

شروط وظروف العمل في الهنشات الفلسطينية

Work Conditions and Circumstances in Palestinian Workplaces

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نتائج مسح ميداني في قطاعات مختلفة
في الضفة الغربية وقطاع غزة

(Results of a field survey in various economic sectors
in the West Bank & Gaza Strip)

2007

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The Democracy & Workers' Rights Center in Palestine

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Executive Summary

The main objective of this report is to provide information about the type and size of the violations faced by Palestinian workers in their workplaces. The report does not only constitute an evaluation of the performance of the Palestinian National Authority in monitoring violations of Palestinian workers' rights in general, but also provides a scientific basis enabling independent trade unions to better defend workers' rights in the sectors encompassed by the report.

The main goal of this report is to assess work conditions and circumstances, and the importance and nature of the violations faced by Palestinian workers in various workplaces in the West Bank and Gaza Strip.

The report relied upon the collection of quantitative data through a field survey of a random sample of male and female workers, working in eight branch sectors in the West Bank and Gaza Strip including: universities and colleges, telecommunications and information technology, local authorities, tourism, pharmaceuticals, emergency medical services, health services (in the private sector) and the financial sector.

The main survey tool was a questionnaire designed to enable data collection from the field, as well as its organization and the analysis of its findings.

The study sample included 500 workers. 490 questionnaires were collected, 258 from the West Bank and 232 from the Gaza Strip. 320 of these questionnaires were collected from male workers and 170 were collected from female workers. Data from this study sample was gathered during the months of July-August 2007.

Many of the sectors covered by the report are considered among the largest and most advanced sectors in Palestine. Therefore, workplaces in these sectors should show a greater abidance to legal requirements, and should have a better capacity than other sectors in providing adequate occupational health and safety conditions. However, the results of this report indicated a certain level of violations regarding occupational health and safety conditions, as well as clear differences between sectors regarding the importance of these violations.

The Ministry of Labor is one of the official actors responsible for ensuring adequate work conditions and circumstances in Palestinian workplaces. However, due to the weakness of Palestinian Authority institutions, including the Ministry of Labor, trade unions and civil society organizations currently bear the greatest responsibility in monitoring these violations and putting pressure on the Ministry of Labor to improve its role in the monitoring and inspection of various workplaces, or through labor relations within workplaces.

Therefore, we encourage trade unions representing workers in these sectors to discuss possible mechanisms to reduce these violations and to improve work conditions and circumstances in the targeted sectors through bargaining and protest actions targeting the Ministry of Labor and their employers. The findings of the report require rapid actions on part of these trade unions, especially with regards to the issues affecting workers' occupational health and safety and other indicators of clear violations of the Palestinian labor law number (7) of the year 2000.

Some of the main conclusions of this report indicate:

- A low percentage of female workers compared to male workers in the sectors targeted by the report, especially in the local authorities (municipalities and local councils) and tourism.
- Huge differences in salaries were witnessed between male and female workers in most of the targeted sectors, especially in pharmaceuticals and universities.
- With the exception of the emergency medical services, employers are required to abide by the regulations of the Palestinian Law for the Rights of the Disabled, which obliges governmental and non-governmental organizations to employ at least 5% of people with special needs among their staff, in a manner that conforms to the nature of the activity in these organizations, while adapting these workplaces for their use.

The Ministry of Labor must activate the executive by-law number (4) of the Palestinian Law for the Rights of the Disabled of the year 1999, which stipulates that "Each company or institution that

does not employ disabled persons according to article C of paragraph 4 of section (10) of the Palestinian Law for the Rights of the Disabled of the year 1999 relating to the rights of disabled people is obliged to pay an equivalent amount to the wages of a disabled person according to the minimum wage towards a special fund for the disabled, which is to be established through a decision from the Minister of Social Affairs in this Ministry. This fund is designated to spend for the assistance and aids benefiting non-working disabled persons.

- More than two thirds of the surveyed workers mentioned that the payment of their salaries is always or sometimes delayed. The percentage of workers, whose salary payment is delayed, increased in the health services, pharmaceuticals and tourism sectors.
- A quarter of the surveyed workers do not receive salary slips.
- The findings of the report showed a large absence of annual salary raises and salary raises based on the increase of the cost of living in most of the sectors covered by the survey.
- The findings of the report also showed that there is a trend of obliging workers to work overtime hours, especially in the pharmaceuticals, tourism and emergency medical services sectors. In case the worker works overtime voluntarily or forcibly, he/she does not obtain overtime hours payment at a rate of one hour and a half wage for every additional hour worked, as stipulated by the Palestinian labor law.
- The provision of adequate occupational health and safety conditions in workplaces varies according to sectors. For example, more than one third of the workers pointed out the unavailability of warning, awareness or procedural regulations in their workplaces, especially in the local authorities, pharmaceutical industry and universities. In addition, a partial lack of fire extinguishers, first aid kits and emergency exits was denounced in most of the sectors covered by the study.
- More than one quarter of the workers are not insured against work injuries; the percentage increases in the health sector and universities.
- Half of the workers who suffered from work injuries, pointed out that the Ministry of Labor was not notified of these injuries in accordance with the Palestinian Labor Law. About a quarter of the injured workers did not know if their employers notified the Ministry of Labor about their work injuries.
- A very low percentage of workers (15%) pointed out that they have periodic medical examinations; in addition, half of the workers indicated that they had to undergo preliminary medical examinations.

- Just over half of the surveyed workers are affiliated to trade unions in the targeted sectors; 40% of the workers included in the survey believe that their trade unions are ineffective, with a clear disparity between the sectors covered by the report and between the West Bank and Gaza Strip.
- The results of the study indicated a clear presence of harassment by the employers towards workers who are affiliated to trade unions, especially in the financial and local authorities sector.
- Most of the surveyed workers, except in the pharmaceutical industry, do not know about the inspection visits of workplaces conducted by the Ministry of Labor.
- One third of the surveyed workers indicated that they do not have a written work contract. 20% of workers who have written work contracts, have not signed them.