

Labour Law and its Amendments No. 8 of the Year 1996

First Chapter

Article 1:

This law shall be called (Labour Law of the year 1996) and shall be effective after sixty days from being published in the official gazette.

Article 2:

The following terms and phrases stated in this law shall have the meaning assigned against each of them, unless the context indicates otherwise:

Ministry: Ministry of Labour.

Minister: Minister of Labour.

Secretary-general: Secretary-general of the Ministry.

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

Employers Association: The body which represents the employers.

Employee: Every, male or female, who performs a job against wages and is 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, the 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, the period of which does not exceed six months.

Collective Work Contract: A written agreement according to 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 are organized.

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 nonspecific 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 bylaw or; it has become the practice to pay except the wages payable for overtime work.

Juvenile: Every person, male or female, who reached the age of seven 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: Any disease illustrated in table No. (1) or any of the occupational injuries illustrated in table No. (2) annexed to this law.

Work Injury: The employee's injury as a result of an accident during the performance of work or due to the work itself. Any accident that occurred to the employee while on his way to or return from work shall be considered as a work injury.

The Entitled: The beneficiary or beneficiaries from the employees' family stated in the applicable Social Security law.

Association: Any organization of employees established in accordance with the provisions of this law.

Administrative Body: The administrative body of the association.

Collective Labour Dispute: Every dispute that arises between a group of employees or labour union on one hand and the employer or employers association 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:

Taking the provisions of paragraph (C) of article (12) of this law into consideration, the provisions of this law shall be applied on all employees and employers with the exception of the following:

A. Public and municipalities employees.

B. Family members of the employer who work in his/ her business against no wage.

C. Domestic workers, cooks, and so forth.

D. Agricultural workers except those who are subjected to any of the provisions of this law, their categories shall be defined by virtue of a regulation that shall be issued to this effect.

Article 4:

A. The provisions of this law do not affect any right given to the employee by any other law, work contract, agreement or decision if any of them gives better rights than the decided rights for the employee by virtue of the provisions of this law.

B. Any condition in a contract or agreement, whether concluded before or after this law takes effect, by virtue of which any employee waives any of the rights given to him/her by this law shall be deemed as invalid.

Second Chapter

Labour Inspection

Article 5:

The Ministry shall undertake the inspection duties as an implementation of the provisions of this law.

Article 6:

Any one undertaking the inspection duties shall sign an affidavit that he shall perform his/her job faithfully and devotedly and not to disclose the secrets that he/she has become acquainted with because of his/her job.

Article 7:

The qualifications, duties, powers and remunerations of the labour inspectors in addition to the obligations of the employers towards them shall be specified in regulations issued to this effect.

Article 8:

The employer or his/her representative shall:

A. Send a notice to the Ministry or any of its directorates in the work area including the number of his/her employees, job position and nature of each of them, date of commencing work and the employees wages at the first month of each year.

B. Keep records that should be reserved including the records of the employees and trainees in his/her establishment.

Article 9:

A. During performing his/her job duties, the labour inspector shall exercise the powers entitled to the judicial police members by virtue of the applicable Rules of Penal Trials Code, the minutes he/she organizes shall be applicable till otherwise is proven.

B. The inspector may request from the employer to remove the contravention during a period not exceeding seven days from the date of receiving a written notification of that, in case of the employer's default, then the Minister or whom he authorizes may decide to close the establishment till the removal of the contravention or the issuance of the court's verdict in this regard.

C. The court shall decide that the contravener shall remove the contravention and pay a fine not less than fifty JDs and not exceeding five hundred JDs, the fine shall not be less than its minimum limit for any discretionary mitigating reason.

Third Chapter

Employment and Vocational Guidance

Article 10:

A. The Ministry shall, by cooperation with the competent authorities, undertake the duties of organizing the labour market, vocational guidance, and the provision of employment opportunities for the Jordanians inside the Kingdom and abroad.

To this end, it may establish employment offices for the Jordanians or license the establishment of private offices to achieve this purpose.

B. Taking into consideration the provisions of any other legislation, the Minister may license the establishment of private

offices to organize the employment of domestic workers and cooks and the like of the non-Jordanians.

C. The provisions and terms of establishing private offices indicated in paragraph (A) and (B) of this article shall be determined including how they shall be managed, the supervision of the Ministry on them, and the fees of services provided by such offices shall be determined in accordance with regulations that shall be issued for this purpose.

Article 11:

Only the public employment directorates and the licensed private employment offices may do the mediation acts to employ or facilitate the employment of workers inside the Kingdom and abroad, the Minister may close the establishment contravening the provisions of this article and refer the matter to the court. Any one violating the provisions of this article shall be punished by a fine not less than two hundred JDs and not exceeding one thousand JDs or by imprisonment for a period not less than thirty days or by the two penalties, the establishment might be closed, and its belongings related to the purpose of employment might be seized.

Article 12:

A. Any non-Jordanian worker might not be employed except by the approval of the Minister or whom he authorizes provided that the work shall entail an experience and qualification not available in the Jordanian workers, or that the number of the qualified Jordanian workers does not meet the need, the priority shall be given to the Arab experts, technicians, and workers.

B. The non-Jordanian worker shall obtain an employment permit

from the Minister or whom he authorizes before his/her engagement, the term of the permit shall not exceed one year renewable. Upon renewal, the term of the employment permit shall be calculated from the expiry date of the last employment permit he has obtained.

C. 1. The Ministry shall receive a fee from the employer in return for the employment permit that it issues or renews for each non-Jordanian worker including the excluded workers from the provisions of this law by virtue of paragraphs (C) and (D) of article (3) of this law, this fee shall be considered as a revenue to the treasury, the amount of this fee shall be determined in accordance with a regulation issued for this purpose.

2. The Ministry shall receive an additional amount for each employment permit issued or renewed by the Ministry from the employer for the employees indicated in item (1) of this paragraph and in accordance with the regulation issued by its virtue, this amount shall be allocated to the Fund for Support of Technical and Vocational Education and Training (TVET) established in accordance with the effective Technical And Vocational Education and Training Council Law.

D. By a recommendation of the Ministry of Social Development, the Minister may exempt those who have severe disabilities or their guardians from paying the fees and amounts indicated in paragraph (C) of this article for one non-Jordanian worker if the disabled was in a sore need for assistance from others to meet his daily life requirements, and

the level of his/her income or the income of his/her guardian entails this exemption provided that the duties of the non-Jordanian worker shall be limited to providing assistance to the disabled, the conditions of this recommendation and the procedures of its issuance shall be determined by virtue of instructions issued by the Minister of Social Development for this purpose.

E. The employer or the establishment manager shall be punished by a fine not less than 100 JDs and not exceeding 150 JDs for each month or part of month of employing a non-Jordanian worker in violation of the provisions of this law, this fine shall not be less than its minimum limit in any case and for any reason.

F. Employing a non-Jordanian worker shall be considered as a violation

of the provisions of this law in any of the following cases:

1. Employing the non-Jordanian worker without obtaining an employment permit.
2. Employing the non-Jordanian worker for an employer other than the one specified in the permit unless he/she has obtained a permission of this from the competent authority in the Ministry.
3. Employing the non-Jordanian worker in an occupation other than the one for which he/she has obtained the permit.

G. The Minister shall issue a decision of expelling the worker contravening the provisions of this article abroad the Kingdom at the

expense of the employer or the manager of the establishment. This decision shall be implemented by the competent authorities, the expelled

non-Jordanian worker might not be re-employed in Jordan and may not

re-enter Jordan before three years at least from the date of implementing the decision of expel.

Article 13:

The employer employing fifty workers or more and whose nature of work allows employing disabled workers who have been trained vocationally through programs and the vocational training institutes for the disabled approved by the Ministry or established in cooperation with the official or private institutions, shall employ such disabled workers with a percentage of 2% of the total of his workers and send to the Ministry a statement in which the employer shall clarify the positions held by the disabled who have been trained vocationally and the wage of each of them.

Article 14:

If the employee's injury because of work results in partial permanent disability that does not hinder him/her from performing a work other than his/her previous work, then the employer shall employ him/her in another work that suits his/her condition if such work was available and against the wage decided for it, provided that the employee's financial rights for the period preceding his/her injury shall be calculated on the basis of his/her last wage before the injury.

Fourth Chapter

Work Contract

Article 15:

A. Work contract shall be organized in Arabic and in duplicate at least, each party shall reserve a copy, the employee may prove his/her rights through all the legal substantiation means if the contract was not organized in writing.

B. The employee appointed for unlimited period shall continue to have his/her work till his/her service is terminated in accordance with the provisions of this law, while in cases in which the employee is appointed for a limited period, then he/she shall continue to have his/her work during that period.

C. If the work contract was for a limited period, then it shall be terminated by the expiry of its period, if the parties have continued to implement the work contract after its expiry, then this shall be considered as a renewal of the contract for unlimited period from the beginning of employment.

D. The taskwork regular employee in the place of work or the one who performs a serial of taskworks shall be considered as an employee hired for unlimited period.

E. 1. The contractor's workers who work to execute a contracting work may institute a lawsuit directly against the project's owner to claim their entitlements from the contractor within the limits of the entitlements of the contractor from the project's owner at the time of instituting the lawsuit.

2. The sub-contractor employees may institute a lawsuit directly against the principal contractor and the owner of the project within the limits of entitlements that shall be given by the project's owner to the principal contractor and the entitlements that should be given by the principal contractor towards the sub-contractor at the time of instituting the lawsuit.

3. The mentioned employees in the precious two paragraphs may acquire their rights by concession over the due amounts for the principal contractor or the sub-contractor, and shall take their due rights in case of their overlapping with the percentage of each one's right.

Article 16:

The work contract shall be effective regardless of the change of the employer because of selling the project, inheritance, merge of the

establishment or any other reason, the original and the new employers

shall be considered as jointly liable for a period of six months regarding

the execution of the obligations resulting from the work contract before

the date of change, while after the expiry of that period, then the new

employer shall bear the liability alone.

Article 17:

The employee is not obliged to undertake a work that is significantly different from the agreed upon work in the work contract unless the necessity so requires to prevent the occurrence of an accident, repair what has resulted from such accident, or in case of force majeure and in other cases stipulated by law provided that this shall be within the employee's capability and within the limits of the condition that has entailed that work.

Article 18:

The employee is not obliged to work in a place other than the one specified for his work if that has led to change his place of residence unless this was explicitly stipulated in the work contract.

Article 19:

The employee shall:

- A. Perform the work by himself/herself and shall exert the efforts of a normal person to perform his/her work, he/she also shall abide by the orders of the employer in relation to implementing the agreed upon work within the limits that do not expose him/her to danger and do not constitute a violation to the provisions of the applicable laws or public morals.
- B. Keep the confidentiality of the trade and industrial secrets of the employer and shall not disclose them in any way even after the expiry of the work contract in accordance with what the agreement or custom entails.
- C. Keep the tools given to him/her to perform his/her work such as work equipment and all instruments related to his/her work.
- D. Take the required medical examinations required by the work nature before the commencement of work to check that the employee is free of the occupational or contagious diseases.

Article 20:

A. The intellectual property rights shall be given to the employer if innovated by the employee, or if the employee has used the expertise, information, tools, equipment, raw materials of the

employer to reach this innovation unless otherwise agreed upon in writing.

B. The intellectual property rights shall be given to the employee if the intellectual property right innovated by the employee was not related to the work nature of the employer, and if the employee has not used the expertise, information, tools, equipment, raw materials of the employer to reach this innovation unless otherwise agreed upon in writing.

Article 21:

The work contract shall be terminated in any of the following cases:

A. If both parties have agreed on its termination.

B. If the term of the work contract has expired or the work for which the contract was concluded is completed.

C. If the employee has died, or has become unable to perform the work proven by a medical report issued by a medical authority.

Article 22:

The work contract shall not be terminated because of the death of the employer unless the identity of the employer was taken into consideration in the contract.

Article 23:

A. If one of the parties has intended to terminate the unlimited period work contract, then he shall notify the other party in writing of his intention of terminating the contract before one month at least, the notification shall not be cancelled except by the approval of both parties.

B. The work contract shall remain effective throughout the notification's term. The notification's term shall be counted within the service term.

C. If the notification was provided by the employer, then the employer may exempt the employee from working during the period of notification, and the employer may bind the employee to work during that period except in the last seven days of them, the employee shall be entitled to his/her wage for the period of notification in all such cases.

D. If the notification was provided by the employee, and the employee left the work before the expiry of the notification period, then the employee shall not be entitled for a wage for the period of his/her leaving the work, and he/she shall compensate the employer for that period in equivalence to his/her wage.

Article 24:

Taking into consideration what has been stated in article (31) of this law, the employee shall not be dismissed from work, and no disciplinary procedure shall be taken against him/her for reasons related to the complaints and claims provided by the employee to the competent authorities in relation to the execution of the provisions of law.

Article 25:

If it was evident for the competent court in a lawsuit instituted by an employee during sixty days from the date of his/her dismissal that the dismissal was arbitrary and violates the provisions of this law, then it may issue an order to the employer to return the employee to his/her original work or pay compensation to him/her in addition to the notification fees and his/her other entitlements stipulated in articles (32) and (33) of this law provided that the amount of this compensation shall not be less than the wages of three months and shall not exceed the wages of six months, the compensation shall be counted on the basis of the last wage received by the employee.

Article 26:

A. If the employer has terminated the limited period work contract before the expiry of its term, or if the employee has terminated it for any of the reasons mentioned in article (29) of this law, the employee shall be entitled to all these rights and benefits stipulated in the contract, and shall be entitled to the due wages till the expiry of the remaining period of the contract unless the termination of the work contract was a dismissal by virtue of article (28) of this law.

B. If the employee has terminated the limited period work contract in cases other than those stipulated in article (29) of this law, the employer shall have the right to claim the damages arising from that termination which shall be specified by the competent court provided that the amount that the employee shall pay shall not exceed the wage of a half month for each month of the remaining period of contract.

Article 27:

A. Taking the provisions of paragraph (B) of this article into consideration, the employer shall not terminate the services of an employee, or addresses him a notification to terminate his/her services in any of the following cases:

1. The pregnant working woman beginning from the sixth month of her pregnancy or during the maternity leave.
2. The employee charged with the military service or the reserve service during performing that service.
3. The employee during his/her annual, sick leaves or the leave granted to him/her for purposes of learning, pilgrimage, or during his/her leave that has been agreed upon between the parties for devotion to syndicalistic work or joining an approved institute, college, or university.

B. The employer shall be absolved from the provisions of paragraph (A) of this article if the employee was hired by another employer during any of the periods specified in that paragraph.

Article 28:

The employer may dismiss the employee without a notification in any of the following cases:

A. If the employee has assumed the identity of others or provided forged certificates or documents for the purpose of gaining benefit or harming others.

B. If the employee has not met the obligations that have been arisen from the work contract.

C. If the employee has committed a mistake that resulted in a serious financial loss for the employer provided that the employer

shall notify the competent authority/ authorities of the accident during five days from the date in which the employer comes to know about it.

D. If the employee has violated the bylaw of the establishment including the conditions of the occupational and employees safety in spite of notifying him/her twice in writing.

E. If the employee was absent with no justified reason for more than intermittent twenty days during one year or more than successive ten days provided that the dismissal shall be preceded by a written notification that shall be sent in the registered mail to the employee address and published in one of the local daily newspapers once.

F. If the employee has disclosed the secrets related to work.

G. If the employee was convicted in accordance with a judicial verdict that has gained the final degree in a delict or felony violating honor and morals.

H. If he was found in drunkenness condition, affected by narcotics, or committed an act violating public morals in the place of work.

I. If the employee has assaulted the employer, in charge director, any employee, or any other person during work or because of work by beating or degradation.

Article 29:

The employee shall have the right to leave work with no notification while keeping his/her legal rights related to the end of service and the arising compensations of damages in any of the following cases:

A. Employing him/her in a work that is significantly different from the agreed upon work in accordance with the work contract

provided that the provisions of article (17) shall be taken into consideration.

B. Employing him/her in a way that entails changing his/her permanent place of residence unless the contract has stipulated the permissibility of this.

C. Transferring him/her to another work of a lower degree than that which has been agreed upon.

D. Reducing his/her wage provided that the provisions of article (14) shall be taken into consideration.

E. If a medical report issued by a medical authority has proven that continuing his/her work will threaten his/her health.

F. If the employer or his representative assaulted him during work by beating or degradation.

G. If the employer has defaulted in executing any of the provisions of this law or any regulation issued by its virtue provided that the employer had received a notification from a competent authority at the Ministry entailing his abidance by such provisions.

Article 30:

Upon the request of the employee, the employer shall give the employee upon the end of his/her service a certificate of experience in which the employer shall mention the name of the employee, kind of his/her work, date of his/her joining work, date of the end of service, the employer shall give back the certificates or instruments of the employee.

Article 31:

A. If the economic or technical conditions of the employer entail reducing the size of work force, replacing a production system with another, or stopping work completely which may result in terminating unlimited period work contracts or suspend all of some of the contracts, then the employer shall notify the Minister of this in writing supported with the reasons justifying that.

B. The Minister shall form a committee of the three production parties to verify the validity of the procedures taken by the employer and provide its recommendation in this regard to the Minister within a period not exceeding fifteen days from the date of providing the notification.

C. The Minister shall issue his decision in relation to the recommendation during seven days from the date of submitting it whether by approving the procedures of the employer or reconsidering such procedures.

D. Any aggrieved party because of the Minister's decision issued in accordance with paragraph (C) of this article may appeal the decision during ten days from the date in which he/she was notified of this decision at the competent Court of Appeals which shall look into the appeal and issue its decision in a period of month utmost from the date of registering the appeal in the court section.

E. The employees whose services have been terminated in accordance with paragraph (A,B) of this article may return to their work during a year from the date of their leaving work if the work has returned to its previous state and their reemployment with the employer was permissible.

F. The employee whose work contract was suspended in accordance with paragraph (A) of this article may leave his/her work without a notification with keeping his/her legal rights upon the end of his/her service.

Article 32:

Taking into consideration the provisions of article (28) of this law, the employee working for unlimited period and not subject to the provisions of the Social Security Law, and whose service is terminated for any reason may acquire the end of service remuneration in a rate of a month wage for each year of his/her actual service, for the parts of year, he/she shall be given a proportional remuneration.

The remuneration shall be calculated on the basis of the last wage that

he/she has received during the period of his/her employment, while if the

complete wage or part of it was calculated on the basis of commission or taskwork, then the remuneration shall be calculated based on the average of the monthly wage received by the employee during the twelve months preceding the end of his/her service.

If the period of his/her service has not reached that extent, then the monthly average of the total of his/her service period shall be considered, the intermissions not exceeding a month between one work and another shall be considered as uninterrupted employment period when calculating the remuneration.

Article 33:

A. In addition to the end of service remuneration, the employee who is subject to special regulations of the establishment in which he works related to the savings or pension funds or any other similar fund shall have right to take all the entitlements granted to him/her by virtue of such regulations in case of service termination.

B. The special regulations of funds stipulated in paragraph (A) of this article shall be approved by the Minister.

C. The regulation of any of the funds stated in paragraph (A) of this article may stipulate that the investment of the fund's assets shall be partially or totally in the shares of the company in which this fund was established.

D. The funds stated in paragraph (A) of this article shall have an independent juristic personality, the regulation of any of them shall include the matters related to the management of fund including the following:

1. A plenary session shall be formed including all those members in the fund, it shall meet once a year to approve the accounts of the fund and discuss the administrative and financial issues in addition to electing its representatives in the fund management committee.

2. The management of the assets and investments of the fund shall be carried out by a committee whose members should be from the establishment's employees and who are members in the fund.

Article 34:

If the employee has died, then all his/her rights decided in accordance with the provisions of this law in addition to his/her rights in any of the funds stated in article (33) of this law shall be transferred to his/her lawful inheritors.

Article 35:

A. The employer may recruit any employee under probation to verify his/her qualifications and capabilities to carry out the required work provided that the probation period shall not exceed in any case three months and the wage of the employee under probation shall not be less than the minimum limit decided for wages.

B. The employer may terminate the employment of the employee under probation without a notification or remuneration during the probation period.

C. If the employee has continued working after the expiry period of the probation, the contract shall be considered as unlimited period work contract, and the probation period shall be considered within the period of service.

Fifth Chapter

Vocational Training Contract

Article 36:

A. The vocational training contract shall be in writing between the employee and the employer. The trainer shall have the required qualifications and expertise in the occupation in which it is intended to train the employee and the establishment itself shall meet the conditions suitable for training.

B. The training contract shall be organized in accordance with the form and conditions specified by the vocational training establishment in accordance with the instructions issued by the establishment for this purpose and shall be published in the official gazette, the contract shall be exempted from the stamps fees.

C. The trainee who has reached the age of eighteen shall enter into the contract himself/herself while if he/she was a juvenile, then his/her guardian shall represent him/her in the contract.

Article 37:

The training contract shall determine the training period, stages, and the entitled wages for the trainee in each stage, the wage of the trainee in each stage, the wage in the last stage shall not be less than the minimum of the wage given to a similar work, in any case, its determination shall not be based on taskwork or production. Training shall be organized in accordance with the programs specified by the vocational training establishment by virtue of instructions issued for this purpose and published in the official gazette.

Article 38:

The training contract might be terminated upon the request of any of the parties in any of the following cases:

A. If any of them has committed any violation to the provisions of this law or the regulations issued by its virtue.

B. If any of them has failed to do his/her duties in accordance with the conditions of the concluded contract.

C. If executing the conditions of contract was impracticable for reasons beyond the volition of any of the parties.

D. If the employer has changed the place of training specified in the contract to another place, and reaching that place constituted a difficulty for the trainee or prejudiced his/her interest, however, the trainee may not use this reason as a pretext after the expiry of one month from his/her movement to the new place of training.

E. If the continuation of the trainee in the work threatens his/her safety or health and this was proven by the report of the labour inspector or a medical report issued by the authorized medical committee.

Sixth Chapter

Collective Work Contract

Article 39:

The collective work contract shall be organized in three original copies at least, each party shall keep a copy of it, the third copy shall be kept at the Ministry to record it in a special register, the collective work contract shall be binding from the date specified in the contract, in case of not specifying the date, then the date of its registration at the Ministry shall be considered.

Article 40:

The collective work contract shall be for a limited or unlimited period, if the contract was of limited period, then its term shall not exceed two years, while if it was of unlimited period and two years have passed since its execution, then the parties of the contract shall have the right of terminating it in accordance with a notification sent to the other party before a month at least from the date of termination, and a copy of this notification shall be sent to the Ministry.

Article 41:

A. If the collective work contract was terminated by the expiry of its term or by its termination by one of the parties in accordance with the provisions of article (40) of this law, and there were negotiations to renew it, extend its term, or amend it, then its effect shall remain valid throughout the negotiations for a period not exceeding six months, if the negotiations have not ended in an agreement during that period, then the contract shall be considered as invalid.

B. The termination of the collective work contract shall not grant the employer the right to violate the rights acquired by the employees in accordance with the contract.

Article 41:

A. The collective work contract shall be binding to the following categories:

1. Employers, their successors including their inheritors and those to whom the establishment has been transferred in any manner or when this establishment is merged with another.
2. The employees covered in its provisions in case of their withdrawal from the association or in case the association has withdrawn from the federation, which is a member in the collective work contract if they were members in that association or if that association was a member in the federation at the time of concluding the contract.
3. Employees of any establishment that is subject to the provisions of the collective work contract even if they were not members in any association.
4. Employees of any establishment that is subject to the provisions of the collective work contract who are engaged in individual work contracts with that establishment, and the conditions of their contracts were of less advantage to them than those mentioned in the collective contract.

B. Any condition violating the collective work contract stated in any individual contract concluded between individuals engaged in the collective contract shall be invalid unless this condition was of more advantage to the employees.

Article 43:

Upon the request of any of the employers or employees, after conducting a thorough study including looking into the recommendations reached by the Minister through the concerned employers and employees, the Minister may decide to extend the scope of comprehensiveness of any collective contract that a period not less than two months has passed since its implementation so that all its conditions shall be applicable on the employers and employees in a certain sector or on a category of them in

all areas or in a certain area, the decisions issued by virtue of this article shall be published in the official gazette.

Article 44:

The Minister shall issue instructions that will specify how to register the collective work contracts, entering into them, procuring copies of them in addition to other organizational matters related to such contracts, a declaration indicating the existence of a collective work contract, the contract parties, contract's date, place of contract shall be posted inside the establishment and places of work.

Seventh Chapter

Wages Protection

Article 45:

The amount of wage shall be specified in the contract. If the wage was not stated in the work contract, then the employee shall take the estimated wage for a work of the same type, if any, otherwise, the wage shall be estimated in accordance with the custom; otherwise, the court shall estimate it in accordance with the provisions of this law considering it as a labour dispute on wage.

Article 46:

A. The wage shall be paid during a period not exceeding seven days from the date of its maturity; the employer shall not deduct any part of it except in the cases allowed by law.

B. The employee's signing on any register or record of wages or a receipt of the recorded amount does not mean waiving his/her right in any increment to the received amount by virtue of law, regulation or contract.

Article 47:

No amount shall be deducted from the employee's wage except in the following cases:

A. Getting back what the employer has provided of prepayments to the employee in such a manner that each installment that is refunded of the prepayment shall not exceed (10%) of the wage.

B. Refunding any amount paid to the employee in excess of his/her entitlement.

C. The social security subscriptions and its due installments on the employee, and the deductions that shall be made in accordance with the other laws.

D. The employee's subscriptions in the savings fund.

E. Deductions related to the housing facilities provided by the employer in addition to the other benefits or services according to the agreed upon rates or percentages between the parties.

F. Each debt received as execution of a judicial verdict.

G. The amounts imposed on the employee because of his/her violation to the provisions of the bylaw of establishment or work contract or against what the employee has destroyed of instruments or tools because of his/her neglect or mistakes in accordance with the special provisions stated in this law.

Article 48:

The employer may not take any disciplinary procedure or impose a fine against the employee for a contravention not stated in the penalties list approved by the Minister or whom he authorizes provided that the following shall be taken into consideration:

A. No fine exceeding the wage of three days monthly might be imposed on the employee. Besides, the employer may not dismiss the employee temporary for a period exceeding three days in the month, and the employee should be given the opportunity to hear his/her testimonies to defend himself/herself before imposing the penalty against him/her, and the employee has the right to object against the penalty imposed against him/her to the labour inspector during one week from the date of his/her being notified of it.

B. No disciplinary procedure shall be taken and no fine shall be imposed against him/her for any contravention not stated in the approved penalties list after the expiry of fifteen days since committing it.

C. The fines imposed by virtue of this article shall be recorded in a special register in which the name of the employee, his/her wage, and the reasons of imposing the fine against him/her shall be registered, the fines shall be assigned to providing social services to the employees of the establishment according to the decision of the Minister or whom he authorizes.

Article 49:

If it was proven that the employee has caused the loss or the damage of instruments, machines, or products owned by the employer and were under the custody of the employee, and this loss or damage was the fault of the employee or resulted from his/her violation of the instructions of the employer, the employer may deduct from the employee's wage the value of the lost or damaged things or the cost of their fixing provided that the amount of deduction for this purpose shall not exceed the wage of five days in the month, the employer may resort to the competent regular courts to claim the compensation of the damages caused by the employee.

Article 50:

If the employer was compelled to dismiss the employee temporary for a reason that the employer can not get rid of, then the employee shall be entitled to the full wage for a period that does not exceed the first ten days from being dismissed from work during the year, and the employee shall be paid half of his/her wage for the period exceeding that so that the total of the paid temporary dismissal shall not exceed sixty days in the year.

Article 51:

A. 1- The due wages and amounts according to the provisions of this law, for the employee, his/her inheritors, or any of those entitled to them after his/her death, shall be considered as privileged debts of the first degree.

2- The employee shall lose his/her right in the general lien stated in item (1) of this paragraph if it was proven to the competent court that the wages and the due amounts covered in this lien are not based on any legal basis.

B. In case of liquidating the establishment or the bankruptcy of the employer, the liquidator or the bankruptcy attorney may pay to the employee or his/her inheritors promptly as soon as he lays his hands on the properties of the employer in equivalence with the wage of one month from the due amounts before paying any other expenses including the judicial expenses and the expenses of bankruptcy or liquidation.

Article 52:

A. Upon the recommendation of the Minister, the Council of Ministries shall form a committee constituted from an equal number of representatives of the Ministry, employees and the employers, the Council shall appoint its president from its members, this committee shall determine the minimum of wages in the Jordanian Dinar generally or for a specified area or occupation, the term of membership in such committee shall be two years renewable.

B. The committee shall hold its meetings whenever necessary by an invitation of its president, its decisions shall be submitted to the Minister if such decisions were not taken unanimously so that the Minister shall submit the matter to the Council of Ministers to take the decision in this regard provided that when determining the wage, the costs of living shall be taken into consideration, the final decisions issued by virtue of this article shall be published in the official gazette including the date in which they become effective.

Article 53:

The employer or his representative shall be punished by a fine not less than twenty five JDs and not exceeding one hundred JDs for each case in which he pays an employee a wage less than the decided minimum for wages in addition to deciding that the employee shall be given the wage difference, the penalty shall be aggravated in case the contravention was recurred.

Article 54:

A. Upon the recommendation of the Minister, the Council of Ministers shall appoint an authority formed of the experts and specialists in the labour affairs, this authority shall be called the authority of wages and is constituted from one person or more to look into the lawsuits related to the wages in a certain area such as

the deficiency of the paid wage, illegal deductions, delay in paying the wage, or the wages of the overtime work, provided that a decision shall be issued in their regards urgently. It is stipulated to approve the lawsuit that the employee is still working for the employer or that not more than six months have passed since the employee's leaving the work, in case this condition was not met, then the employee shall have the right to resort to the competent regular court.

B. The authority of wages shall not be bound to execute the procedures and rules adopted in courts, and shall have the powers given to the regular courts in the following issues:

1. Summoning any person to hear his/her testimony after taking the oath, and bringing him/her by the competent security authorities in case he/her has failed to appear.
2. Asking the lawsuit parties to provide documents and evidence that it deems necessary to decide in the lawsuit.

C. The employee or the trade union on his/her behalf shall present the pleading in writing, one pleading might be presented by a number of employees if they were working in the same establishment, and the reason of their lawsuit was the same, each of the litigating parties may appoint a representative to act on his/her behalf before the competent authority of wages, the employer shall present a detailed plea to the pleading for each fact before the competent authority of wages enclosing the documents and evidence proving his settling the wages claimed by the employee or that the employee is not entitled to them, this shall be during a period not exceeding ten days from the date of being notified of the lawsuit documents, before holding its sessions to look into the plea, the authority may request from any of the parties to provide it with any

illustration, documents, or evidence it deems necessary to decide in the lawsuit.

D. The authority of wages may ask the employer within a period that it shall specify to pay the employee the illegally deducted wages, the unpaid or due wages or those that he has defaulted in paying in the specified period for this purpose, and it may add a compensation that it shall estimate provided that it shall not exceed the deducted or unpaid amount for the period for which the wages are requested and on the condition that the employer shall not be bound to pay compensation for the deficient wages or the wages whose payment has been delayed if the authority was convinced that the delay was resulting from a mistake with bona fide, a dispute regarding the amount that shall be paid, an emergency state, or the default of the employee from claiming the payment of wages or accepting them.

E. The authority of wages shall look into the instituted lawsuit in the presence of both parties or their representatives; the lawsuit shall be extinguished if the plaintiff employee has failed to appear, and shall look into it in his presence if the defendant employer has failed to appear, in this case, it shall issue its decision against the latter in absentia, and its decision shall be appealable at the Court of Appeals during ten days from the date of being notified if the adjudged amount for the employee exceeds one hundred JDs.

F. The decisions of the authority of wages shall be executed by the

competent execution departments as if they were decisions issued by the regular courts provided that the adjudged amounts shall not be subject to installments.

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G. The plea presented by the employee to the authority of wages and its decisions presented for execution to the execution departments shall be exempted from fees and stamps.

H. The remunerations decided by the Minister shall be disbursed to the authority, and the employees working for it, the number of the decided cases and the cases presented before it shall be taken into consideration provided that the authority shall perform its duties beyond the official working hours.

Article 55:

Each employer employing ten employees and above shall set a bylaw to organize the work in his establishment, in this bylaw he shall clarify the working hours, daily and weekly rest time, work contraventions, the penalties and procedures taken in their regards including dismissal, how these penalties are executed and any other details entailed by the work nature shall be illustrated, the bylaw of the establishment shall be approved by the Minister or whom he authorizes, it shall be effective from the date of its approving.

Article 56:

A. The working hours shall not exceed eight per day and forty eight hour per week except in the cases stipulated by this law, the time allocated for meals and rest shall not be calculated.

B. The maximum of the weekly working hours and rest times might be distributed so that its total may not exceed eleven hours per day.

Article 57:

The employer may increase the daily or weekly working hours of the employee in any of the following cases provided that the employee shall receive the overtime pay stipulated in this law:

A. Doing the yearly inventory work for the establishment, preparing the balance sheet and the final accounts in addition to preparing for selling with low prices provided that the number of days on which the provisions of this paragraph apply shall not exceed thirty days yearly and the actual working hours shall not exceed ten hours for each day.

B. For avoiding the loss in goods or any other material that might be exposed to damage, avoiding the risks of any technical work or receiving, delivering or transferring certain materials.

Article 58:

The provisions of the articles related to the working hours stipulated in this law shall not be applicable on the persons undertaking the tasks of general supervision or management in any establishment and who work in some cases outside the establishment, or whose work nature entails traveling inside the Kingdom or abroad.

Article 59:

A. The employer may increase the daily or weekly working hours of the employee by the employee's approval provided that the employee shall receive for the overtime a wage not less than 125 % of the normal wage.

B. If the employee has worked in his weekly holiday, religious feasts, or public holidays, then he shall receive in return for his work in that day overtime pay not less than (150%) of his normal wage.

Article 60:

A. Friday of every week is the employees weekly holiday unless the nature of work requires otherwise.

B. By the approval of the employer, the employee may accumulate the days of his weekly holiday and get them during a period not exceeding a month.

The weekly holiday for the employee shall be paid unless he/she was working on daily or weekly basis, then in both cases, he/she shall be entitled to the wage of the weekly holiday if he/she has worked for six successive days before the day specified for holiday and he/she shall be entitled to that wage according to the percentage of the days in which he/she has worked during the week if they were three days or more.

Article 61:

A. Each employee shall be entitled to an annual leave with full pay for fourteen days per each year of service unless more than that period was agreed upon provided that the annual leave shall be twenty one days if the employee remains in the service of the employer five successive years, the public holidays, religious feasts and the weekly holidays shall not be calculated from the annual leave unless they took place during it.

B. If the employee's period of service has not reached a year, then he/she shall be entitled to a paid leave with the percentage of the period for which he/she has worked during the year.

C. The employee's leave might be suspended for any year by the agreement of the employee and the employer to the following year, the employee's right in the suspended leave in this manner shall be extinguished if the year for which the leave was suspended passed and he/she has not requested to use that leave during that year, the employer may not reject the employee's request to get his/her leave.

D. During the first month of the year, the employer may specify the date of the annual leave for each employee and how it shall be used in the

employer's establishment in accordance with the work requirements provided that the employer shall take into consideration the interest of the employee.

Article 62:

If the annual leave was not taken once then its part shall not be less than two days for each time.

Article 63:

If the employee's service was terminated for any reason before he/she has used his/her annual leave, then he/she shall be entitled to receiving the wage for the days that he/she has not used of that leave.

Article 64:

Each agreement entailing the employee's waiving his/her annual leave or any part of it shall be invalid.

Article 65:

Each 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 might be renewed for another fourteen days with full pay if he/she was an in-hospital patient and with half a wage if the sick leave was based on the report of a medical committee approved by the establishment and he/she was not an in-hospital patient.

Article 66:

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

1. If he/she joined a course for labour education approved by the Ministry upon the candidacy of the employer or the manager of the establishment in cooperation with the concerned association.
2. For performing the duty of pilgrimage. To grant this leave, it is stipulated that the employee has worked for five successive years at least for the employer; this leave shall not be given more than once during the period of service.

B. The employee may get an unpaid leave of four months if he/she joined an approved university, institute or college to study.

Article 67:

The woman working in an establishment that employees ten employees or more shall have the right to get an unpaid leave for a period not exceeding a year to dedicate herself for nurturing her children, she may return to her work after the expiry of that leave provided that she shall lose this right if she has worked in any other establishment with pay during that period.

Article 68:

Each of the working couple shall have the right to get an unpaid leave once for a period not exceeding two years to accompany his/her couple if he/ she moved to another work located outside the governorate in which he/she works inside the Kingdom or moved to a work abroad the Kingdom.

Article 69:

In accordance with a resolution of the Minister after consulting the competent official authorities, the following shall be specified:

A. Industries and occupations in which employing women is prohibited.

B. Times in which it is prohibited to make women work and the excluded cases.

Article 70:

The working woman shall be entitled to a full paid maternity leave before and after delivery, the total of this leave shall be ten weeks provided that the period subsequent to delivery shall not be less than six weeks, it is prohibited to make her work before the expiry of that period.

Article 71:

After the expiry of the maternity leave stipulated in article (70) of this law, the working woman shall be entitled to take paid intermittent period(s) for nursing her newborn baby during a year since the delivery

date, the total of this period shall not exceed an hour per day.

Article 72:

The employer who employs not less than twenty married women shall prepare a suitable place under the supervision of a qualified nursemaid for the children of the working women whose ages are less than four years provided that their numbers shall not be less than ten children.

Article 73:

Taking into consideration the provisions related to the vocational training, no juvenile not reaching sixteen might be employed under no circumstances.

Article 74:

No juvenile not reaching eighteen might be employed in the dangerous or exhausting occupations or those harmful to health. These occupations shall be specified by decisions issued by the Minister after consulting the competent official authorities.

Article 75:

No juvenile might be employed in the following cases:

- A. More than six hours per day provided that he/she shall be given a rest time not less than one hour after successive four working hours.
- B. Between 8 p.m. and 6 a.m.
- C. In the religious feasts, public holidays and weekly holidays.

Article 76:

The employer who approved employing any juvenile shall request from him/her or his/her guardian to provide the following documents:

- A. True copy of the birth certificate.
- B. Certificate of health fitness of the juvenile for the required work issued by the competent physician and approved by the Ministry of Health.
- C. The written approval of the juvenile's guardian regarding the

juvenile's working in the establishment, these documents shall be reserved in a special file for the juvenile with sufficient data regarding his/her place of residence, date of his/her employment, the work for which he/she was employed, his/her wage, and leaves.

Article 77:

The employer or the establishment manager shall be punished for any violation of any of the provisions of this chapter, any regulation or decision issued by its virtue with a fine not less than one hundred JDs and not exceeding five hundred JDs, the penalty shall be aggravated in case of recurrence and it might not be mitigated less than its minimum for the mitigating discretionary reasons.

Ninth Chapter

Article 78:

A. The employer shall do the following:

1. Provide the required precautions to protect the employees from the dangers and diseases that may result from the work and the used equipment.
2. Provide personal protection equipment for the employees to protect them against the work dangers and occupational diseases such as clothes, glasses, gloves, shoes and others, in addition to guiding them how to use, keep them and keep their cleanliness.
3. Acquainting the employee before his/her employment with the dangers of his/her occupation and the protective means that shall be taken in accordance with the regulations and decisions issued in this regards.
4. Providing the medical aid means and equipment for the employees in the establishment in accordance with the levels specified by the Minister after consulting the competent official authorities.

B. The employees shall not bear any expenses arising from executing or providing what has been mentioned in paragraph (A) of this article.

Article 79:

After consulting the competent official authorities, the Minister shall determine in the instructions that he shall issue the following:

A. Precautions that should be taken or provided in all establishments or in any of them to protect the employees and establishments from the dangers of work and the occupational diseases.

B. The equipment that shall be provided in the establishments or any of them to protect the employees from the dangers of work and the occupational diseases.

C. The basis and standards that should be available in the industrial establishments to secure an environment free of pollution, noise, vibrations and all what may endanger the health of the employee in accordance with the approved international standards and determine the methods of check and test related to controlling these standards.

Article 80:

The employer shall take the required precautions for protecting the establishment and employees from the dangers of fire, explosions, storing, transferring or dealing with flammable materials and provide the sufficient equipment or means in accordance with the instructions of the competent official authorities.

Article 81:

The employer or employee may not permit the entry or exhibition of any kind of alcoholic beverages, drugs, narcotics, or dangerous drugs to the places of work, and no person may enter such places or remain there for any reason while he/she is under the effect of such beverages or drugs.

Article 82:

The employees working in any establishment shall abide by the provisions, instructions and decisions related to the precautions of protection, vocational health and safety, using and maintaining the

equipment of vocational health and safety, and refraining from any act that may hinder the execution of such provisions, decisions and instructions and refraining from misusing the equipment of protection and vocational health and safety or destroying them at the risk of being subject to the disciplinary penalties stipulated in the bylaw of establishment.

Article 85:

After consulting the competent authorities, the Minister may issue instructions by virtue of which, he shall specify each occupation in which no employee might be appointed before making the medical checkup to make sure of his/her health fitness to do such work, the instructions issued by virtue of this article shall be published in two daily local newspapers and the official gazette.

Article 84:

A. If the employer has violated any provision of this chapter, the Minister may close down the establishment or the place of work totally or partially or stop the operation of any equipment if such violation may expose the employees, establishment or equipment to danger till the employer removes the contravention.

B. It is stipulated that the Minister shall not issue his decision stipulated in paragraph (A) of this article before addressing a warning to the employer to remove the contravention during the period specified in the warning in accordance with the seriousness of the contravention.

C. In case of closing the establishment or place of work or stopping the operation of equipment in the establishment, it is stipulated not to prejudice the right of employees in receiving their wages in full for the period of closing or stopping the operation.

D. The Minister may refer the contravener to the competent court and in this case he/she shall be punished by a fine not less than one hundred JDs and not exceeding five hundred JDs, the fine

shall be aggravated in case of recurrence, the adjudged fine shall not be less than its minimum for any reason.

Article 85:

Upon the recommendation of the Minister, the Council of Ministers shall issue the required regulations in the following matters:

A. Forming the vocational health and safety committees, appointing the supervisors in the public and private establishments and determining the powers and duties of such committees and supervisors.

B. The preventive and therapeutic medical care for the employees, duties of the employers in its provision, how to establish joint medical units between more than one establishment, method of its financing, the devices that should be available in such units and the regular medical checkups for the employees.

C. Protection and safety from the industrial machines and devices in addition to the places of work.

Tenth Chapter

Work Injuries and Occupational Diseases

Article 86:

The provisions of this chapter related to the labour injuries and occupational diseases shall be applicable on the employees who are not subject to the provisions of the applicable Social Security Law.

Article 87:

A. If the employee was injured because of work an injury that led to his/her death or caused him/her a serious body injury that hindered his/her continuation in work, the employer shall transfer the injured to the hospital or any medical center and notify the competent security authorities of the accident and send a

notification to the Ministry during a period not exceeding (48) hours from the occurrence of the accident, the employer shall bear the expenses of transferring the injured to the hospital or the medical center to treat him/her.

B. The employer, establishment manager or its representative shall be punished in case of his/her violation to the provisions of paragraph (A) of this article with a fine not less than one hundred JDs and not exceeding five hundred JDs for each violation, the penalty shall be aggravated in case of recurrence.

Article 88:

The employer shall be responsible for paying the compensation stated in this law for the employee who has been infected with an occupational disease resulting from his/her work based on a report of the medical authority.

Article 89:

Taking into consideration what has been mentioned in any other law or legislation, the injured or entitled may not claim any compensation from the employer other than those mentioned in this law in relation to the work injuries except if the injury was resulting from the mistake of the employer.

Article 90:

A. If the work injury has resulted in the death of the employee or his/her total disability, the employer shall compensate the employee with the wage of one thousand and two hundred working days provided that the compensation shall not exceed five thousand JDs and not less than two thousand JDs.

B. If the work injury has led to temporary disability of the employee, then he/she shall be entitled to a daily remuneration equaling (75%) of the rate of his/her daily wage as of the date in which the injury has taken place during the period of medication which shall be determined based on a report of the medical authority if his/her medication was outside the hospital, the remuneration shall be reduced to (65%) of that wage if the injured was treated at one of the approved medication centers.

C. If the work injury has resulted in permanent partial disability in accordance with the report of the medical authority, the employee shall be paid compensation at the rate of that disability to the compensation decided for the total disability by virtue of table No. (2) annexed to this law.

D. If the one work injury has resulted in more than one body injury, the injured employee shall be entitled to compensation for each injury in accordance with the basis stipulated in this law provided that the total of that amount payable shall not exceed the amount of the compensation payable in case of total disability.

Article 91:

The compensation stipulated in this law shall be calculated on the basis of the last wage received by the employee if the employee was a taskwork employee, then it shall be calculated on the basis of the average wage during the last six months of his/her work.

Article 92:

A. The due compensation shall be estimated by virtue of this law upon the request of the employer, employee, or those entitled, in case of non-agreement over the compensation, then the secretary-general shall estimate it being the commissioned with estimating compensations, and he/she shall be a litigant party in the lawsuit related to compensation, the Minister may appoint other commissioners from the Ministry officials to exercise the powers of the commissioner in any area of the Kingdom, the compensation shall be paid once during thirty days from the date of informing the concerned parties with the decision of the commissioner.

B. The compensation stated in this law shall not hinder the employee or the entitled getting the end of service remuneration if its entitlement

conditions were met.

C. Any lawsuit related to the compensation stated in this law shall not be looked into by any court if the petition presented in its regard was submitted to the commissioner and was still in the stage of consideration.

Article 93:

No compensation petition shall be approved for any work injury unless submitted to the commissioner during two years from the date of its occurrence or from the date of the death of the injured employee, however the commissioner may approve the petition after two years have passed from the date of injury or death if the delay in its submission was resulting from a justified excuse including final instability of the results of injury.

Article 94:

A. Taking into consideration the text of paragraph (B) of this article, the injured right in the daily remuneration and the cash compensation shall be extinguished provided that any of the following cases shall be proven by the result of the investigation made by the competent authorities after hearing the testimonies of the employer, his representative and the injured when his/her health condition allows that:

1. If the injury resulted from an intentional act, mistake or serious negligence of the injured.
2. If the injury resulted from the effect of alcoholic beverage, drugs or narcotics.
3. If the injured has violated the decided instructions regarding his/her treatment from the injury, protection, or the declared industrial security which shall be followed, and this violation had an effect in the occurrence of injury.

B. The provisions of paragraph (A) of this article do not apply to any case of injury as the cases stipulated in that paragraph if they caused the death of the injured or if he was afflicted with permanent disability not less than a percentage of (30%), the daily

remuneration or cash compensation shall be disbursed to the injured or those entitled according to the case.

Article 95:

In any case, the compensation that should be paid by virtue of the provisions of this law might not be mortgaged or seized except for the sustenance loan not exceeding the third of the compensation amount and it might not be transferred to another person except the employee or those entitled or by claiming the due compensation setoff after the death of the employee.

Article 96:

Taking into consideration the provisions of article (95) of this law, the compensation shall be distributed among those entitled in case of the death of the employee according to the percentages stated in table No. (3) annexed to this law.

Eleventh Chapter

Trade Union and Employers Associations

Article 97:

A. The employees in any occupation may establish a trade union for them in accordance with the provisions of this law, the employee in that occupation shall have the right to join it if he/she has met the membership conditions.

B. The employer shall not make the recruiting of the employee subject to the condition of his/her not joining the trade union, or waiving his/her membership in it, and the employer may not ask the employee to be disengaged from any association, the employer may not prejudice any of the employee's rights because of his/her membership in any association or contributing in its activities beyond the working hours.

C. The trade unions and employers associations may not make any act that involves the intervention of any of them in the other association affairs directly or indirectly in relation to its structure, management, and how it is operated.

Article 98:

A. Taking into consideration the provisions of paragraph (B) of this article, the association shall be established by founders whose number shall not be less than fifty of those working in the same occupation or similar occupations or those related to each other in the same production.

B. The Minister may issue a decision to categorize the occupations and industries whose employees may establish an association for them with the agreement with the General Federation of Trade Unions, and he shall specify in his decision the groups of occupations and industries for which not more than one general trade union might be established for all its employees because of their similarity, or those related occupations, or their sharing the same or integrated production, and he shall make his decision applicable on the existing associations.

Article 99:

A. The trade union shall execute its activity to achieve the following goals:

1. Safeguarding the interests of those working in the occupation and defending their rights in the scope of the provisions stipulated in this law.
2. Providing the health and social services to the employees joining a trade union and establishing medical clinics, the social care establishments and the consumer goods establishments.
3. Working to raise the economical, vocational and educational level of the employees.

B. The trade union may open branches in the Kingdom and specify the provisions and procedures related to the relation between the trade union and its branches by virtue of its bylaw.

Article 100:

After consulting the Ministry, the General Federation of Trade Unions shall set a bylaw for the federations and unions provided that the bylaw of the unions shall include the following:

A. Name of the union and the address of its headquarter.

B. Objectives for which the union is established.

C. Procedures of members joining or disjoining.

D. How to establish the branches of the union throughout the Kingdom and the conditions of forming committees and their procedures.

E. Number of the members of the administrative body of the union, its duration, how it is elected, time of its meetings, how to fill the vacancies in its membership and its powers.

F. Rights enjoyed by the members of the union, obligations borne by them, cases in which the member is subject to disciplinary penalties including fine and dismissal from the union.

G. Services and the financial aids provided to the member in case of necessity including the contribution in the treatment costs and the appointment of attorneys.

H. Conditions of appointing employees in the union, its procedures, terminating their services.

I. How to preserve the properties of the union; keep its books and financial records.

J. Procedures of calling the plenary session of the union to its ordinary and extraordinary meetings.

Article 101:

A. The trade unions registered prior to the validity of this law shall be considered as existent as if they were registered by its virtue.

B. The trade unions registered prior to the validity of this law shall be considered as if they were registered by its virtue.

C. The aforementioned trade unions and then and employers associations shall adjust their conditions and regulations with the provisions of this law during a period not exceeding six months since its validity.

Article 102:

A. An application for registering any trade union or employers association signed by the founders shall be submitted to the Registrar of Associations and the Employers Associations at the Ministry enclosed with the following:

1. Bylaw of the association or the employers association including its name, main office and address.
2. The members of the first administrative body elected by the founders.

B. The Registrar of Associations and Employers Association may commission the administrative body to provide him with any additional details that he deems necessary to look into the application and completing the procedures of registering the association or the employers association.

C. The Registrar of Associations and Employers Association shall issue his decision regarding the application of registering any association or employer association during a period not exceeding thirty days from the date of submitting him the application, if the Registrar approved the application, he shall issue a certificate of registering the association, and shall publish the registration decision in the official gazette, if he decides to disapprove the application, the founders may appeal his decision at the Supreme Court of Justice during thirty days from the date of declaring the decision.

D. The persons injured from registering any association or the employers association may appeal the registration decision at the Supreme Court of Justice during thirty days from the date of publishing the decision in the official gazette.

Article 103:

A. The association or the employers association shall be considered as existent according to the name in which it was registered, and shall acquire the juristic personality, by this capacity, it shall exercise all the acts that it may exercise in accordance with its bylaw as of the date of:

1. Publishing the decision of the Registrar of Associations and the Employers Association of registering the association and the employers association in the official gazette.
2. Or the issuance of the judgment of the Supreme Justice Court which stipulates the cancellation of the decision of the Registrar regarding the disapproval of registering the association or the employers association.
3. The expiry of the appeal period stipulated in article (102) of this law.

B. The association or the employers association shall inform the Registrar of Associations and the Employers Associations regarding any change or amendment made to its bylaw during fifteen days from this change or amendment.

Article 104:

All the correspondences and notices shall be sent to the association or the employers association at its registered address, the Registrar of Associations or Employers Association shall be informed of any change made to the address during seven days of the change, which shall be registered in the associations record and the employers association with the Registrar, otherwise the registered address shall be considered as still existent.

Article 105:

The Registrar shall cancel the certificate of the association or employers association registration if it was proven that such association does not exist any more whether because it has been dissolved voluntarily or in accordance with the provisions of this law or according to a judicial

judgment.

Article 106:

The association or the employees association shall be dissolved voluntarily by the approval of two thirds of its members who have paid their subscriptions in an extraordinary meeting held by the general assembly of the association or the employers association for this purpose, its assets and rights shall be dissolved and disposed in such case in accordance with the provisions of the bylaw, the Minister and the General Federation of Trade Unions shall be notified of the dissolution decision during fifteen days from the date of its issuance and shall be published in the official gazette.

Article 107:

A. If the association or the employers association has defaulted in providing the Ministry with any notice, statement, balance sheet, or any of the accounts or documents that should be provided in accordance with this law and the regulation issued by its virtue, then the association or the employers association or its representative shall be punished by a fine not less than fifty JDs and not exceeding one hundred JDs, the adjudged fine shall not be reduced for any reason.

B. If the association or the employers association has violated the provisions of its bylaw, it shall rectify the situation whether by itself or upon the request of the Ministry or the General Federation of Trade Unions during a period not exceeding three months, if it has not rectify the situation during the decided period, then it shall be referred by the

Minister or whom he authorizes to the competent Court of First Instance to sue it for that contravention, the Court may decide to prevent the association from practicing its activities till the issuance of its judgment in the lawsuit.

Article 108:

A. The employers in any occupation may establish employers association for them to safeguard their vocational interests in relation to the execution of the provisions of this law.

B. The employers association shall be established by founders not less than thirty of the employers of the same occupation, similar occupations, related occupations, or common occupations in the same production, the employer in any occupation shall have the right to join the employers association representing his occupation or refrain from that.

C. It is stipulated that the founder of any association of the employers associations and trade unions and the membership applicant shall meet the following conditions:

1. He shall be Jordanian.
2. The age of the founder shall not be less than 25, and the age of the membership applicant shall not be less than 18.
3. He shall not be sentenced with a felony or delict violating honor and morals.

Article 109:

The assets of the employees association shall not be disbursed except for justified purposes related to the interest of the association including the following:

A. Salaries, allowances and expenditures for the working employees in it and the full- time members working in it.

B. Costs of the association management including the wages of auditing its accounts.

C. Fees of the judicial lawsuits instituted by or against the association and their costs if the association or any of its members was a party in the lawsuit, and the lawsuit was for securing any

right for the association, protecting it, or it was related to rights arising from the relation of a member with the employer.

D. Costs of any labour dispute related to the association or a member of the association.

E. Compensating the members for any loss arising from a labour dispute.

F. Monetary aids paid to the association members or their family members because of death, old age, sickness, unemployment, or accidents that occur to them.

G. Costs of the educational and social services provided by the association to the members.

Article 110:

A. The labour associations shall form the General Federation of Trade Unions, and it shall have a juristic personality, in which each association shall keep its special rights.

B. The Federation shall be constituted from the members of associations from which the Federation is constituted, and shall enjoy all the rights enjoyed by the union.

C. By the approval of the General Federation of Trade Unions, two associations and above may constitute a vocational union provided each of them shall acquire the approval of the majority for its plenary session, and shall acquaint the registrar with that in writing.

D. The General Federation of Trade Unions and the registered vocational unions shall have the right to join any Arab or international labour organization that has justified means and aims.

E. Organizing the affairs of the General Federation and the vocational unions in a special regulation issued for this purpose.

Article 111:

Any employee or member in any trade union shall not be punished,

and no legal or judicial procedures shall be taken against him/her because of an agreement concluded between the union members regarding any purpose of the justified purposes of the trade unions provided that the agreement shall not violate the applicable laws and regulations.

Article 112:

Any trade union shall not be considered as illegal for the mere allegation that any of its purposes aim at restricting the freedom of trade.

Article 113:

A. Each trade union or the employers association shall prepare record and registers according to the conditions decided by the Minister.

B. The labour inspector may be acquainted at any time with the records of accounts of any union in addition to other records and registers kept by the association and the lists of members.

Besides, any employee or member of the association may be acquainted with such record and registers as well as these lists at the specified times in the bylaw of the association provided that such procedures shall be concluded in the headquarter of the association.

Article 114:

No person might be elected as a member in the administrative body of any association except if he was a registered employee or full time employee at such association, and no person might be elected in the body if a judicial judgment was rendered against him/her in a criminal offense or an offense violating honor or morals.

Article 115:

The association may open branches for it all over the Kingdom, the bylaw of the association shall determine the relation between the association and its branches, and between the association and the General

Federation of Trade Unions.

Article 116:

A. The Minister may institute a lawsuit at the Court of First Instance asking for dissolving any association in any of the following cases:

1. If any violation to the provisions of this law was committed provided a written notification was addressed to the association before instituting the lawsuit asking for removing the violation during the period specified by the Minister but it has not fulfilled the request.
2. Instigation for leaving or refraining from work, stay-in strike, or demonstration in the cases where these acts are prohibited by virtue of this law and all applicable legislations.
3. Using force, violence, threatening or illegal procedures in assaulting or attempting to violate the right of the others in work or any other right of his/her rights.

B. The judgment of the Court of First Instance regarding the dissolution of the association might be appealed to the Court of Appeals during thirty days from its notification if it was in presence and from the date of its declaration if it was in absentia, the decision of the Court of Appeals shall be final.

Article 117:

If the association was dissolved compulsorily for any reason, then its money shall be deposited at the bank specified by the General Federation of Trade Unions till a new association for the occupation or occupations is established, if such association was not established during one year from dissolving the first association, then its movable and immovable properties shall be granted to the General Federation of Trade Unions.

Article 11_:

A. Each trade union or employers association shall send the Registrar before the beginning of April of each year a copy of its duly audited balance sheet on the decided form by the auditor in which it clarifies its revenues, expenses, assets, and obligations

during the previous and ended years on thirty first of December, and the Registrar of Association may ask the association to provide him with additional data or illustrations for the balance sheet.

B. The balance sheet of the association that shall be sent to the Registrar shall be enclosed with a statement including the names of employees of the association and the changes made by the association regarding them and their situations during the year of the balance sheet.

Article 119:

A. If any trade union or employers association has defaulted from providing any notice, statement, balance sheet, or any other document required by the provisions of this law, or by the Minister or Registrar, then the employee or the person commissioned with providing or sending it by virtue of the bylaw of the association shall be punished by a fine not less than fifty JDs and not exceeding one hundred JDs, this fine shall be aggravated according to its maximum in case thecontravention was recurred.

B. Any one who has intentionally provided a false information in the balance sheet of the association, participated in that, or made any forgery to the bylaw of the association, or any amendment of it, participated in that, or omitted the inclusion of any text of it shall be punished by a fine not less than five hundred JDs and not exceeding one thousand JDs or imprisonment for a period not less than three months and not exceeding a year, the penalty shall be aggravated according to its maximum in case of contravention reoccurrence.

Twelfth Chapter

Settlement of the Collective Labour Disputes

Article 120:

The Minister may appoint a reconciliation representative or more of the Ministry employees to undertake the task of mediation in settling the collective labour disputes for the area that he specifies and the period

that he deems suitable.

Article 121:

A. If a collective labour dispute occurs, then the reconciliation representative shall start the mediation procedures between the two parties to settle that dispute, if it was agreed upon according to a collective contract or others, the reconciliation representative shall keep a copy of it approved by the two parties.

B. If making negotiations between the two parties was impracticable for any reason, or it was ascertained that continuing in it will not result in settling the dispute, the reconciliation representative shall present a report to the Minister including the reasons of dispute and the negotiations concluded between the two parties in addition to the result that he has reached during a period not exceeding twenty one days from the date of referring the dispute to him.

C. If the Minister could not settle the dispute, he shall refer it to a reconciliation council formed by:

1. A president appointed by the Minister provided that he shall not have any relation to the dispute, trade unions or employers associations.
2. Two members or more representing each of the employers or employees with equal numbers, each party shall appoint his representative in the council.

Article 122:

A. If a labour dispute was referred to the reconciliation council, it shall exert its effort to settle the dispute in the manner it sees appropriate, if it could settle it completely or partially, then it shall present a report of that to the Minister enclosed with the signed settlement between the two parties.

B. If the reconciliation council has not reached a settlement for the dispute, it shall present the Minister a report including the reasons of dispute and the procedures taken by the council to settle it in addition to the reasons that have prevented its settlement as well as the recommendations it sees suitable in this regards.

C. In all cases, the council shall conclude the reconciliation procedures and provide its report of the result it has reached during a period not exceeding twenty one days from the date of referring the dispute to it.

Article 123:

No party in the labour dispute may appoint attorney before the reconciliation representative or council.

Article 124:

A. If the reconciliation council could not settle the collective labour dispute, the Minister shall refer it to a labour court constituted by three regular judges appointed by the judicial council for this purpose upon the request of the Minister headed by the one having the higher degree, and it may be held in the presence of two of its members, in case of their disagreement, then the third judge shall be invited to participate in looking into the case and issuing a decision in its regards.

B. The labour dispute referred to the labour court shall be given the urgent attribute as looking into it shall start during a period not exceeding seven days from the date of referral provided that the court shall issue its decision in the dispute and inform the Minister during thirty days from that date, this decision shall be final and not appealable before any judicial or administrative body.

C. The labour court shall look into the labour dispute presented before it and decides in it in accordance with the procedures it deems suitable to achieve justice between the parties provided that it shall consider any special procedures stipulated by this law, each party may appoint an attorney or more before the court.

Article 125:

Upon looking into a labour dispute, the labour court and the reconciliation council shall have the following powers:

A. Hearing the testimonies of any person or resorting to his/her expertise in the dispute after taking the oath.

B. Ordering any party of the dispute to present documents or evidence he/she has, and that the court considers as necessary for looking into or deciding in the dispute.

Article 126:

The labour court may illustrate any decision that it has issued upon the request of the Minister or any party of the dispute to eliminate any ambiguity without diverting the decision from the results it has reached, and it may at any time rectify by itself or upon the request of the Minister or any of the litigant parties the mistakes, errors in writing or calculation in the judgments and decisions through incidental inattentiveness.

Article 127:

The sessions of the labour court and the reconciliation council shall be held at the Ministry. The Ministry shall be responsible for providing the administrative requirements, facilities and equipment enabling them to perform their works.

Article 128:

A. The report of the reconciliation council and the decision of the labour court shall be in writing and shall be signed by all the members of the council or court in accordance to the necessity. The decision of the court shall be issued unanimously or by majority, each disagreeing party of the court or council members shall register his/her view in the report or decision.

B. The report of the council or the decision of the labour court shall be published in one local newspaper or more at the expense of the disputing parties during thirty days from the date in which the Minister has received the report or decision.

Article 129:

The remunerations decided by the Council of Ministers upon the

recommendation of the Minister shall be disbursed to the president, members of the labour court, and sessions' clerk.

Article 130:

The settlement reached by the result of the reconciliation procedures by virtue of the provisions of this law or the decision of the labour court shall be binding to the following categories:

A. Labour dispute parties.

B. Successors of the employer including his/her inheritors to whom the establishment in which the dispute occurred has been transferred.

C. All persons who were working at the establishment in which the dispute occurred on the date of the dispute or in a department of that establishment, and all persons who are employed afterwards in that establishment or any department of it if the report of settlement or the labour court decision stipulates so, and nothing in this law or the regulations issued by its virtue hinders that.

Article 131:

A. The labour court decision shall be valid as of the date it specifies.

B. The settlement reached as result of the reconciliation procedures shall be applicable as of the date on which the labour dispute parties have agreed, if they have not agreed upon the date, then the settlement shall be applicable as of the date of signing the settlement report and shall be binding for all its parties according to the conditions stated in it.

Article 132:

During looking into the labour dispute by the reconciliation representative or council or the labour court, no employer may do any of

the following:

A. Change the applicable conditions of employment.

B. Dismiss any employee without getting the written permission from the reconciliation council or representative or the labor court according to the necessity.

Article 133:

A. If any employee has violated any condition of settlement or the decision of the labour court which is binding for him/her in accordance with this law, he/she shall be punished by a fine not less than fifty JDs and not exceeding two hundred JDs for the first time, and it shall be aggravated in case of recurrence, the fine may not be less than its minimum for any of the discretionary mitigating reasons.

B. If the employer has violated any condition of settlement or the decision of the labour court which is binding for him/her in accordance with this law, he/she shall be punished by a fine not less than two hundred JDs and not exceeding four hundred JDs for the first time, and it shall be aggravated in case of recurrence, the fine may not be less than its minimum for any of the discretionary mitigating reasons.

Article 134:

No employee may strike and no employer may close his/her establishment in any of the following cases:

A. If the dispute has been referred to the reconciliation representative or council or the labour court.

B. During the period in which any settlement is valid or any decision is applicable, and the strike or close was related to the issues covered in that settlement or decision.

Article 135:

A. The employee may not strike without giving the employer a notice before a period not less than fourteen days from the date

specified for strike, this period shall be doubled if the act was related to any of the public interests services.

B. The employer may not close his/her establishment without giving the employees a notice before a period not less than fourteen days from the date specified for closing, this period shall be doubled if the act was related to any of the public interests services.

C. The other conditions and procedures for strike and closing shall be specified by virtue of a regulation issued for this purpose.

Article 136:

A. If any employee has started a strike prohibited by virtue of this law, he/she shall be punished by a fine not less than fifty JDs for the first days and five JDs for each day to which the strike continues after that. Besides, he/she shall be deprived from his/her wage for the days for which he/she has stricken.

B. If the employer has set about closing his/her establishment which has been prohibited by virtue of this law, then he/she shall be punished by a fine of five hundred JDs for the first day and fifty JDs for each day to which the close continues afterthat, and he/she shall pay the wages of the employees for the days for which the close continues.

Article 137:

A. The Magisterial Court shall have jurisdiction over looking into the lawsuits arising from the individual labour disputes urgently with the exception of the lawsuits related to wages in the areas where there is an authority of wages by virtue of the provisions of this law provided that they shall be considered during three months from the date of having them in the court.

B. The court decision issued by virtue of the provisions of paragraph (A) of this article shall be appealed during ten days from the date of its declaration if it was in presence and the date of its notification in case it was in absentia, the court shall decide in the appeal during thirty days from the date of having it in its office.

C. The lawsuits presented to the Magisterial Court shall be exempted from all fees including the fees of executing the decisions issued by it.

D. The First Instance Court shall continue in looking into the labour lawsuits considered by it before the validity of this law.

Article 138:

A. Any lawsuit related to any violation committed inconsistent with the provisions of this law, any regulation, or instructions issued by its virtue might be considered unless the lawsuit was instituted during one month from the date in which this violation was committed.

B. Any lawsuit for claiming any right given by this law including the wages of overtime hours whatever its source was may not be considered after two years have passed since the reason of claiming such rights and wages has risen.

Article 139:

Each violation to the provisions of this law or any regulation issued by its virtue for which no penalty has been specified, then its perpetrator shall be punished by a fine not less than fifty JDs and not exceeding one hundred JDs, it is stipulated that the penalty stipulated in the applicable Penal Code shall be imposed on the contravener if the decided penalty for the violation was severer than that which has been stipulated in this law.

Article 140:

The Council of Ministries upon the recommendation of the Minister may issue the regulations required to execute the provisions of this law.

Article 141:

Labour Law No. 21 of the year 1960 and the amendments made to it shall be cancelled provided that the regulations, instructions and

decisions issued by its virtue and not violating the provisions of this law shall remain effective for a period not exceeding two years till its cancellation or replacing them with others in accordance with the provisions of this law.

Article 142:

The Prime Minister and ministers are commissioned to execute the provisions of this law.