour is a criminal offence and prohibited by the law.

Trafficking in persons is prohibited under the law. The trafficking of humans for labour or facilitating such trafficking for the purpose of exploitation by others is punishable by Law. Exploitation includes prostitution, begging, slavery, forcible and compulsory work.

In case human trafficking is carried out with deception, violence or threat, the culprit is punishable for at least seven years of imprisonment and a fine equal to one hundred and fifty to three hundred times the amount of minimum wage.

Source: §582 (1 & 2) of Law No. 164 Punishment for the Crime of Trafficking in Persons

Freedom to Change Jobs and Right to Quit

The Labour Code allows the employees to terminate the employment contract after providing the necessary contract termination notice. The employee who terminates the employment contract must give a written notice to the employer depending upon the length of its employment as follow:

- 30 days for the service of three years or less;

- 60 days for three to six years of service;
- 90 days for six to twelve years of service;
- 120 days for twelve or more years of service.

Source: §50(C) of Labour Code 1946, amended in 2010

Inhumane Working Conditions

The overtime is performed beyond the daily and weekly normal hours of work. Under an emergency, the duration of working hours can be increased to twelve (12) hours a day. Considering the fact that the general weekly working hours are 48, the overtime hours over a week can exceed 56-hour limit.

Source: §31 and 33 of Labour Code 1946, amended in 2010

13/13 TRADE UNION

ILO Conventions

Freedom of association and protection of the right to organize: Convention 87 (1948)
Right to Organize and Collective Bargaining: Convention 98 (1949)

Lebanon has ratified both Conventions 87 & 98.

Summary of Provisions under ILO Conventions

Freedom of association means freedom to join a trade union. This is part of the fundamental human rights. Employees may not be put at a disadvantage when they are active in the trade union outside working hours. The list of exclusions for sectors of economic activity and workers in an organization should be short.

Trade unions are entitled to negotiate with employers on term of employment without hindrance. The freedom of a trade union to negotiate with employers to try and conclude collective agreements is protected. (The ILO has a special procedure for handling complaints from unions about violation of this principle).

Workers have the right to strike in order to defend their social and economic interests. It is incidental and corollary to the right to organize provided in ILO convention 87.

Regulations on trade unions:

- Labour Code 1946, amended in 2010
- Penal Code

Freedom to Join and Form a Union

Freedom of Association is guaranteed under the Constitution of Lebanon. Under the Labour Code, workers have the freedom to form and join trade unions. The trade union is entitled to legal rights.

The Ministry of National Economy allows the workers for the formation of trade unions and it is a legal entity after the Ministerial Orders in Official Gazette. The individual trade union is not allowed to gather members from different trade unions but trade unions can work with one or similar profession employees.

The Ministry of National Economy on the proposal of Social Affairs Service can decide about the merger of trade unions of similar professions.

The employees have the right to establish trade union for protection their rights, raise their standard of living and represent the organization for the promotion and protection of economic, commercial or industrial aspects.

The trade unions are prohibited to involve in all kinds of political activities, particularly involves in meetings and protests.

The employees have the freedom whether to join a trade union or not. No member of a trade union may get involved in a criminal offence. In case of violation, such members are excluded from the trade union's membership.

Source: §13 of the Constitution of Lebanon 1926, revised in 2004; §83-91 of the Labour Code 1946, amended in 2010

Freedom of Collective Bargaining

Collective bargaining takes place for the conclusion of a collective agreement and treated as a form of societal partnership. The collective agreements are concluded on an enterprise level, industrial or professional level or national level.

Right to Strike

The right to strike is stipulated by the law and also it is strictly regulated. The strike is a legitimate and peaceful right of worker for protecting their economic and social rights. The strike actions are according to legal restrictions. The right to strike is restricted by compulsion, numbers of participants are specified and based on the requirement the 5% members of a trade union are accountable for upholding the order during the strike.

The effectiveness of the strike is based on an adaptation of provisions regarding the rules and regulations. The arrangers of the strike must sign a document and take responsibilities for damages that ensue due to the demonstration.

The civil servants, transport and postal services employees are not allowed to strike. The labour law imposes substantial restrictions on right to strike and public sector employees, domestic workers and agriculture workers are restricted excluded from the right to strike and unions formation. The labour law also prohibits the involvement of public-sector employees in any form of trade union activity as well as a strike, arranging collective petitions or part

of professional organizations. Civil servants may be demoted for participation in a strike.

Source: § 340 and 342 of Penal Code (Legislative Decree No. 340)

QUESTIONNAIRE

DECENTWORKCHECK.ORG

Check

Decent Work Check Lebanon is a product of WageIndicator.org
and rawateb.org/lebanon/



National Regulation exists



National Regulation does not exist

01/13 Work & Wages

	NR	Yes	No
1. I earn at least the minimum wage announced by the Government		<input type="checkbox"/>	<input type="checkbox"/>
2. I get my pay on a regular basis. (daily, weekly, fortnightly, monthly)		<input type="checkbox"/>	<input type="checkbox"/>

02/13 Compensation

3. Whenever I work overtime, I always get compensation <i>(Overtime rate is fixed at a higher rate)</i>		<input type="checkbox"/>	<input type="checkbox"/>
4. Whenever I work at night, I get higher compensation for night work		<input type="checkbox"/>	<input type="checkbox"/>
5. I get compensatory holiday when I have to work on a public holiday or weekly rest day		<input type="checkbox"/>	<input type="checkbox"/>
6. Whenever I work on a weekly rest day or public holiday, I get due compensation for it		<input type="checkbox"/>	<input type="checkbox"/>

03/13 Annual Leave & Holidays

7. How many weeks of paid annual leave are you entitled to?*		<input type="checkbox"/> 1 <input type="checkbox"/> 2	<input type="checkbox"/> 3 <input type="checkbox"/> 4+
8. I get paid during public (national and religious) holidays		<input type="checkbox"/>	<input type="checkbox"/>
9. I get a weekly rest period of at least one day (i.e. 24 hours) in a week		<input type="checkbox"/>	<input type="checkbox"/>

04/13 Employment Security

10. I was provided a written statement of particulars at the start of my employment		<input type="checkbox"/>	<input type="checkbox"/>
11. My employer does not hire workers on fixed terms contracts for tasks of permanent nature <i>Please tick "NO" if your employer hires contract workers for permanent tasks</i>		<input type="checkbox"/>	<input type="checkbox"/>
12. My probation period is only 06 months		<input type="checkbox"/>	<input type="checkbox"/>
13. My employer gives due notice before terminating my employment contract (or pays in lieu of notice)		<input type="checkbox"/>	<input type="checkbox"/>
14. My employer offers severance pay in case of termination of employment <i>Severance pay is provided under the law. It is dependent on wages of an employee and length of service</i>		<input type="checkbox"/>	<input type="checkbox"/>

05/13 Family Responsibilities





15. My employer provides paid paternity leave <i>This leave is for new fathers/partners and is given at the time of child birth</i>		<input type="checkbox"/>	<input type="checkbox"/>
16. My employer provides (paid or unpaid) parental leave <i>This leave is provided once maternity and paternity leaves have been exhausted. Can be taken by either parent or both the parents consecutively.</i>		<input type="checkbox"/>	<input type="checkbox"/>
17. My work schedule is flexible enough to combine work with family responsibilities <i>Through part-time work or other flex time options</i>		<input type="checkbox"/>	<input type="checkbox"/>

06/13 Maternity & Work





18. I get free ante and post natal medical care		<input type="checkbox"/>	<input type="checkbox"/>
19. During pregnancy, I am exempted from nightshifts (night work) or hazardous work		<input type="checkbox"/>	<input type="checkbox"/>
20. My maternity leave lasts at least 14 weeks		<input type="checkbox"/>	<input type="checkbox"/>

* On question 7, only 3 or 4 working weeks is equivalent to 1 "YES".





DECENTWORKCHECK.ORG

- | | | | | |
|-----|---|---|--------------------------|--------------------------|
| 21. | During my maternity leave, I get at least 2/3rd of my former salary |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 22. | I am protected from dismissal during the period of pregnancy
<i>Workers can still be dismissed for reasons not related to pregnancy like conduct or capacity</i> |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 23. | I have the right to get same/similar job when I return from maternity leave |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 24. | My employer allows nursing breaks, during working hours, to feed my child |  | <input type="checkbox"/> | <input type="checkbox"/> |





07/13 Health & Safety

- | | | | | |
|-----|--|---|--------------------------|--------------------------|
| 25. | My employer makes sure my workplace is safe and healthy |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 26. | My employer provides protective equipment, including protective clothing, free of cost |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 27. | My employer provides adequate health and safety training and ensures that workers know the health hazards and different emergency exits in the case of an accident |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 28. | My workplace is visited by the labour inspector at least once a year to check compliance of labour laws at my workplace |  | <input type="checkbox"/> | <input type="checkbox"/> |









08/13 Sick Leave & Employment Injury Benefits

- | | | | | |
|-----|---|---|--------------------------|--------------------------|
| 29. | My employer provides paid sick leave and I get at least 45% of my wage during the first 6 months of illness |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 30. | I have access to free medical care during my sickness and work injury |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 31. | My employment is secure during the first 6 months of my illness |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 32. | I get adequate compensation in the case of an occupational accident/work injury or occupational disease |  | <input type="checkbox"/> | <input type="checkbox"/> |

09/13 Social Security

- | | | | | |
|-----|---|---|--------------------------|--------------------------|
| 33. | I am entitled to a pension when I turn 60 |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 34. | When I, as a worker, die, my next of kin/survivors get some benefit |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 35. | I get unemployment benefit in case I lose my job |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 36. | I have access to invalidity benefit in case I am unable to earn due to a nonoccupational sickness, injury or accident |  | <input type="checkbox"/> | <input type="checkbox"/> |

10/13 Fair Treatment

- | | | | | |
|-----|--|---|--------------------------|--------------------------|
| 37. | My employer ensure equal pay for equal/similar work (work of equal value) without any discrimination |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 38. | My employer take strict action against sexual harassment at workplace |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 39. | I am treated equally in employment opportunities (appointment,promotion, training and transfer) without discrimination on the basis of:* |  | <input type="checkbox"/> | <input type="checkbox"/> |
| | Sex/Gender |  | <input type="checkbox"/> | <input type="checkbox"/> |
| | Race |  | <input type="checkbox"/> | <input type="checkbox"/> |
| | Colour |  | <input type="checkbox"/> | <input type="checkbox"/> |
| | Religion |  | <input type="checkbox"/> | <input type="checkbox"/> |
| | Political Opinion |  | <input type="checkbox"/> | <input type="checkbox"/> |

* For a composite positive score on question 39, you must have answered "yes" to at least 9 of the choices.

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	Nationality/Place of Birth	☹️	<input type="checkbox"/>	<input type="checkbox"/>
	Social Origin/Caste	☹️	<input type="checkbox"/>	<input type="checkbox"/>
	Family responsibilities/family status	☹️	<input type="checkbox"/>	<input type="checkbox"/>
	Age	☹️	<input type="checkbox"/>	<input type="checkbox"/>
	Disability/HIV-AIDS	☹️	<input type="checkbox"/>	<input type="checkbox"/>
	Trade union membership and related activities	☹️	<input type="checkbox"/>	<input type="checkbox"/>
	Language	☹️	<input type="checkbox"/>	<input type="checkbox"/>
	Sexual Orientation (homosexual, bisexual or heterosexual orientation)	☹️	<input type="checkbox"/>	<input type="checkbox"/>
	Marital Status	☹️	<input type="checkbox"/>	<input type="checkbox"/>
	Physical Appearance	☹️	<input type="checkbox"/>	<input type="checkbox"/>
	Pregnancy/Maternity	☹️	<input type="checkbox"/>	<input type="checkbox"/>
40	I, as a woman, can work in the same industries as men and have the freedom to choose my profession	☹️	<input type="checkbox"/>	<input type="checkbox"/>

11/13 Minors & Youth

41.	In my workplace, children under 15 are forbidden	☹️	<input type="checkbox"/>	<input type="checkbox"/>
42.	In my workplace, children under 18 are forbidden for hazardous work	😊	<input type="checkbox"/>	<input type="checkbox"/>

12/13 Forced Labour

43.	I have the right to terminate employment at will or after serving a notice	😊	<input type="checkbox"/>	<input type="checkbox"/>
44.	My employer keeps my workplace free of forced or bonded labour	😊	<input type="checkbox"/>	<input type="checkbox"/>
45.	My total hours of work, inclusive of overtime, do not exceed 56 hours per week	😊	<input type="checkbox"/>	<input type="checkbox"/>

13/13 Trade Union Rights

46.	I have a labour union at my workplace	😊	<input type="checkbox"/>	<input type="checkbox"/>
47.	I have the right to join a union at my workplace	😊	<input type="checkbox"/>	<input type="checkbox"/>
48.	My employer allows collective bargaining at my workplace	😊	<input type="checkbox"/>	<input type="checkbox"/>
49.	I can defend, with my colleagues, our social and economic interests through "strike" without any fear of discrimination	😊	<input type="checkbox"/>	<input type="checkbox"/>

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Results

Your personal score tells how much your employer lives up to national legal standards regarding work. To calculate your DecentWorkCheck, you must accumulate 1 point for each YES answer marked. Then compare it with the values in Table below:



is your amount of "YES" accumulated.

Lebanon scored 36 times "YES" on 49 questions related to International Labour Standards

If your score is between 1 - 18

This score is unbelievable! Does your employer know we live in the 21st century? Ask for your rights. If there is a union active in your company or branch of industry, join it and appeal for help.

If your score is between 19 - 38

As you can see, there is ample room for improvement. But please don't tackle all these issues at once. Start where it hurts most. In the meantime, notify your union or WageIndicator about your situation, so they may help to improve it. When sending an email to us, please be specific about your complaint and if possible name your employer as well. Also, try and find out if your company officially adheres to a code known as Corporate Social Responsibility. If they do, they should live up to at least ILO standards. If they don't adhere to such a code yet, they should. Many companies do by now. You may bring this up.

If your score is between 39 - 49

You're pretty much out of the danger zone. Your employer adheres to most of the existing labour laws and regulations. But there is always room for improvement. So next time you talk to management about your work conditions, prepare well and consult this DecentWorkCheck as a checklist.