

Jordanian Labor Law no. (8) of 1996

Chapter One: Preliminary

Article(1):

This law shall be called the (Labor Law for the year 1996) and shall come into effect sixty days after the date of its publication in the official gazette

Article(2):

Each of the following terms and expressions, whenever mentioned in this law, shall have the meanings assigned thereto hereunder unless the context provides otherwise.

Ministry: Ministry of Labor.

Minister: Minister of Labor.

Secretary General: Ministry is Secretary General.

Employer: Every natural person or corporate body that employs, in any capacity whatsoever, a person or more against wages.

Society: The body which represents the Employers.

Employee: Every person, male or female, who performs a job against wages and be a subordinate to the Employer and at his service, This covers the juveniles and those under probation or rehabilitation.

Work: Every mental or physical effort exerted by the Employee against wages whether on permanent, casual, temporary or seasonal basis.

Casual Work: The work required by contingent necessities and completion of which does not require more than three months.

Temporary Work: The work, completion nature of which requires a limited period.

Seasonal Work: Work in specific seasons every year and period of which does not exceed six months.

Collective Work Contract: A written agreement according which the terms and conditions of work between the Employer or the Employers Association from one side, and the group of Employees or their Association from the other side.

Work Contract: An explicit or implicit, verbal or written agreement under which the Employee undertakes to work for the Employer under his supervision and Management against wages. The work contract can be for a limited or unlimited period, specific or non- specific

work.

Wage: All cash or in-kind entitlements of the Employee against his work in addition to all other entitlements of whatever type, provided for by the law, work contract or the bylaw or; it has become the practice to pay same except the wages payable for overtime work.

Juvenile: Every person, male or female, who reached the age of seventeen and not yet eighteen.

Establishment: The body that provides services or operates in the production or distribution of commodities.

Medical Authority: The Physicians or the Medical Committee approved by the Minister.

Occupational Disease: Sustaining one of the industrial diseases shown in Table

No.(1) or sustaining any of the occupational diseases shown in Table

No. (2) Annexed to this law

Work Injury: The Employees injury as a result of an accident during the performance of work or due to the work itself. Any accident sustained by the Employee while on his way to or return from work, shall be considered as an accident.

The Entitled: The beneficiary or beneficiaries from the Employees family stated in the Social Security law in force.

Labor Union: A labor Occupational Organization formed according to the provisions of this law.

Administrative Body: The labor Unions Administrative Body.

Collective labor Dispute: Every dispute that arises between a group of Employees or labor Union on one hand and the Employer or Society on the other hand about the application or interpretation of a collective work contract or pertains to the circumstances and conditions of work.

Article(3):

With due observance to the provisions of paragraph (c) of article (12) of this law, the provisions of this law shall apply to all Employees and Employers with the exception of:

- a) Civil Servants and Municipal Employees.

- b) Family members of the Employer engaged in his project without pay.
- c) Domestic Servants, Gardeners, Cooks and Persons employed in similar occupations
- d) Agricultural Employees except those who are included under the provisions of this law by a resolution of the Council of Ministers upon the recommendation of the Minister.

Article (4):

- a) The provisions of this law shall not affect any of the rights granted to the Employees by any other law, work contract, agreement or decision if any of them gives the Employees better rights than those established to him pursuant to the provisions of this law.
- b) Every condition in a contract or agreement whether concluded before this law or subsequent thereto under which any Employee waives any of his rights under this law shall be considered null and void

Chapter Two: Inspection of Work

Article (5):

The Ministry undertakes to carry out the inspection tasks in application of the provisions of this law.

Article (6):

Whoever assumes the inspection tasks should sign an affidavit under oath stating that he will carry out his work with honesty and sincerity; and that he will not disclose the secrets he sights by virtue of his work.

Article (7):

The qualifications, functions, powers and remuneration of Labor Inspectors shall be determined and so the obligations of the Employer towards them shall be determined pursuant to regulations issued for this purpose.

Article (8):

The Employer or whoever acting for him shall:

Send a notice to the Ministry or any of its Directorates in the work area, within the first month of each year, comprising the number of his Employees, location of work of each of them, nature of his work, date of commencement of service and his wage.

Keep in his establishment all the records which he should maintain including the records of Employees and trainees.

Article (9):

The Labor Inspector shall exercise, during the performance of his job, the power vested in the members of judicial police pursuant to the Penal Procedure in force and the report prepared by him shall be enforced within the extent of his office until the contrary has been substantiated. The Inspector has the right to request the Employer to remove the violation within a maximum period of seven days from the date of his notification thereof in writing. In the event of his default, the Minister or whoever he delegates may decide to close down the Establishment until removal of the violation or issue of Court decision thereon. The Court shall pass judgment against the violator to remove the violation and a minimum fine of fifty Dinars (and not exceeding five hundred Dinars. The fine may not be reduced below the minimum for any of the extenuating discretionary reasons

Chapter Three: Employment & Occupational Guidance

Article (10):

The Ministry shall assume the functions of organizing the labor market, occupational guidance and formulation of the instructions necessary for providing work and employment opportunities to Jordanian citizens within and outside the Kingdom in collaboration with the concerned parties. Private Employment Offices may be established by a license from the Minister. The conditions of establishment, its objectives, and functions, method of management and method of Ministry's supervision of such offices shall be determined in conformity with a regulation issued for this purpose. The Minister may fix the fees to be received by such offices against its services.

Article(11):

It is not permissible for any party other than the Directorates of Public Employment and licensed Private Employment Offices to carry out intermediary work for the employment of I Employees within or outside the Kingdom. The Minister may close down the place which is violating the provisions of this article and to refer same to the Court. Whoever violates the provisions of this article shall be penalized by a minimum fine of two hundred Dinars and not more than one thousand Dinars or by imprisonment for a minimum period of thirty days or by both penalties, close down any place used for this purpose and confiscate its assets relating to the Art purpose of employment.

Article (12):

- a) It is not permissible to engage any none Jordanian Employee except with the approval of the Minister or whoever delegated by him provided that the work requires experience and capability which are not available with Jordanian Employees or if the available number therefore does not meet the need. Priority shall be given to Arab experts, technicians and the Employees.
- b) The non-Jordanian Employee must obtain a work permit from the Minister or from whomever he delegates prior to his recruitment or engagement. The period of permit if may not exceed one year renewable.

- c) The Ministry shall charge the Employer a fee for the issue or renewal of the work permit for every non Jordanian Employee including Employees who are excluded from the application of this law in accordance with paragraph (c) and (d) of article (3). This fee shall be considered as an income to the Treasury. The amount of such fee shall be set out in regulation.
- d) The Minister may, upon the recommendation of the Ministry of Social Development, exempt the handicapped who is seriously handicapped or his guardian or custodian from the payment of non Jordanian work permit fee if the handicapped is permanently in bad need for assistance from third parties in order to carry out his daily life burdens and if the tasks of the non Jordanian Employee is restricted to providing aid to the handicapped.
- e) The Employer or the Manager of the Establishment shall be penalized, as the case may be, by a minimum fine of fifty Dinars and not more than one hundred Dinars for every month or part thereof for every non Jordanian Employee who is employed in a manner which is in violation of the provisions of this law. The fine may not be reduced below its minimum in any case or for any reason.
- f) Employment of a non Jordanian Employee is considered as a violation of the provisions of this law in any of the following cases:
 - 1. Employing him without a work permit.
 - 2. Employing him by an Employer who is not permitted to work with him unless he has a permit from the concerned parties at the Ministry.
 - 3. Employing him in a career which he is not permitted to perform.
- g) The Minister shall issue a decision for deporting the Employee who is violating the provisions of this article outside the Kingdom at the expense of the Employer or Establishments Manager. Such decision shall be executed by the competent authorities. This non Jordanian Employee who is deported from Jordan is not permitted to return back to it unless three years is passed from the date of executing the decision of deportation.

Article (13):

The Employer who employs fifty Employee or more and the nature of his work permits the employment of handicapped employees who were vocationally rehabilitated through programs, arrangements and handicapped vocational rehabilitation institutes approved by the Ministry or established by it in collaboration with the official or private institutions, should employ from amongst such Employees a minimum of 2% (two percent) of the total of his Employees and send to the Ministry a statement showing the jobs occupied by handicapped who were vocationally rehabilitated and the wage of each of them.

Article (14):

If an Employee sustains a work injury which resulted in a partial permanent disability that does not prevent him from performing a work other than the work he was performing, the Employer should place him in another job that suits his condition if such job exists and against the wages appropriated thereto provided that his financial rights for the period preceding his injury are calculated on the basis of his last wage prior to the injury.

Chapter Four: Work Contract

Article (15):

- a) The contract of work shall be prepared in Arabic in a minimum of two copies and each of the two parties shall retain one copy therefore. The Employee may substantiate his rights, if the contract is not prepared in writing, in all legal substantiation methods.
- b) The Employee who is appointed for an unlimited period shall be considered to be continuing his work until the termination of his service pursuant to the provisions of this law. However, in the case where the Employee is engaged for a limited period, he shall be considered to be continuing in his work during this period.
- c) If the work contract is for a limited period, it shall terminate by itself upon the expiry of its term. If the two parties continue the execution therefore after the expiry of its term, this shall be considered as a renewal thereto for an unlimited period as from the commencement of the employment.
- d) The Employee who is regularly engaged by piece at the place of work or who performs a series of works by piece shall be considered as an Employee for an unlimited period.
 1. The Contractor Employees who work in the execution of a contract may directly institute a lawsuit against the project owner to claim their entitlements towards the contractor within the extent of the contractor's entitlement towards the project owner at the time of instituting the lawsuit.
 2. The sub-contract Employees may directly institute a lawsuit against the original contractor and project owner within the extent of entitlement of the original contractor towards the project owner and the entitlement of the sub-contractor towards the original contractor at the time of instituting the lawsuit.
 3. The Employees mentioned in the two preceding paragraphs may recover their right through lien on the amounts payable to the original contractor or sub-contractor. They shall receive their rights, upon mutual competition, in proportion to the right of each of them.

Article (16):

The work contract shall remain in effect irrespective of the change of Employer due to the sale of the project, its transfer through inheritance, amalgamation of the Establishment or for any other reason. The original and new Employees shall remain jointly responsible for a period of six months for the execution of the obligations arising from the work contract which are payable prior to the date of change. However, the new Employer, subsequent to the lapse of this period, shall be solely responsible.

Article (17):

The Employer shall not be obligated to perform a job which is clearly different from the nature of work agreed upon in the work contract unless necessity calls for such an action in order to prevent the occurrence of an accident or rectify the results therefore, or in the event of a Force Majeure as well as in the other cases provided for in the law provided that such is within the extent of his capability and within the extent of the conditions which necessitated such an action.

Article (18):

The Employee shall not be obligated to work in a place other than the one assigned for his work if such action results in changing his place of residence unless an express provision has been provided in the work contract which permits same.

Article (19): The Employee:

- a) Should perform the work by himself, exert, in its performance, the care of the ordinary person, comply with the orders of the Employer which relate to carrying out the agreed upon work within the limits that do not expose him to danger or violate the provisions of the law in force or the public moral.
- b) Should keep the Employers industrial and commercial secrets and not disclose them in any manner even after the expiry of the work contract as called for under the agreement or custom.
- c) Should be careful in maintaining the things handed over to him for the performance of work including the work, tools, materials and other supplies relating to his work. Should undergo the necessary medical examination, which are required by the nature of work or thereafter to ascertain that he is free from occupational and communicable diseases.

Article (20):

With due observance to the provision of paragraph (b) hereof, if the Employee invents a new invention, the Employer shall have no right in this invention even if the Employee has devised it during his work provided that he priority to buy such invention is given to

the Employer.

- a) If the nature of works entrusted to the Employee require him to dedicate his effort in the invention, the Employee may participate in the rights pertaining to the invention at a rate not exceeding fifty (50%) per cent therefore. Due observance should be given in estimating such percentage to the volume of scientific and material effort exerted by the Employee, and the materials, tools, installations and other facilities provided by the Employer.

Article (21):

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

- a) If both parties agree on the termination therefore.
- b) If the period of work contract expires or if the work itself is finished.
- c) If the Employee passes away, disabled by illness or became incapacitated to work and this was substantiated by a medical report issued by a medical authority

Article (22):

The contract of work shall not terminate by the death of the Employer unless the personality of the Employer is observed in the contract.

Article (23):

- a) If one of the parties wishes to terminate the unlimited period work contract, he should notify the other party in writing of his intention to terminate the contract at least one month in advance and the notification may not be withdrawn except with the approval of both parties.
- b) The work contract shall remain effective throughout the period of notice and such period shall be considered a part of the period of service.
- c) If the notice is from the Employer, he may relieve the Employee from the period therefore and may put him to work except during the last seven days therefore. The Employee, in all cases, shall be entitled to his wage for the period of notice.
- d) If the notice is from the Employee and he quitted the work prior to the expiry of the notice period, he shall not be entitled to wages for the period of quitting of work and should compensate the Employer for such period the equivalent of his wage for such period.

Article (24):

With due observance to the provisions of article (31) of this law, the Employee may not be discharged or a disciplinary actions taken against him for reasons relating to the complaints and claims submitted by the Employee to the competent authorities which pertain to the application of the provisions of this law thereon.

Article (25):

If the competent Court finds, in a lawsuit instituted by the Employee within sixty days from the date of his discharge, that the discharge was arbitrary and in violation of the provisions of this law, it may issue an order to the Employer to re-instant the Employee in his original job or to pay him compensation in addition to the payment in link of notice and his other entitlements provided for under articles (32) and (33) of this law provided that the amount of such compensation is not less than three months and not more than six months. The benefits shall be calculated on the basis of the last wage received by the Employee.

Article (26):

- a) If the Employer terminates the limited period work contract prior to the expire of the period therefore or if the Employee terminates it due to one of the reasons mentioned under article (29) of this law, the Employee shall have the right to receive all the rights and benefits stipulated in the contract and shall be entitled to the wages that become payable up to the expire of the remaining period of the contract unless the termination of the contract is a discharge pursuant to article (28) of this law.
- b) If the termination of the limited period work contract has originated from the Employee in the cases other than those provided for under article (29) of this law, the Employer may claim from him whatever damages that arise out of this termination as estimated by the competent Court provided that the amount of the judgment passed against the Employee does not exceed the wage of one half month for every month remaining from the period of contract.

Article (27):

- a) With due observance to the provisions of paragraph (b) hereof, the Employer may not terminate the service of the Employee or serve notice upon him for the termination of his service in any of the following cases:
 1. The pregnant working woman as of the sixth month of her pregnancy or during the maternity leave.
 2. The Employee who is on conscription or reserve service during such service.
 3. The Employee during his annual or sick leave or the leave granted to him for purpose of labor culture, pilgrimage or during his mutually agreed upon leave to serve on full time basis for the syndication work or to join a recognized institute, college or university.
- b) The Employer shall become non-labile to the provisions of paragraph (a) hereof if the Employee is engaged by another Employer during any of the periods provided for under such paragraph.

Article (28):

Employer may discharge the Employee without notice in any of the following cases:

- a) If the Employee impersonates the personality or identity of another person or submits forged certificates or documents for the purpose bringing personal benefit for himself or in detriment of others.
- b) If the Employee does not fulfill the obligations consequent upon him under the work contract.
- c) If the Employee commits an error which resulted in serious material loss to the Employer provided that the Employer notifies the competent party or parties of the incident within five days from the time of his knowledge of the occurrence thereof.
- d) If the Employee violates the internal regulations of the Establishment including the safety conditions of work and Employees despite his warning in writing twice.
- e) If the Employee absents himself without legitimate reason more than twenty intermittent days during the year or more than ten consecutive days provided that the discharge is preceded by a written warning to be mailed by registered post to his address and published once in one of the local dailies.
- f) If the Employee discloses the secrets of work.
- g) If the Employee is convicted, by a court decision which has become conclusive, of a felony or misdemeanor touching on honor and public moral.
- h) If he is found unmistakably drunk or under the influence of narcotics or mentally influencing factor or committed an act which is improper to public morals at the place of work.
- i) If the Employee assaults the Employer, the Manager in charge, one of his superiors, any Employees or any other person during work or due thereto by beating or humiliating.

Article (29):

The Employee may quit work without notice and still retain his legal rights for the termination of service as well as the damage compensation accruing to him in any of the following cases.

- a) His employment in a job which is distinctly differs in type from the work agreed to be employed in pursuant to the work contract provided that due observance is made to the provisions of article (17) of this law.
- b) To employ him in a form that entails him to change his residence unless stated otherwise in the work contract.
- c) His transfer to another job in a lower grade than the job agreed to employ him in.
- d) Reduction of his wages provided that due observance is made to the provisions of article (14) of this law.

- e) If it is sustained by medical report issued by a medical authority that his continuation in the work would threaten his health.
- f) If the Employer or whoever represents him assaults him during work or due thereto by beating or humiliation.
- g) If the Employer fails to execute any of the provisions of this law or any regulation issued pursuant thereto provided that he had already received notice from a competent party in the Ministry requesting him to comply with such provisions.

Article (30):

The Employer should provide the Employee, upon the termination of his service, at his request, a service certificate stating therein the name of Employee, type of his work, date of joining service and date of termination of service. The Employer shall be obligated to return to the Employee the papers certificates or tools deposited with him.

Article (31):

- a) The Employer may terminate all or part of the unlimited period work contracts or suspend same if the economic or technical circumstances necessitate such termination or suspension such as decreasing the volume of work or replacing the production regulation by another one or permanent stoppage of work provided that the Ministry is notified thereof.
- b) The Minister of labor may form a Committee from the three parts of production in order to ascertain the soundness of measures.
- c) The Employees whose service has been terminated according to paragraphs (a & b) hereof shall enjoy the right of returning to work within one year from the date of their leaving the work if the work has regained its nature and it was possible for the Employer to employ them.
- d) The Employee whose work contract has been suspended according to paragraph (a) hereof shall have the right to quit work without notice and still retain his legal rights for the termination of service.

Article (32):

With due observance to the provisions of article (28) of this law, the Employee, who works for an indefinite period and is not subject to the provisions of the Social Security Law and his service terminates for any reason, shall be entitled to the terminal benefit at the rate of one month wage for every year of his actual service and shall be paid for the fractions of the year a proportionate terminal benefit. The terminal benefit shall be calculated on the basis of his last wage during the period of his employment. However, if the whole or part of the wage is calculated on commission or piece basis, the method adopted for the calculation of the terminal benefit shall be the monthly average of what the Employee has actually received during the last twelve months preceding the termination of his service. If his service does not reach this limit, the total monthly average (shall be adopted) and the intervals that fall between one job and another and

does not exceed one month shall be considered, upon the calculation of this terminal benefit, as if it is a continuing period of employment.

Article (33):

- a) The Employee who is subject to the special regulations, in the establishment where he is working, pertaining to the provident, saving or pension funds or any other identical funds shall have the right, upon the termination of service, to obtain, in addition to the terminal benefit all the entitlement granted to him pursuant to such regulations.
- b) The regulations relating to the funds provided for under paragraph (a) hereof shall be approved by the Minister.

Article (34):

If the Employee passes away, all his terminal benefit entitlements as provided for in this law shall inure, as if his termination of service was made by the Employer in addition to his rights in any of the funds provided for under article (33) of this law, to his legal heirs.

Article (35):

- a) The Employer may employ any Employee under probation to ascertain his capability and potentials to carry out the required work provided that the period of probation does not exceed, in any case, three months and that the wage of Employee under probation should not be below the minimum wage established for the wages.
- b) The Employer may terminate the services of the Employee under probation without notice or terminal benefit during the probationary period.
- c) If the Employee continue in his work after the expire of the probationary period, the contract shall be considered as an unlimited period work contract and the probationary period shall be considered of the Employees service with the Employer

Chapter Five: Vocational Training Contract

Article (36):

- a) The vocational training contract between the Employee and the Employer should be in writing and the instructor should possess sufficient qualifications and experience in the profession or trade in which it is intended to train the Employee in. Also, suitable training conditions should be met in the establishment itself.
- b) The training contract should be prepared according to the form and conditions determined by the Vocational Training Corporation pursuant to the instructions issued for this purpose and published in the official gazette. The contract shall be exempted from stamp fees.

- c) The trainee who has attained the age of eighteen shall conclude the contract by himself. However, if he is a juvenile, his guardian or legal custodian shall act for him.

Article (37):

The period, successive stages, wages payable to the trainee in every stage shall be fixed in the training contract. The wage in the last stage should not be below the minimum wage given to an identical job and the determination thereof may not be, under any circumstances, on piece or production. The training shall be prepared according to the programs established by the Vocational Training Corporation under instructions issued for this purpose and published in the official gazette.

Article (38):

The training contract may, upon the request of one of parties, be terminated in any of the following cases:

1. If one of them commits any violation of the provisions of this law or regulations issued pursuant thereto.
2. If one of them does not carry out his duties according to the conditions of contract concluded between them.
3. If it becomes impossible to execute the conditions of contract for reasons beyond the contract of the two parties.
4. If the Employer moves the training site specified in the contract to another site where the movement thereto forms a hardship to the trainee or prejudices his interest, whoever, the trainee may not object thereon after the lapse of one month on his transfer to the new training site.
5. If the trainees continuation in the work threatens his safety or health and such has been substantiated by a labor inspector report or by a medical report issued by an approved medical committee.

Chapter Six: Collective Work Contract

Article (39):

The collective work contract shall be drawn on three original copies at least. Each party shall retain a copy thereof and the third copy shall be deposited by the Ministry to be registered in a special register. The collective work contract shall be binding as from the date fixed therein. In case the date is not fixed, it shall be binding from the date of its registration in the Ministry.

Article (40):

The collective work contract shall be for a specified or unspecified period. If it is concluded for a specified period, it may not exceed two years and if it is concluded for an unspecified period and a minimum of two years has elapsed, each of the two parties to the contract shall have the right to terminate it by a minimum of one month notice notified to the other party prior to the date of termination. The Ministry should be notified by a copy of this notice.

Article (41):

- a) If the collective work contract expires upon the lapse of its term or by termination by one of the two parties according to the previous of article (40) of this law and there were negotiations for its renewal, extension or amendment, its effectiveness shall remain valid throughout the negotiation for a maximum period of six months. If the negotiations did not end by an agreement during this period, the contract shall be considered as terminated.
- b) The termination of the collective work contract does not permit the Employer to infringe upon, in any way, the rights acquired by the Employees who were covered by the contract.

Article (42):

The collective work contract shall be binding upon the following categories:

- a) The Employers and their successors including their heirs and persons to whom the establishment has been transferred in any manner or upon its amalgamation with another.
- b) The Employees covered by its provisions in the event of their withdrawal from the labor Union or withdrawal of the labor Union from the Federation which is party of the collective contract if they are members in such a Labor Union or if the labor Union was a member in the Federation at the time of concluding the contract.
- c) The Employees of any establishment, which is subject to the provisions of the collective work contract even if they were not members in any labor Union.
- d) The Employees in any establishment that is subject to the provisions of the collective work contract and are bound with individual work contracts with this establishment and the conditions of their contracts were less advantageous to them than the provisions stated in the collective contract.
- e) Any condition that is contradictory to the collective contract stated in any individual contract concluded between individuals bound with the collective contract shall be considered as null and void unless such a condition is more advantageous to the Employees

Article (43):

The Minister may, based on a request of any of the Employers or Employees and

subsequent to conducting an appropriate study comprising the review of the recommendations of a committee formed by the Minister from amongst the concerned Employers and Employees, decide to expand the scope of coverage of any collective contract where a minimum of two months has elapsed on its execution to become effective with all its conditions on the Employers and Employees in a specific sector or towards a category of them in all areas or in a certain area. The decisions issued pursuant to this article shall be published in the official gazette.

Article (44):

The Minister shall issue instructions that define the method of registration of the collective work contracts, joining of it, reproducing copies thereof and the like organizational matters relating to such contracts. A statement shall be put up indicating the existence of the collective contract, the two parties to the contract, date thereof and place of its conclusion within the establishment and at work places.

Chapter Seven: Protection of Wages

Article (45):

The amount of wage shall be fixed in the contract. If the contract does not provide for it, the Employee shall receive the wage estimated for a work of the same type, if any; otherwise, it shall be estimated according to the custom. Should there be no custom; the Court shall estimate same pursuant to the provisions of this law as being a labor dispute on the wage

Article (46):

- a) The wage should be paid within a maximum period of seven days from the date of its entitlement. The Employer may not deduct any part, thereof except in the cases permitted by the law.
- b) The Employees signature on any wage statement, record or receipt in the amount of the sum recorded therein does not mean the dropping out of his right to any increase in the received amount pursuant to the law, regulation or contract

Article (47):

No amount may be deducted from the Employees wage except in the following cases:

- a) Employers recovery of advances made to the Employee whereby each installment recovered from the advance may not exceed (10%) of the wage.
- b) Recovering any amount paid to the Employee in excess of his entitlement.
- c) Subscriptions of the social security, installment thereof which are payable by the Employee and deductions to be made pursuant to the other laws.

- d) Employees subscriptions in the provident fund. e. Subscriptions relating to the housing facilities provided by the Employer and other advantageous or services as per the rates or percentages agreed upon between the two parties.
- e) Every debt collected in execution of a judicial judgment.
- f) The sums imposed upon the Employee because of his violation of the provisions of the Establishments internal regulations, work contract or in return of the materials or tools he had damaged due to his negligence or fault as per the special provisions provided for in this law.

Article (48):

The Employer may not take any disciplinary action or impose a fine on the Employee of a violation not provided for in the penalties list which is approved by the Minister, with due observance to the following:

- a) Not to impose a fine on the Employee in excess of three days wage per month or to suspend him from work without pay for a period exceeding three days per month as well as be given the opportunity of his defense statement to be listened to prior to imposing the penalty against him. The Employee should have the right to object to the penalty imposed against him before the labor inspector within one week of his notification thereof.
- b) No discipline action to be taken or a fine imposed against the Employee for any of the violations provided for in the approved penalties list subsequent to the lapse of fifteen days from the commitment thereof.
- c) The fines imposed pursuant to this article should be recorded in a special register wherein the name of Employee, amount of his wage, reasons for imposing the fine against him should be stated. These fines should be allocated for the realization of social services to the Employees as decided by the Minister

Article (49):

If it is substantiated that the Employee has caused the loss or damage of tools, machines, or products owned or possessed by the Employer or was in the Employees custody and such was arising out of the Employees fault or his violation of the Employers instructions, the Employer may deduct from the Employees wage the value of the lost or damaged items or the cost of its repair provided that the deduction made for this purpose does not exceed the wage of five days per month and the Employer retains the right to resort to the competent regular courts to claim compensation for the damages caused by the Employee.

Article (50):

If the Employer had to suspend the work temporarily for a reason not attributable to him

and which he cannot prevent, the Employee shall be entitled to full wage for a period not exceeding the first ten days from the suspension of work within the year and to pay the Employee one half of his wage for the period in excess of same whereby the total of the entire period of suspension of work does not exceed sixty days per year.

Article (51):

- a) Notwithstanding any thing provided in any other law, the wages and amounts payable, pursuant to the provisions of this law, to the Employee, he heirs or those entitled subsequent to his demise shall be considered as first class general lien debts preceding all other debts including the taxes. Fees and other rights payable to the government as well as the debts secured by real estate mortgages or in-kind securities.
- b) In the event of liquidation of the establishment or bankruptcy of the Employer, the liquidation or receiver in bankruptcy shall pay to the Employee or his heirs immediately and as soon as he places his hand on the Employers funds the equivalent of one month wage out of the amounts payable to him prior to the settlement of any other expenses including the judicial, bankruptcy or liquidation expenses.

Article (52):

- a) The Council of Ministers shall, upon the recommendation of the Minister, form a Committee comprising an equivalent number of Representatives for the Ministry, Employees and Employers. The Council shall appoint a Chairman thereto from amongst its members to undertake the fixing of the minimum wages estimated in Jordanian currency in general or with respect to a certain area or to a certain profession. The period of membership thereon shall be two years, renewable.
- b) The Committee shall hold its meetings whenever necessary upon the invitation of its chairman. It shall submit its resolutions to the Minister if they are not unanimous in order to transmit same to the Council of Ministers for decision in respect thereof provided that consideration is given by it (the committee) upon estimating the wage, to the cost of living established by the competent authorities and the resolutions issued pursuant to this article shall be published in the official gazette including the date of commencement of its operation.

Article (53):

The Employer or whoever acts of him shall be penalized by a minimum fine of twenty five Dinars and not exceeding one hundred Dinars for every incident wherein a payment below the minimum wage established to the wages is made to an Employee in addition to passing judgment in favor of the Employee of the wage difference. The penalty shall be doubled whenever the violation is repeated.

Article (54):

- a) The Council of Ministers may, upon the recommendation of the Minister, appoint

an authority from those experienced and competent in labor affairs that shall be called (Wages Authority) composed of one person or more to hear the lawsuits relating to wages in specific area including the shortage in the paid wage, illegal deductions therefrom, delaying its payment or wages of overtime hours provided that it is summarily finalized.

It shall be a pre-requisite for the acceptance of the lawsuit that the Employee be in service or no more than six months have elapsed on the termination of his work

If such conditions are not fulfilled, the Employee may resort to the competent regular Court.

- b)** The Wages Authority shall not be bound to apply the A proceedings and practices followed in Courts. It shall have the same powers granted to the regular courts in the following matters:
 1. Invite any individual to hear his testimony under oath and to summon him through the competent security authorities in the event of his failure to appear.
 2. Request the parties to the lawsuit to submit the documents and statements it deems necessary for the finalization of the lawsuit.
- c)** The Employee himself or the labor Union on his behalf shall submit the claim in writing. It is permissible to submit one claim from a number of Employees if they are working in the same establishment and the reason of their complain is the same. Each of the two parties to the dispute may appoint someone to act for him before the competent Wages Authority.
- d)** The Wage Authority may request the Employer, within a period set by it, to pay to the Employee the illegally deducted wages or the unpaid or payable wages which he failed to pay within a period set for this purpose. It may add compensation, estimated by it provided that the amount of compensation does not exceed the deducted or unpaid amount for the period on which wages are claimed. It is a pre-requisite that the Employer shall not be obliged to pay compensation for the short or defaulted wages if the Authority is convinced that the default was due to a fault in good faith, a dispute on the amount to be paid, the occurrence of a contingent situation, Employees default in claiming the payment of wages or acceptance of same.
- e)** The Wages Authority shall hear the lawsuit submitted to it in the presence of the two parties or whoever is acting for them. The lawsuit shall drop if the Plaintiff Employee absents himself and it shall be heard in his presence if the Defendant Employer fails to appear. It shall issue its decision against the latter in this case in absentia and its decision shall be applicable before the Court of Appeal within ten days from the date of his notification if the amount adjudged to the Employee exceeds one hundred Dinars.
- f)** Decision of the Wages Authority shall be executed by the competent Execution Departments as if they were decisions passed by the regular Courts provided that the amounts adjudged are not subject to installment.

- g) The claim submitted by the Employee to the Wages Authority and also its decisions, which are submitted to the Execution Departments for execution, shall be exempted from fees and stamps.
- h) The Authority and Employees working with it shall be paid the remuneration is decided by the Minister with due consideration given to the number of lawsuits submitted to and finalized by it provided that the Authority carries out its functions outside the working hours. Chapter Eight: Regulation of Work and Leaves

Article (55):

Every Employer who engages ten Employees and more should draft an internal regulation for organizing the work in his Establishment wherein he should outline the working hours, daily and weekly rest period, work violations, penalties and measures taken in respect thereof including the discharge from work, method of its implementation and other details required by the nature of work. The Establishments internal regulation shall be subject to the Ministers ratification and be put into operation as of the date of its ratification.

Article (56):

The ordinary working hours shall be eight hours per day provided that the total working hours do not exceed forty eight hours per week over a maximum of six days whereby the time allocated for meals and rest shall not be calculated. The working hours should not exceed such (total) except in the cases provided for in this law.

Article (57):

The Employer may put the Employee to work more than the ordinary working hours in any of the following cases provided that the Employee receives, in any of these cases, the overtime pay provided for in this law:

- a) Carrying out the Establishments annual inventory, preparing the balance sheet, and closing accounts, getting ready to sell at discounted prices provided that the numbers of days on which the provisions of these paragraphs are applied do not exceed thirty days per year and that the actual working hours do not exceed ten hours every day thereof.
- b) To avoid the occurrence of loss to the goods or any other item which is exposed to damage, to avoid the risks of a technical work or to receive certain materials, delivery or transporting of same.

Article (58):

The provisions of articles pertaining to the working hours provided for in this law shall not be valid towards the persons who assume the functions of general supervision or administration in any Establishment and who work in some cases outside the Establishment or whose jobs require traveling or mobility within the Kingdom or abroad

Article (59):

- a) It is permissible to put the Employee to work with his consent for more than the ordinary working hours provided that the Employee receives a wage against every hour overtime a minimum of 125% of his ordinary wage.
- b) If the Employee works in his weekly rest day, religious feast holidays or official holidays, he should receive a minimum wage for his work in that day of not less than 150% of his ordinary wage.

Article (60):

- a) Friday of every week shall be the Employees weekly holiday unless the nature of work requires otherwise.
- b) The Employee may, with the Employers approval, combine the days of his weekly holiday and obtain same within a maximum period of one month.
- c) The Employees weekly holiday shall be with full pay unless he is working on a daily or weekly basis whereby he shall be entitled, in both cases, to the weekly holiday pay if he works six successive days prior to the day fixed for the holiday. He shall be entitled, out of this wage, to a proportion of the days he worked during the week if they were three days or more.

Article (61):

- a) Every Employee shall be entitled to a fourteen day annual leave with full pay for every year of service unless it has been agreed on greater number thereof provided that the period of the annual leave shall become twenty one days if he remains in the service of the same Employer for more than five successive years. The official holidays, religious feasts and weekly holidays shall not be calculated of the annual leave unless it falls within same.
- b) If the Employees period of service did not reach one year, he shall have the right to obtain a leave with pay in proportion to the period of his service during the year.
- c) It is permissible to postpone the Employees leave for any year by agreement between the Employee and the Employer to the immediate coming year. The Employees right to the leave postponed in this manner shall drop if the year to which it is postponed lapses and he did request the utilization of same during such year. The Employer may not reject the Employees request for the utilization of his leave.
- d) The Employer may fix, during the first month of the year, the date of each
- e) Employees annual leave, method of its utilization by the Employee in his establishment according to the work requirements provided that due consideration is given to the Employees interest.

Article (62):

If the annual leave is not taken at one time, the part thereof may not be less, at any time,

than six days.

Article (63):

If the Employees service is terminated for any reason prior to utilizing his annual leave, he shall be entitled to the wage for the unutilized days of such leave.

Article (64):

Any agreement stipulated the Employees waiver of his annual leave or of any part thereof shall be considered void.

Article (65):

Every Employee shall be entitled to a fourteen-day-sick leave with full pay per year based on a report from the physician approved by the establishment. It may be renewed for a further fourteen days with full pay if he is hospitalized in one of the hospitals and with one half pay if it is based on a report of a medical committee approved by the establishment and was not hospitalized in any hospital.

Article (66):

- a) Every Employee shall be entitled to a fourteen day leave per year with pay in any of the following cases:
 1. If he joins a labor cultural course approved by the Ministry upon the nomination of the Employer or establishments Manager in coordination with the concerned Union.
 2. For the performance of pilgrimage, it shall be a pre request for the granting of this leave that the Employee should have served at least five consecutive years with the Employer. This leave shall be granted once only during the period of service.
- b) The Employee shall have the right for a four months leave without pay if he joins an officially recognized University, Institute or College.

Article (67):

The woman who works at an establishment which engages ten Employees or more shall have the right for a leave without pay for a maximum period of one year in order to devote her full time for looking after her children. She shall have the right to return to her work upon the expiry of this leave, provided that, she shall lose this right, if she works against payment during such period in any other establishment.

Article (68):

Each of the working couple may obtain a leave once without pay for a period not exceeding two years to accompany his spouse if he is transferred to another work which is located outside the governorate where he works within the Kingdom or to a job abroad.

Article (69):

The following shall be determined by a decision from the Minister subsequent to seeking the opinion of the competent official authorities:

- a) The industries and jobs in which it is prohibited to engaged woman.
- b) The times during which it is not permitted to put to woman to work and the exceptional cases there from

Article (70):

The working woman shall have the right to obtain a maternity leave totaling ten weeks with full pay prior to and after delivery provided that the period subsequent to delivery may not be less than six weeks. It shall be prohibited to put her to work prior to the expiry of such period.

Article (71):

The working woman shall have the right subsequent to the expiry of the maternity leave provided for under article (70) of this law, to obtain, within a year of the date of delivery, a period or periods not exceeding one hour in total per day with pay for the purpose of nursing her new born.

Article (72):

The Employer who employs a minimum of twenty female married Employees should provide a suitable place under the custody of a qualified governs to care for the Employees children of less than four years of age provided that the number is not less than ten children.

Article (73):

With due observance to the provisions relating to vocational training, it is not permissible under any case to employ the juvenile who did not complete the age of sixteen in any manner

Article (74):

It is not permissible to employ the Juvenile who didn't complete the age of seventeen in hazardous exhausting or prejudicial to health jobs. Such jobs shall be determined under discussion issued by the Minister subsequent to seeking the opinion of the competent official authorities.

Article (75):

It is prohibited to employ the juvenile:

- a) More than six hours per day provided that minimum of one hour rest is granted after our hours of successive work
- b) Between 8 O'clock in the evening and 6 in the morning.
- c) During religious feasts, official holidays and weekly holidays.

Article (76):

The Employer should, prior to the employment of any juvenile, request him or his guardian to submit the following documents:

- a) A certified copy of the birth certificate.
- b) A certificate of the juvenile's fitness of health to the required work issued by the specialized physician and certified by the Ministry of Health.
- c) Written approval of the juvenile's guardian to work in the establishment. Such documents shall be kept in a special file for the juvenile with sufficient particulars on his place of residence, date of employment, the job in which he was engaged, his wage and leaves.

Article (77):

The Employer of establishments Manager shall be penalized for every violation of any of the provisions of this chapter, any regulation or discussion issued pursuant thereto by a minimum fine of one hundred Dinars and not exceeding five hundred Dinars. The penalty shall be doubled in the case of repetition. The penalty may not be reduced below its minimum limit due to the extenuating discretionary circumstances.

Chapter Nine: Safety and Occupational Health**Article (78):**

- a) The Employer must:
 - 1. Provide the necessary precautions and measures to protect the Employees from the hazards and diseases that may result from the work as well as from machines used therein.
 - 2. Provide Employees with personal protection and prevention means from the hazards of work and occupational diseases such as clothes, eye glasses, gloves, shoes and the likes as well as instructing them on the method of its use, maintenance and cleaning.
 - 3. Inform the Employee prior to engagement of the risks of his occupation and methods of methods of protection to be taken by him. Instructions and

directives showing the occupational risks and methods of protection there from according to the regulations and decisions issued in this respect should be placed in a conspicuous place.

4. Provide medical emergency facilities and equipment to Employees in the Establishment according to the levels determined by a decision of the Minister subsequent to seeking the opinions of the competent official authorities.
- b) The Employees may not absorb any expenses resulting from the implementation of or providing what is stated under paragraph (a) of this article.

Article (79):

- a) The Minister shall determine, subsequent to seeking the opinion of the competent official authorities under instructions issued by him, the following:
- b) The precautions and measures, to be taken or provided in all Establishments or in any of them for the protection of Employees and establishments from the risks of work and occupational diseases.
- c) The equipment and facilities to be provided in the establishments from the risks of work and occupational diseases.
- d) The basis And standards that have to be available in the industrial establishments to ensure all forms of pollution free environment, protection against noise, vibrations and every thing prejudicial to the Employees health within the approved international standards as well as determining the special methods of testing and examining for controlling such standards.

Article (80):

The Employer should take the precautions necessary for the protection of the establishment and its Employees from the hazards of fire and explosions or storage, transporting or handling the inflammable dangerous materials and provide sufficient technical facilities and equipment according to the instructions of the competent official authorities.

Article (81):

It is not permissible for the Employer or Employee to permit the entry of any type of liquor narcotics, mental influencing articles or dangerous drugs to the places of work or exhibit same therein nor is it permissible for anyone to enter into such places or stay there for any reason whilst under the influence of such drinks or drugs.

Article (82):

Employees in any establishment should comply with the provisions, instructions and decisions pertaining to prevention precautions, safety, occupational health, use and

maintenance of equipment relating thereof, refraining c. from any act, which would obstruct the execution of such provisions, decisions and instructions as well as refrain from tampering or causing damage or destruction thereto under being subjected to the disciplinary penalties provided for in the establishments internal regulations.

Article (83):

The Minister may, subsequent to seeking the opinions of the concerned authorities, issued instructions under which he would determine every job in which no one can be put to work prior to subjecting him to medical examination to ascertain the fitness of his health to carry out such job. The instructions issued pursuant to this article shall be published in two local daily newspapers as well as in the official gazette.

Article (84):

- a) If the Employer violates any of the provisions of this chapter, the Minister may close down the establishment or place of work in wholly or partially or stop any machine therein if such violation would expose the Employees, establishment or machines to hazard until the Employers removal of the violation.
- b) It is a pre-requisite that the Minister may not issued his decision provided for under paragraph (a) of this article prior to serving warning upon the Employer for the removal of the violation within the period he sets for him in the warning and that is according to the seriousness and gravity of violation.
- c) Due observance should be made in the case of closing down the establishment, place of work or stoppage of machines therein whereby the Employees right to receive their wages in full for the period of closing down or stoppage is not breached.
- d) The Minister may refer the violator to the competent Court and shall be penalized in such case by a minimum fine of one hundred Dinars and not exceeding five hundred Dinars. This fine shall be doubled in case of repetition. The adjudged fine may not be reduced below its minimum for any reason whatsoever.

Article (85):

The Council of Ministers shall issue, upon the recommendation of the Minister, the necessary regulations in the following matters:

- a) Formation of the safety & Occupational Health, Committees, appointment of supervisors in public and a private institutions and determine the scope of competence and duties of such Committee and supervisors.
- b) Preventive and therapeutic medical care for Employees, duties of Employers in providing it, method of establishment of the joint medical units amongst more than one establishment, method of its financing the technical equipment which should be made available in such units and the periodical medical examinations to Employees.

- c) Prevention and safety from industrial machines and engines as well as from work sites.

Chapter Ten: Work Injuries & Occupational Diseases

Article (86):

The provisions of this chapter relating to work injuries and occupational diseases shall be applied on the Employees towards whom the provisions of the Social Security Law in force do not apply.

Article (87):

- a) If the Employee sustains a work injury which led to his death or resulted in a physical injury which prevented his continuation in work, the Employer should transport the injured to a hospital or medical center and notify the competent security authorities of the accident as well as send a notification thereof to the Ministry within a maximum period of 48 hours from the occurrence of the accident. The Employer shall absorb the expenses of transporting the injured to the hospital or medical center for treatment.
- b) The Employee or Establishment Manager or whoever represents it shall be penalized, in case he violates the provisions of paragraph (a) of this article, by a minimum fine of one hundred Dinars and not exceeding five hundred Dinars for every violation. The penalty shall be doubled in the event of repetition.

Article (88):

The Employer shall be liable for the payment of the compensation provided for in this law to the Employee who is stricken with one of the occupational diseases which arises out of his work pursuant to a report from the medical authority.

Article (89):

With due observance to what falls in any law or other legislation, it is not permissible for the injured or the person entitled on his behalf to claim any compensations not stated in this law and that is with respect to the work injuries from the Employer unless such injury have arisen from the fault of the Employer.

Article (90):

- a) If the work injury resulted in the Employees death or' his total disablement, the Employer shall be liable for a compensation equivalent to one thousand Dinars and not less than two thousand Dinars.
- b) If the work injury resulted of a temporary disablement, the Employee shall be entitled to a daily allowance equivalent to 75% of his average daily wage as of the

day on which the injury has occurred during the treatment period based on a report from the medical authority if his treatment was outside the hospital and such allowance shall be reduced to 65% of such wage if the injured is being treated in one of the approved medical centers.

- c) If the work injury resulted of a permanent partial disablement, based on a report from the medical authority, the Employee shall be paid a compensation on the basis of the proportion of such disablement to the established compensation for the total disablement pursuant to table No. (2) Annexed to this law.
- d) If the work injury results in more than one physical impairment, the injured Employee shall be entitled to compensation for each one of these impairments according to the basis provided for in this law provided that the total payable amount in this case shall not exceed the amount of compensation payable in the case of total disablement

Article (91):

The compensation provided for in this law shall be calculated on the basis of the last wage received by the Employee. However, if the Employee was working on piece basis, it shall be calculated on the basis of the average wage during the last six months of his work.

Article (92):

- a) The compensation to be paid pursuant to this law shall be estimated upon the request of the Employer, Employee or persons entitled on his behalf. In the event of one agreement on the compensation, it shall be estimated by the Secretary General as being the Commissioner for the estimation of the compensation and he shall be a litigant in the lawsuit related to it (the compensation). The Minister may appoint other Commissioners from the Ministry's staff to exercise the powers of the Commissioner in any area of the Kingdom.
- b) The compensation shall be made in one payment within thirty days from the date of notification of the commissioner's decision of his estimation to those concerned.
- c) The payment of the compensation provided for in this law shall not prevent the Employee or those entitled on his behalf to receive the terminal benefit if the conditions of entitlement thereto are fulfilled.
- d) No lawsuit shall be heard before a court with respect to the compensation provided for in this law if the request thereof has been submitted to the Commissioner and still pending under his consideration.

Article (93):

The application for compensation on any work injury shall be accepted unless submitted to the Commissioner within two years from the date of occurrence thereof or from the

date of death of the injured Employee. However, the Commissioner may accept the application subsequent to the lapse of two years from the date of occurrence of the injury or death if the delay in its submission was arising out of a legitimate excuse including the final none conclusiveness of the results of injury.

Article (94):

- a) With due observance to the provision of paragraph (b) of this article, the right of the injured to the daily allowance and cash compensation shall drop provided that it is substantiated by the result of the investigation conducted by the competent authorities subsequent to hearing the statement of the Employer or who represents him and the statement of the injured when his health condition permits in any of the following cases:
 - 1. If the injury arose from a deliberate act or serious fault or negligence of the injured.
 - 2. If the injury had resulted from the influence or liquor, narcotics or mentally influencing articles.
 - 3. If the injury violates the established instructions with respect to his treatment from the injury or in respect of the announced industrial prevention and security which must be followed and where such violation had an effect in the occurrence of the injury.
- b) The provisions of paragraph (a) of this article shall not apply on any of the injury cases, cases provided for under that paragraph are included, if the death of the injured had risen from therefrom or if he had sustained a permanent disability due thereto of a minimum percentage of (30%). The injured or those entitled on his behalf shall be paid the daily allowance or cash compensation, as the case may be.

Article (95):

The payable compensation pursuant to the provision of this law may not be mortgaged under any circumstances or attached except for an alimony debt to a maximum of one third the amount of compensation nor it is permissible to transfer it to any other person other than the Employee or those entitled on his behalf or to claim the clearing of the compensation payable after the Employees death.

Article (96):

With due observance to the provisions of article (95) of this law, the compensation shall be distributed in the event of the Employees death to those entitled on his behalf according to the portions designated under table (3) annexed to this law.

Chapter Eleven: Labor Unions & Employers Societies

Article (97):

- a) The Employees in any profession may establish a labor Union for themselves according to the provisions of this law. The Employee in such a profession shall have the right of affiliation thereto if he fulfills the conditions of membership.
- b) The Employer shall be prohibited from making the employment of any Employee conditional upon his none affiliation to the labor Union, waiver of his membership therein, to endeavor to dismiss him from any labor Union or prejudice any of his rights due to his affiliation to its membership or participate in its activities off working hours.

Article (98):

- a) With due observance to the provisions of paragraph (b) of this article, the labor Union shall be established by a minimum of fifty founders of those working in the same profession or in identical occupations or those inter-connected together in the same production.
- b) The Minister may issue a decision classifying professions and industries whose Employees shall have the right to establish a Union for themselves and that is in agreement with the General Federation of the labor Unions and to define in his decision the groups of professions and industries for which no more than one General Union may be established for all the Employees thereof by virtue of its identicalness, inter-connection with each other or their participation in a single or combined production and to make his decision in this respect valid on the existing labor Unions.

Article (99):

- a) The labor Union shall exercise its activity for the realization of the following objects:
 - 1. looking after the interests of Employees in the profession and defend their rights within the scope of the provisions provided for in the law.
 - 2. Providing the medical and social services to the Employees affiliated to the Union, establishing medical clinics, social welfare and consumer institutions for them.
 - 3. Endeavor to raise the economic, professional and cultural level of Employees.
- b) The Union may open branches thereto in the Kingdom, outline the provisions and proceedings which pertain to the relationship between the labor Union and its branches pursuant to its internal regulations.

Article (100):

- a) The General Federation of the labor Unions shall formulate, subsequent to seeking the opinion of the Ministry for advice, an internal regulation for the Federation and labor Unions provided that the internal regulation of the labor Unions includes the following matters:
- b) Name of the Union and address of its headquarter. The objects for which the Union will be established.
- c) Procedures of affiliation of members to the Union and their discharge.
- d) Method of establishing of the Union branches throughout the Kingdom and conditions of formation of committees herein as well as procedures thereof.
- e) Number of the labor Unions Administrative Body, term of its office, method of their election, timings of its meetings, method of filling the vacancies in its membership and powers.
- f) The rights enjoyed by the member of the Labor Union, liabilities he undertakes and the cases in which he will be exposed to behavioral penalties including the fine and discharge from the Labor Union.
- g) The services and financial assistance provided to the member of the Union in the necessity cases including the participation in the treatment expenses and appointment of Attorneys-At-Law.
- h) Conditions of Employees and servants Appointment in the Union, its procedures and termination and their services.
- i) Method of keeping the Unions Funds, financial books and records.
- j) Procedures of inviting the Unions General Assembly to its ordinary and extraordinary meetings.

Article (101):

- a) The labor Unions, which are registered, prior to the enforcement of this law shall be considered existing and as if they were registered pursuant thereto.
- b) The Employers Societies that are registered prior to the enforcement of this law shall be considered as Societies registered pursuant thereto.
- c) The above mentioned Labor Unions and Employers Societies should conciliate their status, regulations and names with the provisions of this law within a maximum period of six months from the date of its enforcement.

Article (102):

- a) The establishment application of any Labor Union of Employers Societies shall be submitted under the signature of the Founders to the Registrar of

Labor Unions and Societies in the Ministry accompanied with the following:

1. The internal regulation of the Labor Union or Society' listing therein; its name, headquarter and address.
 2. The members of its first Administrative Body that was elected by the Founders.
- b) Unions and Societies registrar may request the Administrative Body to provide him with any additional details he deems necessary for the study of the application, and completion of the proceedings of Union or Society registration.
 - c) The Unions and Societies Registrar should issue his a decision concerning the Union or Society registration application within a maximum period of thirty days from the date of submission of the application to him. If he approves, he should issue a certificate of the registration of the Union or Society. The registration decision should be published in the official gazette. If he decides to reject the application, the founders may appeal his decision before the Higher Court of Justice within thirty days from the date of notification of the decision.
 - d) The persons who were prejudiced from the registration of any Union or Society may appeal its registration decision before the Higher Court of Justice within thirty days from the date of publishing the decision in the official gazette.

Article (103):

- a. The Union or Society shall be considered to be existing in the name in which it was registered, shall acquire the judicial personality and exercise, in its capacity, all the activities it is permitted to exercise according to the provisions of this law and regulations issued pursuant thereto as well its internal regulations as of the date of:
 1. Publication of the decision of the labor Unions and Societies registrar of registration of the labor Union or Society in the official gazette, or
 2. Passing of the decision of the Higher Court of Justice regarding the cancellation of the Registrars decision of rejection of Union or Societies registration.
 3. Elapse of the period of appeal provided for under article (102) of this law.
- b) The labor Union or Society should provide the registrar of the labor Unions or Societies with any changer or amendment that takes place on its internal regulation within fifteen days from the date of making same.

Article (104):

All correspondence and notices should be forwarded to the Union or Society at its

registered address and Unions registrar should be notified of any change within seven days of its occurrence. The change shall be inserted in the labor Unions and Societies Register with the registrar, otherwise the address which is originally registered shall be considered as standing.

Article (105):

The registrar shall cancel the registration certificate of the Union or Society if he has substantiated that it does not exist any more either due to its voluntary dissolution, because it was dissolved according to the provisions of this law or by Court decision.

Article (106):

The Union or Society shall be voluntarily dissolved upon the approval of two thirds of its members whose subscriptions are paid in any extra-ordinary meeting convened by the General Assembly of the Union or Society solely for this purpose. Its funds and rights shall be liquidated and disposed of in this case according to the provisions of the internal regulation. The Minister and General Federation of the labor Unions should be notified of the dissolution decision within fifteen days from the date of issue and shall be published in the official gazette.

Article (107):

- a. If the Union or Society fails in submitting any notice, statement, balance sheet or any of the accounts or documents required by this law and the regulations issued pursuant thereto to the Ministry, the Union or Society or whoever represents them legally shall be penalized by a minimum fine of fifty Dinars and not exceeding one hundred Dinars. The adjudged fine may not be reduced for any reason.
- b. If the labor Union or Society violated the provisions of its internal regulation, it has to rectify the position within a maximum period of three months either by itself or upon the request of the Ministry or General Federation of labor Unions, if it does not rectify the situation within the established period, it shall be referred by the Minister or whoever he delegates to the competent Court of First Instance for trial with respect to such violation.

The Court may suspend the labor or Society from functioning until the passing of its decision on the lawsuit.

Article (108):

- a. The Employers in any occupation may establish their own Society to look after their occupational interests with respect to the application of the provisions of this law.
- b. The Employers Society shall be established by a minimum of thirty founders of Employers in one identical or inter-connected occupation or combined in a single production. Such occupational groups shall be defined by a decision from the Minister in agreement with the Representatives of the Society. The Employer in any occupation shall have the right to affiliate to the Society which represents his

occupation or refrain therefrom.

- c. The following shall be a pre-requisite in the Founder of any of the Employers Societies and labor Unions as well as in the applicant of affiliation therein:
 1. Should be of Jordanian nationality.
 2. The Founders age shall not be less than (25) years, and the applicant not less than (18) years.
 3. Is not convicted of a felony or misdemeanor touching on honor and public morals.

Article (109):

The funds of the labor Union may not be expended except on legitimate purposes that pertain to the interest of the labor Union including the following:

- a. labor Unions management expenses including the fees of auditing its accounts.
- b. Fees of Court lawsuits instituted by or against the labor Union and expenses thereof if it is or any of its members is a party to the lawsuit and was for securing any rights to the labor Union or for its protection or was pertaining to rights arising out of a relationship of one of its members with the Employer.
- c. Expenses of any labor dispute relating to the labor Union or one of its members.
- d. Compensating the members for any loss arising out of a labor dispute.
- e. Contributions paid to the members or their families due to the death, senility, sickness, unemployment or accidents sustained by them.
- f. Expenses of the educational and social services provided by the labor Union to the members.

Article (110):

- a) The labor Unions shall form the General Federation of the labor Unions and shall have a corporate body and each labor Union shall maintain its own rights therein.
- b) The Federation shall consist of the members of labor Unions from which the Federation is composed and shall enjoy all the rights enjoyed by the labor Union.
- c) Two labor Unions or more, with the approval of the General Federation of the labor Unions, form a Trade Union provided that each of them obtains the consent of the ordinary majority of its General Assembly and to advise the Registrar in writing thereof.

- d) The General Federation of the labor Unions and the registered Trade Unions may join any Arab or International labor Organization with legitimate objects and means.
- e) The affairs of the general Federation and Trade Unions shall be governed by a special regulation to be issued for this purpose.

Article (111):

No Employee in any labor Union or any member therein shall be penalized nor legal or judicial measures taken against him due to an agreement concluded between the members of the labor Union with respect to any of the legitimate objects of the labor Unions provided that such agreement does not violated the laws and Regulations in force.

Article (112):

No labor Union shall be considered an illegal entity due to the mere claim that any of its objects aim at restricting the freedom of trade.

Article (113):

- a) Every labor Union must prepare the records and books according to the terms and conditions decided by the Minister.
- b) The labor Inspector shall have access, at any time, to the accounting books of any labor Union, other books and records kept by the labor Union as well as the lists of its members. Also, any Employee in the labor Union or member therein shall have the right of access to such books and records as well as such lists at the time set in the labor Unions internal regulation provided that such measures are taken at the headquarters.

Article (114):

No person may be elected as a member on the Administrative Committee of any labor Union unless he is a registered Employee or a servant therein throughout the period on full time basis. Also, no person may be elected on the Committee if a Court judgment has been passed against him a felony or a crime touching on honor and public morals.

Article (115):

The labor Union may open branches thereto throughout the Kingdom and the internal regulations of the labor Union shall determine the relationship between it and its branches as well as between it and the General Federation of the labor Unions.

Article (116):

- a) The Minister may, apply to the Court of First Instance requesting therein the dissolution of any labor Union under any of the following cases:

1. If it commits any violation to the provisions of this law provided that he had served a written warning upon the labor Union prior to the submission of the lawsuit requesting from it therein the removal of the violation within a period he sets for it but failed to respond to the request.
 2. Invitation on leaving the work, abstaining there from, sit in or demonstration in the cases in which it is prohibited to carry out such acts pursuant to the law and all other legislation in force.
 3. Use of force, violence, threat, illegal measures in assaulting or attempts to infringe upon the rights of" other parties to work or on another one of their rights.
- b) The decision of the Court of First Instance for the dissolution of the labor Union, may be appealed before the Court of Appeal within thirty days of its service if it was delivered in presence and of the date! from its service if the decision was passed as if in presence. The decision of the Court of Appeal shall be final.

Article (117):

If the labor Union has been dissolved in voluntarily for any reason, its funds shall be deposited in the bank designated by the General Federation of the labor Unions until the establishment of a new labor Union to the occupation or the same occupations. If no such labor Union is established within one year from the date of dissolution of the first labor Union, its movable and immovable property shall inure to the General Federation of the labor Unions.

Article (118):

- a) Every labor Union must forward to the Registrar before the first of April of every year a copy of its balance sheet on the established form duly audited by a certified Auditor wherein it should show its income, expenses, assets and liabilities during the former year which ended on thirty first December. The labor Union Registrar may request the labor Union to provide him with additional particulars and explanations to the budget.
- b) A statement comprising the names of Employees, all other Employees in the labor Union and the changes made thereon and on their positions during the year to which the budget related should be attached to the copy of the labor Unions balance sheet.

Article (119):

- a) If any labor Union fails to submit any notice, statement, report, balance sheet or any other document required under the provisions of this law or if the Minister or Registrar requests his being provided thereof, the Employee or person bound to submit, send or carry out same pursuant to the labor Unions regulation shall be penalized by a minimum fine of fifty Dinars and not exceeding one hundred

Dinars. This fine shall be doubled as measured to its maximum if the violation is repeated.

- b) Whoever deliberately enters an incorrect particular in the labor Unions balance sheet, participated therein or made any forgery in the labor Unions internal regulation, in any amendment thereof, participated therein or omitted to insert any provision therein, shall be penalized by minimum fine of five hundred Dinars and not exceeding one thousand Dinars or by a minimum imprisonment of three months and not exceeding one year. The penalty shall be doubled as measured to its maximum if the violation is repeated.

Chapter Twelve: Settlement of Collective Labor Disputes

Article (120):

The Minister may appoint a Conciliation Representative or more from the Ministries staff to assume the task of mediation in the settlement of collective labor disputes for the area he defines and the period he deems appropriate.

Article (121):

- a) If a collective labor dispute occurs, the Conciliation Representative should initiate the mediation proceedings between the two parties for the settlement of that dispute.
- b) If agreement in this respect is made by a collective contract or otherwise, the Conciliation Representative shall retain a copy thereof which is approved by both parties.
- c) If negotiations between the two parties, for any reason, were impossible or if it was discovered that the continuation therewith will not lead to the settlement of the dispute, the Conciliation Representative should submit a report to the Minister comprising the reasons of dispute, the negotiations conducted between the two parties and the result he reached within a maximum period of twenty one days from the date of referral of the dispute to him.
- d) If the Minister in turn was unable to settle the dispute, he should refer it to a Conciliation Board he forms in the following manner:
 - 1. A Chairman appointed by the Minister provided he is not connected with the dispute, labor Unions or Employer Societies.
 - 2. Two members or more represents each of the Employers and Employees in equal number where each of the two parties shall name his representatives on the board.

Article (122):

- a) If a labor dispute is referred to a Conciliation Board, it should exert its efforts to reach a settlement in the manner it deems suitable, if it reaches a total or partial settlement, it should submit a report hereof to the Minister attaching therewith the settlement signed by the two parties.
- b) If the Conciliation Board does not reach a settlement to the dispute, it should submit a report to the Minister comprising the reasons of the dispute, the measures it took for its settlement, the reasons which led to its non finalization and the recommendations it deems appropriate in this respect.
- c) The Board in all cases, should finalize the Conciliation proceedings, and submit its report of the results it had reached within a maximum period of twenty one days from the date of referral of the dispute to it.

Article (123):

Neither of the two parties in the labor dispute may appoint Attorneys- At-law before the Conciliation Representative or Conciliation Board.

Article (124):

- a) If the Conciliation Board is unable to finalize the collective labor dispute, the Minister should refer it to a labor Court to be constituted from three regular judges delegated by the Judicial Council for this purposes upon the Ministers request and presided by the most senior of them in grade. It may convene in the presence of two of its members. If their opinions differ, the third judge shall be invited to participate in the review of the lawsuit and pass decision thereon.
- b) The labor dispute referred to the labor Court shall be given an urgent status whereby it should commence with its review within a period not exceeding seven days from the date of referral provided that the Court passes its decision on the dispute and notifies the Minister thereof within thirty days of that date.. This decision shall be final and may not be appealed before any judicial or administrative party.
- c) The labor Court shall review the labor dispute submitted to it and pass its decision thereon according to the proceedings it deems suitable for the realization of justice between the two parties provided that consideration is given to any special proceedings stipulated in this law. Each party may appoint an Attorney-at-law or more before the Court.

Article (125):

The labor Court and Conciliation Board, upon reviewing a labor dispute, shall have the

following power:

- a) Hear a statement of any person or utilize his expertise in the dispute under oath.
- b) Request any party to the dispute to present his documents and statements which the Court or the Board deems necessary for the review or finalization of the dispute.

Article (126):

The Labor Court may interpret any decision passed by it, and that is upon the request of the Minister or one of the parties to the dispute for the elimination of any ambiguity therein, in a manner which would not place the decision off the limits of the results reached. Also, it may, at any time, correct by itself or upon the request of the Minister or one of the litigants, the faults of writing or calculation error made by accidental omission in the judgments and decisions.

Article (127):

The sessions of the Labor Court and Conciliation Board shall be held at the Ministry. The Ministry shall be responsible for providing the administrative requirements, facilities and equipment that would enable them to carry out their work.

Article (128):

- a) The report of the Conciliation Board, and the decision of the Labor Court should be in writing and signed by all members of the Board or Court as the case may be. The decision of the Court shall be passed unanimously or by majority. Every dissenting member of the Board or Court should record his opinion in writing in the report or decision.
- b) The report of the Board or decision of the Labor Court should be published in one local daily or more at the expense of the litigants within thirty days from the date of the Ministers receipt of the report or decision.

Article (129):

The President and Members of the Labor Court, Chairman of the Conciliation Board and session's Clerk shall be paid the remuneration resolved by the Council of Ministers upon the Minister's recommendations.

Article (130):

The settlement reached as a result of the conciliation proceedings pursuant to the provisions of this law or decision of the Labor Court shall binding upon the following categories:

- a) To the parties of Labor dispute.
- b) To the successors of Employer including his heirs to whom the Establishment, to which the dispute relate, has been transferred.

- b) To all persons who were working in the Establishment to whom the dispute relates on the date of its occurrence or in a part thereof as the case may be and to all persons who are employed thereafter in that Establishment or in any part thereof if the same is mentioned in the settlement report or decision of the Labor Court providing thereof and nothing in this law or regulations issued pursuant thereto would prevent same.

Article (131):

- a) The labor decision shall be executed as of the date it designates.
- b) The settlement reached as a result of the conciliation proceedings shall be put into operation as of the date agreed upon between the parties to the labor dispute. If no agreement is reached thereon, the settlement shall be put into operation as of the date of signing the settlement report and shall be binding upon all parties thereof and under the conditions provided for therein.

Article (132):

No Employer may, during the period in which a labor dispute is pending before the Conciliation Representative Conciliation Board or labor Court, carry out any of the following acts:

- a) Change the employment conditions in force.
- b) Discharge any Employee without obtaining a written permission from the Conciliation Representative or Board or labor Court, as the case may be

Article (133):

- a) If any Employee violates any of the settlement conditions or the decision of the labor Court which is binding upon him pursuant to this law, he shall be penalized by a minimum fine of fifty Dinars and not exceeding two hundred Dinars for the first time. it shall be doubled in the event of repetition. The fine may not be reduced below its minimum for the extenuating discretionary reasons.
- b) If the Employer violated any of the settlement conditions or the decision of the labor Court which is binding upon him pursuant to this law, he shall be penalized by a minimum fine of two hundred Dinar and not exceeding four hundred Dinars for the first time. It shall be doubled in the event of repetition. The fine may not be reduced below its minimum for the extenuating discretionary reasons.

Article (134):

No Employee may strike and Employer may close down his establishment in any of the following cases:

- a) If the dispute has been referred by the Conciliation Representative or Board or labor Court.

- b) During the period where any settlement is valid or any decision is in force and the strike or close down pertains to the matters covered by such settlement or decision.

Article (135):

- a) The Employee may not go on strike without giving a not less than fourteen-day notice to the Employer before the date fixed for the strike. Such period shall be doubled if the work relates to one of the public interest services.
- b) The Employer may not close down his establishment without giving the Employees a fourteen-day notification before the date fixed for the closing down at least. Such period shall be doubled if the work relates to one of the public interest services.
- c) The conditions and the required procedures of the strike and close down shall be determined pursuant to the Regulation issued for this purpose

Article (136):

- a) If any Employee goes on a strike, which is banned pursuant to this law, he shall be penalized by a minimum fine of fifty Dinars for the first day and five Dinars for every day during which the strike continues thereof. He shall be deprived of his wages for the days of his strike.
- b) If the Employer commences a banned close down according to this law, he shall be penalized of a five hundred Dinars fine for the first day and fifty Dinars for every day in which the closure continues thereafter and shall be obligated to pay the Employees wages for the days during which the closure continues.

Article (137):

- a) The Magistrate Court shall have cognizance to hear the lawsuits arising out of individual work disputes except the lawsuits pertaining to the wages where the Wages Authority shall be competent to hear expediently pursuant to this law whereby the lawsuit shall be finalized within three months from the date of its receipt by the Court.
- b) The Court's decision which is passed pursuant to the provisions of paragraph (a) of this article may be appealed within ten days of the date of its announcement if delivered in presence and from the date of its service if it was delivered as if in presence. The Court must finalize the appeal within thirty days from the date of Its receipt by its office.
- c) The lawsuits submitted to the Magistrate Court shall be exempted from all fees including the fees of execution of the decisions passed by it.
- d) The Court of First Instance shall continue to hear labor lawsuits which are being

heard by it prior to the enforcement of this law.

Article (138):

- a) No lawsuit related to any violation committed in violation of the provisions of this law, any Regulation or Instruction issued pursuant thereto shall be heard unless filed within one month of the date in which it was committed.
- b) No lawsuit to claim any rights granted by this law including the wages of overtime hours irrespective of its source or origin shall be heard upon the elapse of two years on the rise of the reason of claim of such rights and wages.

Article (139):

The doer of any violation to the provisions of this law or any Regulation issued pursuant thereto for which no penalty has been set, shall be penalized by a minimum fine of fifty Dinars and not exceeding one hundred Dinars provided that the penalty stipulated in the Criminal Law in force shall be imposed on the violator if the established penalty to the violation is more severe than the one provided for in this law.

Article (140):

The Council of Ministers may, upon the recommendation of the Minister, issue the necessary regulations for the implementation of the provisions of this law.

Article (141):

Labor Law No. 21 for the year 1960 and the amendments inserted to it shall be repealed provided that the regulations, Instructions and Decisions issued pursuant thereto which do not contradict with the provisions of this law shall remain in force for a maximum period of two years until canceled or substituted according to the provisions of this law.

Article (142):

The Prime Minister and Ministers are charged with the execution of the provisions of this law.