

# **Labour Law**

## **Book - 1**

### **Definitions And General Provisions**

#### **Part - I**

#### **Definitions**

##### **Article : 1**

In applying the provisions of the present law, the following terms shall denote the meanings indicated next to each of them:

- (A) **Worker** : Any natural person working in return for a wage with and under the management or supervision of the employer.
- (B) **Employer** : Any natural or juridical person employing one or more workers in return for a wage.
- (C) **Wage** : All that the worker obtains in return for his work, whether fixed or variable, in cash or in kind.

##### **The following shall in particular be considered a wage:**

- 1- The commission entering within the context of Labour relation.
- 2- The percentage : What is the worker may be paid in return for what he produces, sells, or collects all along his charge of the work for which this percentage is prescribed.
- 3- The increments whatever the reason for becoming payable, or their kind.
- 4- The in kind benefits the employer shall pay, without being necessitated by work exigencies.

- 5- **Bonuses** : Any bonus given to the worker in addition to his wage, and all that is paid to him due to his honesty or efficiency, once these bonuses are prescribed in the individual or collective Labour contracts or in the work articles of association, as well as that which has become customarily payable once fulfilling the qualities of generality, continuance, and constancy.
- 6- **Allowance** : All that is given to the worker in exchange for specific conditions or risks the worker is liable to in performing his work.
- 7- The worker's profit share.
- 8- Tip that the worker obtains if it becomes customarily payable and has rules allowing for its determination. The percentage the customers pay in return for the service in tourist establishments shall be considered as a tip.

A decree of the concerned minister shall be issued in agreement with the concerned trade union organization on the method of its distribution among the workers in consultation with the concerned minister.

- (D) **Provisional Work**: It is the work that by its nature forms part of the activity exercised by the employer, and the nature of its accomplishment necessitates a specified period, or it involves a particular work and ends with its completion.
- (E) **Casual Work**: It is the work that by its nature does not form part of the activity exercised by the employer, and its accomplishment does not take more than six months.
- (F) **Seasonal Work**: It is the work that is fulfilled in traditionally recognized periodical seasons.
- (G) **Night**: It is the period between sunset and sunrise.
- (H) **The concerned minister**: He is the minister concerned with manpower.

- (1) *The concerned ministry:* It is the ministry concerned with manpower affairs.

## Article : 2

In applying the provisions of the present Law the year shall be considered 365 days and the month thirty days, unless otherwise agreed upon.

## **Part – II**

### **General Provisions**

#### **Article : 3**

The present Law shall be considered the public Law governing work relations, subject to the collective Labour agreements and the provisions of article (5) of the present law.

#### **Article : 4**

*The provisions of the present Law shall not apply to:*

- (A) Public servants of the state agencies, including the local government units and the public authorities.
- (B) Domestic service workers and the like.
- (C) The employer's family members whom he actually supports.

This shall all be valid unless a text is prescribed providing otherwise.

#### **Article : 5**

All condition or agreement contradicting the provisions of the present Law shall be invalid even if it exists prior to enforcing the present law, if it comprises a derogation of the worker's rights prescribed therein.

All better benefits or conditions prescribed or to be prescribed in the individual or collective labour contracts, the articles of associations, or other regulations of the establishment, or ruling by virtue of usage and practice shall remain valid.

All composition comprising a derogation or discharge of the worker's rights derived from the labour contract during its validity period, or within three months from the date of its expiry, shall be null and invalid once it violates the provisions of the present law.



### **Article : 6**

Actions arising from disputes connected with the provisions of the present law, as filed by the workers, trainee juveniles, and industrial apprenticeship workers or their beneficiaries, shall be exempted from the judicial fees in all stages of litigation. The court, in all cases may couple its sentence with self-execution and without bail. In case of refusing the action, it may rule on the action lodger to sustain all or part of the expenses.

The categories referred to in the previous clause shall be exempted from the stamp duty on all the certificates and copies issued to them and the complaints and requests submitted by them in application of the provisions of the present law.

### **Article : 7**

The amounts due to the worker or his beneficiaries by virtue of the provisions of the present Law shall enjoy a lien on all movable or real property of the debtor. They shall be collected direct after the judicial expenses and the amounts due to the Public Treasury.

However, the wage shall be collected before the other rights referred to in the previous clause.

### **Article : 8**

In case of plurality of employers, they shall be responsible jointly among themselves for fulfilling the obligations arising from the present law.

The person to whom the employer cedes all or part of the works assigned to him for execution shall be responsible jointly with him for fulfilling all the obligations imposed thereon by virtue of the provisions of the present law.

### **Article : 9**

The dissolution, liquidation, closure, or bankruptcy of the establishment shall not prevent fulfilling all the obligations arising according to the law.

Merging the establishment with another or devolving it by inheritance, bequeathal, donation, or sale - even by public auction - or by assigning or leasing it or other such disposals shall not terminate the employment contracts of the establishment workers. The successor shall be responsible jointly with the former employers for implementing all obligations arising from these contracts.

### **Article : 10**

The concerned minister shall issue a decree determining the administrative quarters concerned with applying the provisions of the present law.

**Book - 2**  
**Individual Labour Relationships**

**Part - I**

**Workers Recruitment**

**Article : 11**

A higher committee shall be established under the concerned minister for planning and employing the manpower inland and abroad, comprising representatives of the concerned ministries, as well as representatives of the General Federation of Egyptian Trade Unions and of the Employers Organizations, to be elected by their organizations equally among them.

The jurisdiction of this committee shall comprise drawing the general policy for employing the Egyptian manpower in the Arab Republic of Egypt or abroad, and setting the systems, rules, and procedures required for that employment.

The formation of the committee and the system of work progress in it shall be issued by decree of the Prime Minister within a period of maximum six months from the date the present Law comes into effect.

**Chapter : 1**  
**Organizing The Recruitment**  
**Of Egyptians Inland And Abroad**

**Article : 12**

Subject to the provisions of Law No. 39 of the year 1975 concerning the rehabilitation of the handicapped, all person capable of working and willing to work shall submit a request for recording his name with the concerned administrative quarter within the area of which lies his home address. The request shall comprise a statement of his age, profession, qualifications, and previous experiences, and this quarter shall record these



requests with serial numbers upon their receipt and give the applicant a certificate of recording the request free of charge.

The data to be comprised in the certificate referred to in the previous clause shall be determined by decree of the concerned minister.

### **Article : 13**

If the would-be worker is a practitioner of one of the professions issued by a decree of the concerned minister as referred to in article (139) of the present law, he shall attach to his request for recording in the register a certificate determining the level of his skill and the license of exercising the profession according to article (140) of the present law. The degree of his skill shall be recorded in the registry certificate.

No worker may be employed unless he/she is holder of this certificate.

### **Article : 14**

Subject to the provisions of Law No. 39 of the year 1975 concerning the rehabilitation of the handicapped, the employer shall have the right to appoint the one he chooses. If the nominee is not among those holding the registry certificate referred to in article (12) of the present law, he shall proceed with getting his name recorded in the registry within fifteen days from being employed.

The employer may fulfill his functional, professional, and vocational needs regarding the positions and works becoming vacant or established therewith, from among those the concerned administrative quarter within the circuit of which lies his place of work nominates among the job-seekers registered with it, along with observing the precedence of registration.

### **Article : 15**

The employer in the establishments already existing at the time of applying the provisions of the present law, and those to be established in future, shall send to the concerned administrative quarter within the circuit of which lies the place of work, within fifteen days from the effective date



of the present law, or the date of beginning the work at the establishment – according to each case – a detailed statement of the number of workers, according to their qualifications, professions, age categories, nationalities, their sex, and the wages they receive.

He shall - within thirty days from the date of filling the position becoming vacant with him - return to the administrative quarter the worker's registry certificate issued by it, after fulfilling the data indicated therein. He shall also mark down the number and date of the registry certificate before the worker's name in the workers registry book at the establishment.

The employer in the establishments referred to in the first clause shall provide the same quarter during the month of January every year, with the following data:

- (A) The modifications introduced to the data indicated in the previous clause.
- (B) The number of positions becoming vacant because of replacement procedures and the new expansions.
- (C) A statement indicating an estimation of the expected needs, distributed according to the educational and professional condition within the next year.

### **Article : 16**

The employer may announce about the vacant positions in the different means of information, and assign to one of the consultancy offices studying the applications submitted to him, and express its view, recommend, or assist in selecting the best candidates for these positions.

He may not employ workers through a Labour contractor or entrepreneur.

The concerned minister may issue a decree licensing the associations, institutions and trade union organizations – with regard to their members – to establish offices for recruiting the unemployed. In this case, these quarters shall observe the provisions prescribed in the present chapter and the said decree.

### **Article : 17**

Subject to the international agreements on recruitment of workers, exercising the Egyptian workers recruitment operations for work inland or abroad, shall be through:

- (A) The concerned ministry;
- (B) The ministries and public authorities;
- (C) The General Federation of Egyptian Trade Unions;
- (D) The Egyptian public sector, public business sector, and private sector companies concerning the contracts concluded by them with the foreign quarters, within the limits of their works and the nature of their activities;
- (E) Joint stock companies, partnerships limited by shares, or limited liability companies, after obtaining a license therefor from the concerned ministry; and
- (F) Professional associations with regard to their members only.

### **Article : 18**

The international organizations may exercise recruitment operations for employment of Egyptians to work outside the Arab Republic of Egypt, if the contract shall be concluded with Arab or foreign governmental quarters or general organizations.

### **Article : 19**

The concerned ministry, in cooperation with the ministry of foreign affairs, shall assume the implementation of the international agreements and contracts connected with Egyptian Labour abroad, and study the settlement of litigations arising from the implementation of these agreements and contracts.

### **Article : 20**

The quarters referred to in articles (17) and (18) of the present Law shall submit to the concerned ministry a copy of the request they receive from abroad concerning the provision of job opportunities and their conditions, duly authenticated by the concerned authorities. They shall also submit a copy of the concluded agreements and Labour contracts comprising a determination of the work and wage set for them, and the conditions and occasions of performing the work as well as the worker's obligations.

The ministry may, within at most ten days from the date of notifying to it the agreements, requests, and contracts duly fulfilled, object to them in case of inappropriateness of the wage, or their violation of public order or morals. If the said period lapses without objection from the ministry, the agreements, requests, and contracts shall be considered as approved.

### **Article : 21**

The quarters referred to in article (17) of the present Law shall be forbidden to collect any charges from the worker in return for engaging him at work. However, charges may be collected for that from the employer.

In exception to the provisions of the previous clause, the companies referred to in item (E) of article (17) of the present Law may charge an amount not exceeding (2%) of the wage of the worker engaged at work, for the first year only, as administrative expenses. No other amounts may be collected from the worker under any title.

### **Article : 22**

Subject to the conditions ordained by the Law on joint stock companies, partnerships limited by shares, and limited liability companies, obtaining the license prescribed in clause (E) of article (17) of the present Law shall be conditional upon the following:

- 1- The founders and board members as well as the directors concerned with the recruitment operations shall be Egyptians, and none of them shall have been judged with a criminal penalty, or a misdemeanor



penalty involving moral turpitude, breach of honesty or honor, unless he has been rehabilitated.

- 2- The company's capital shall not be less than one hundred thousand pounds, and shall be wholly owned by Egyptians.

With regard to companies exercising operations of recruiting Egyptians for work outside the Arab Republic of Egypt, their capital shall not be less than one hundred thousand pounds, and the absolute majority shall be for the founders and board members among the Egyptians holding at least (51%) of their capital.

- 3- The company shall submit an unconditional and irrevocable letter of guarantee issued from one of the banks operating in the Arab Republic of Egypt, for the amount of one hundred thousand pounds in favor of the concerned ministry. This letter of guarantee shall be valid for the whole period of the license validity. The amount of the letter of guarantee shall be completed with an amount equal to the deducted fines or the indemnifications payable according to the provisions of the present law, within a period of ten days from the date of notifying the licensed company by registered letter with acknowledgement of receipt.

The license shall be valid for a period of five renewable years according to the rules and procedures to be issued by decree of the concerned minister, against paying the fee the minister shall determine for granting or renewing the license, up to and not exceeding five thousand pounds.

However, the concerned minister may discontinue issuing new licenses or renewing the existing licenses, in light of the actual needs of the labour market.

### **Article : 23**

The license shall be revoked by a decree of the concerned minister in case of establishing any of the following cases:

- 1- The company's loss of one of the license conditions.



- 2- Collection by the company of any amounts from the worker in return for recruiting him for work, in violation of the provisions of the present chapter.
- 3- The company's obtainment or renewal of the license, or the ministry's non-objection to a Labour agreement or contract on the basis of false data submitted by it.

The license may be revoked by virtue of a decree of the concerned minister in case of establishing the company's violation of any of the substantial provisions prescribed in the decrees issued for enforcement of the provisions of the present chapter.

The concerned minister may suspend the company's activity provisionally, if – on the ground of serious reasons – any of the cases prescribed in the present article is ascribed to the company, pending determination of the extent these cases are established, or removal of the violation in the case prescribed in the previous clause.

Revoking the license in any of the cases prescribed in the present article shall not violate the criminal, civil, or disciplinary responsibility.

#### **Article : 24**

The concerned minister shall issue the decrees necessary for enforcing the provisions of the present chapter, especially the decrees connected with the duties of the companies licensed for operating in the field of recruitment, the conditions to be fulfilled in the company's head office, the organization of work procedures in this activity, and the determination of the registers to be held and which are necessary for exercising its work, the rules of recording in them, and the control and inspection thereof, as well as the conditions to be fulfilled in the announcements that shall be published in the Arab Republic of Egypt on work opportunities, and the determination of the method and means of notifying the objection of the ministry to the quarters prescribed in articles (17) and (18) of the present law. This shall all be fulfilled within sixty days from the effective date of the present law.

### **Article : 25**

*The following shall be excepted from applying the provisions of the present chapter:*

- (A) Casual works.
- (B) The key positions of which the incumbents are considered authorized delegates of the employers.

The concerned minister may issue a decree applying the provisions of the present chapter to all or part of the works, positions, and categories referred to in the previous two items.

### **Article : 26**

The concerned ministry shall draw the policy of and follow up the recruitment of irregular Labour, particularly seasonal agricultural labourers, sea workers, mines and quarries workers, and contracting workers.

The concerned minister, in consultation with the concerned ministers and the General Federation of Egyptian Trade Unions, shall issue the decrees on determination of rules regulating the recruitment of these categories, and the safety, vocational health, transport and subsistence conditions to be taken in their respect, as well as the financial and administrative regulations organizing such recruitment.

## **Chapter - 2** **Organizing the work of Aliens**

### **Article : 27**

Employing aliens (foreign workers) in all installations of the private sector, the public sector units, the public business sector, the public authorities, the local government and the administrative machinery of the state shall be governed by the provisions prescribed in the present chapter, subject to reciprocity conditions.

The concerned minister shall determine the cases of exempting the aliens from this condition.

### **Article : 28**

Aliens shall not exercise a work except after obtaining a permit therefor from the concerned ministry, and shall be authorized to enter and reside in the country for the purpose of working.

'Work' in applying the provisions of this chapter shall mean all subordinate work, any profession or crafts, including work in domestic service.

### **Article : 29**

The concerned minister shall issue a decree determining the conditions of obtaining the work permit referred to in the previous article, its procedures, the data it comprises, the procedures of its renewal, and the fees to be collected on it, which shall not be less than one thousand Egyptian pounds.

He shall also determine the cases of revoking the license before expiry of its period, and the cases of exempting the aliens from the condition set for its obtainment.

Any one employing an alien exempted from the condition set for obtaining the license shall notify the concerned administrative quarter of such employment within seven days from the alien's assumption of work, and also on termination of his service with him.

### **Article : 30**

The concerned minister shall issue a decree determining the professions, works, and crafts the aliens are prohibited to work in them. He shall also determine the maximum rate of employing the aliens in the establishments and quarters indicated in article (27) of the present law.



## **Part – II**

### **Individual Labour Contract**

#### **Article : 31**

The provisions of the present part shall apply to the contract by virtue of which a worker undertakes to work with and under the management or supervision of an employer in return for a wage.

#### **Article : 32**

The employer shall draw up a labour contract in Arabic writing, in three copies, of which one copy shall be kept by the employer, one copy to be delivered to the worker, and the third copy shall be deposited with the concerned social insurance office.

**The contract shall in particular comprise the following data:**

- (A) Name of the employer and the address of the place of work.
- (B) The worker's name, qualifications, and profession or craft, his social insurance number and home address, and all that is necessary for his identification.
- (C) Nature and kind of work subject of the contract.
- (D) The wage agreed upon, and the method and time of its payment, as well as the rest of benefits in cash and in kind as agreed upon. If no written contract exists, the worker may alone establish his rights by all methods of evidence.

The employer shall deliver to the worker a receipt for the papers and certificates he has deposited with the employer.



### **Article : 33**

The period of probation shall be determined in the Labour contract. The worker shall not be appointed under probation for a period exceeding three months; nor shall he be appointed under probation for more than once with the same employer.

## **Part – III**

### **W a g e s**

#### **Article : 34**

A national council for wages shall be established under the chairmanship of the Minister of Planning, to be concerned with setting the minimum wages at the national level, subject to the cost of living, and by providing the methods and measures guaranteeing the realization of balance between wages and prices.

The council shall also be concerned with setting the minimum periodical annual increments such that they shall not be less than (7%) of the basic salary on the ground of which the social insurance contributions are reckoned.

In case the establishment is exposed to economic conditions with which it becomes impossible to pay the said periodical increment, the matter shall then be submitted to the national council for wages, to decide whatever it deems suitable with its conditions, within thirty days from the date of submitting the matter to it.

The prime minister shall issue - within sixty days from the effective date of the present Law - a decree forming that council and comprising the following categories in its membership:

- 1- Members on the strength of their positions or experiences;
- 2- Members representing the employers organizations, to be elected by these organizations; and
- 3- Members representing the General Federation of Egyptian Trade Unions, to be elected by the Federation.

It shall be observed that the number of the first category's members shall be equal to the number of the second and third categories' members together, and the number of members of each of the second and third categories shall be equal.

The decree forming the council shall determine its other powers and the system of work in it.

#### **Article : 35**

Discrimination in wages because of the sex, origin, language, religion or creed shall be prohibited.

#### **Article : 36**

The wage shall be determined according to the individual labour contract, the collective labour agreement, or the statute of the establishment. If the wage is not determined in any of these methods, the worker shall be entitled to a wage of equivalent position if any; otherwise the wage shall be estimated according to the trade usage in the quarter where the work is performed. If no trade usage exists, the committee prescribed in article (71) of the present Law shall estimate the wage according to the exigencies of justice. This shall all be subject to the provisions of articles (34) and (35) of the present law.

#### **Article : 37**

If agreement is reached on determining the wage per production or commission, the wage to be obtained by the worker shall not be less than the minimum wages.

#### **Article : 38**

The wages and other amounts due to the worker shall be paid in the legally current money, on one of the working days and at the place of work, subject to the following provisions:

- (A) Workers appointed with a monthly pay: their wages shall be paid at least once per month.
- (B) If the wage is per production, and the work requires working for a period exceeding two weeks, the worker shall obtain each week a pay on account commensurate with the work he has performed, and the



balance of the wage shall be paid to him during the week following delivery of the work he has been charged with.

- (C) In other than the cases defined in the two previous items, the workers shall receive their wages once at most every week, unless otherwise agreed upon.
- (D) If the Labour relation ends, the employer shall pay to the worker his wage and all amounts due to him forthwith, unless the worker has quit work of his own accord, in which case the employer shall pay the worker's wage and all his dues within a period not exceeding seven days from the date the worker claims these dues.

### **Article : 39**

Computing the average daily wage of the workers per production or the workers receiving fixed wages plus a commission or a percentage shall be on the basis of the average pay the worker has received for the actual days of work in the last year or for the period he has worked if less than that, divided by the number of the actual days of work for the same period.

### **Article : 40**

The employer shall be prohibited to transfer a monthly paid worker to the category of day labourers or the workers appointed with a weekly wage, or paid per hour or per production, except with the written approval of the worker on transferring him. The worker shall in this case have all the rights he acquired during the period he spent with monthly pay.

### **Article : 41**

If the worker attends at his place of work, at the time determined for work and is ready to exercise his work but is prevented to start his work for reasons due to the employer, he shall be considered as having actually fulfilled his work and accordingly deserves his wage in full.

However, if he attends and is barred from exercising his work by imperative reasons beyond the will of the employer, he shall be entitled to half his wage.

#### **Article : 42**

The employer shall not oblige the worker to buy foods, goods, or services from specific stores, or buy goods produced or services provided by the employer.

#### **Article : 43**

The employer shall not deduct more than (10%) from the worker's wage for payment of the money he has loaned to him during the validity of the contract; nor shall he charge the worker any interest on these loans. This provision shall apply to the prepaid wages.

#### **Article : 44**

Subject to the provisions of articles (75), (76), and (77), of the Law regulating certain conditions and procedures of prosecution in personal status affairs as promulgated by Law No. 1 of the year 2000. In all cases, no deduction, retention, or relinquishment of the wage due to the worker shall be made for settlement of a debt except within the limits of (25%) of that wage. The deduction percentage may be increased to (50%) in case of alimentary debt.

In case of jostling creditors, the alimentary debt shall be given precedence, followed by the debt owing to the employer in connection with the tools or materials damaged by the worker, or for refund of payments unrightfully made to the worker, or the sanctions imposed on the worker.

The validity of wage relinquishment within the limits of the percentage prescribed in this article shall be conditional upon issuing a written approval by the worker.

The percentage referred to in the first clause of the present article shall be computed after deducting the income tax on the wage, the amounts payable according to the Social Insurance Laws, and the loans the employer extended to the worker within the limits of the percentage prescribed in the previous article.

#### **Article : 45**

The employer's obligation for the wage shall not be discharged except after the worker signs for receiving the wage, in the register provided for the purpose, or in the payrolls, providing the data of these documents shall comprise the items of the wage.

#### **Article : 46**

Subject to the provision of the previous article, the employer shall deliver to his juvenile workers their wages, compensations, or other entitlements legally due to them. Such delivery shall discharge the employer's obligation.



## **P**art - IV

### **L e a v e s**

#### **Article : 47**

The period of the annual leave shall be 21 days with full pay for those spending one complete year in the service. The leave shall be increased to thirty days once the worker spends ten years in service with one or more employers. The leave shall be for a period of thirty days per year for those over the age of fifty years. The holidays, the official occasions days off, and the weekly days off shall not be counted as part of the leave days.

If the worker's service is less than one year, he shall be entitled to a leave in proportion to the period he has spent in work, providing he has spent six months in the service of the employer.

In all cases the period of the annual leave shall be increased by seven days for the workers engaged in hard, dangerous, and unwholesome works, or in the remote areas to be determined by virtue of a decree of the concerned minister after consulting the view of the concerned quarters.

Subject to the provision of clause-2 of article (48) of the present law, the worker shall not give up his leave.

#### **Article : 48**

The employer shall determine the dates of the annual leave according to work exigencies and conditions. He shall not interrupt the leave except for strong reasons necessitated by work interest.

The worker shall go on leave on the date and for the period determined by the employer. If the worker refuses in writing to go on leave he shall forfeit his right to collecting their equivalent in wage terms.

In all cases, the worker shall obtain an annual leave of fifteen days, including at least six continuous days, and the employer shall settle the balance of leaves or the wage computed against that balance at most every

three years. If the work relationship expires before the worker exhausts the balance of his annual leave, he shall be entitled to the wage computed against that balance.

The leave may not be divided, joined, or postponed with regard to the juveniles.

#### **Article : 49**

The worker shall have the right to determine the date of his annual leave if he is sitting for the exam in any of the educational stages, providing he shall notify the employer at least fifteen days before he goes on leave.

#### **Article : 50**

The employer shall have to deprive the worker from his wage for the leave period, or retrieve the wage he has paid for it, if it is established that the worker has worked during the leave with another employer, without prejudice to the disciplinary sanction.

#### **Article : 51**

The worker may abstain from work for a casual reason for a period not exceeding six days during the year, with a maximum limit of two days each time. The casual leave shall be counted as part of the annual leave determined for the worker.

#### **Article : 52**

The worker shall have the right to a leave with full pay on the holidays to be determined by a decree of the concerned minister, with a maximum limit of thirteen days per year.

The employer may require the worker to attend to work on these days if so necessitated by work conditions. In this case, the worker shall be entitled, in addition to his wage for that day, to double that wage.

### **Article : 53**

The worker spending five continuous years in the service of the employer shall have the right to a leave of one month with full pay for performing the religious pilgrimage duty, or visiting Jerusalem. That leave shall be granted only once throughout his service period.

### **Article : 54**

The worker whose sickness is established shall have the right to a sick leave to be determined by the concerned medical quarter. During that period, he shall be entitled to a compensation for the wage as shall be determined by the Social Insurance Law.

The worker whose sickness is established, in industrial installations to which are applicable the provisions of articles (1) and (8) of Law No. 21 for the year 1958 on reorganization and encouragement of industry, shall have the right to a sick leave every three years in service, on the basis of one month with full pay, then eight months with a wage equivalent to (75%) of his salary, then three months without pay, in case the concerned medical quarter decides the likelihood of his recovery.

The worker may benefit from his frozen annual leaves, besides the sick leave to which he is entitled. He may also request transferring the sick leave into an annual leave if he has a balance allowing for doing so.

### **Article : 55**

Subject to the provisions prescribed in article (49) of the present law, the collective labour agreements or the labour regulations in the establishment shall determine the conditions and terms concerning the paid study leaves that are granted to the workers.



## **Part – V**

### **Duties And Impeachment Of Workers**

#### **Chapter - 1** **Duties Of Workers**

#### **Article : 56**

##### **The worker shall:**

- (A) perform by himself the duties assigned to him, with accuracy and honesty as determined in the law, the Labour regulations, and the individual and collective Labour contracts, accomplish them at the determined time, and exert the care of a familiar person in fulfilling his duties;
- (B) carry out the employer's orders and instructions concerning the execution of the duties lying within the context of the work assigned to him, if nothing exists in these orders and instructions contradicting the contract, and violating the Law, the regulations, or public morals, and in their implementation nothing will expose to danger;
- (C) observe the times of work and follow the procedures determined in case of absence from work or contravention of its duty hours;
- (D) maintain the tools, equipment, documents or any other objects delivered to him by the employer, do all necessary works for keeping them in sound condition, and exert in doing so the care of a familiar person;
- (E) well treat the employer's customers;
- (F) respect his chiefs and colleagues at work, and cooperate with them toward realizing the best interests of the establishment at which he works;
- (G) maintain the prestige and dignity of business, and behave as befits the work;

- (H) observe the systems set for maintaining the safety and security of the establishment;
- (I) maintain the secrets of work, and divulge no information connected with the work once it is treated and reckoned as confidential by their nature or according to the written instructions issued by the employer;
- (J) notify the place of work with the true data connected with his home address, his social status, his military service situation and the other data required by the Laws and systems to be recorded in his proper register, as well as all variation introduced in any of the foregoing data at the dates determined for that; and
- (K) follow the systems set by the employer for enhancing and developing his skills and experiences, professionally and culturally, or qualifying him to carry out a work in keeping with the technical development in the establishment jointly with the concerned trade union organizations.

#### **Article : 57**

The worker shall be prohibited to do by himself, or through a third party, the following works:

- (A) Keep for himself the original copy of any paper or document concerning the work;
- (B) Work for a third party whether with or without pay, if in carrying out that work, the good performance of his work will be affected adversely, or such work does not agree with the dignity of his work, or it will enable or assist the third party in recognizing the secrets of the establishment or competing with the employer;
- (C) Exercise an activity similar to that being exercised by the employer, during the validity period of his contract, or participate in an activity of that sort, whether in his quality as partner or worker;
- (D) Borrow from the customers of the employer or those exercising an activity similar to that being exercised by the employer. This prohibition shall not apply to borrowing from banks;

- (E) Accept gifts, compensations, commissions, amounts or other objects in any quality whatsoever on the occasion of performing his duties, without the consent of the employer; and
- (F) Collect moneys or donations, distribute pamphlets, solicit signatures, or organize meetings within the place of work without the consent of the employer, subject to the provisions prescribed in the Laws reorganizing the trade unions.

## **Chapter - 2** **Investigation with Workers and** **Their impeachment**

### **Article : 58**

The employer shall set the statute regulating the work and disciplinary sanctions, and indicating the rules on regulation of work and the disciplinary sanctions, duly endorsed by the concerned administrative authority. This authority shall consult the view of the trade union organization to which are attached the workers of the establishment before endorsing the statute. If the administrative authority does not endorse or object to the statute within thirty days from the date of its submission, it shall then be considered as valid and enforced. The concerned minister may issue a decree indicating the model systems of the statutes and sanctions to be consulted by the employers.

The employer, in case of employing ten or more workers, shall put up this statute in a prominent place.

### **Article : 59**

The act for which the worker may be impeached disciplinarily shall conditionally be related to the work.

The sanctions statute shall determine the violations and sanctions prescribed therefor, as provided in article (60) of the present law, in a way realizing the commensurability of sanctions with the violations.

No disciplinary sanction may be imposed on the worker after the lapse of more than thirty days from the date of completing the investigation in the violation.



### **Article : 60**

The disciplinary sanctions that may be imposed on the worker according to the statutes regulating the work and disciplinary sanctions in each establishment shall be as follows:

- 1- Warning;
- 2- Deduction from the wage;
- 3- Deferring the due date of the annual increment for a period not exceeding three months;
- 4- Depriving from part of the annual increment not exceeding its half;
- 5- Postponing the promotion on its accrual for a period not exceeding one year;
- 6- Reducing the wage by at most the amount of one increment;
- 7- Demoting to a position in the lower grade directly, without prejudice to the wage he used to receive; and
- 8- Discharging from the service according to the provisions of the present law.

### **Article : 61**

The employer shall not impose on the worker for the same infraction, a sanction of wage deduction exceeding the wage of five days. Nor shall he deduct from the worker's wage for settlement of the sanctions imposed by him, more than the wage of five days in the same month.

If the employer determines the deduction by a specified percentage of the wage, it shall be considered the daily basic wage of the worker.

### **Article : 62**

The employer shall not impose more than one sanction for the same infraction. Nor shall he combine the deduction of part of the worker's wage, according to the provision of article (61) of the present law, and any financial sanction if the amount deductible accordingly shall exceed the wage of five days in the same month.

### **Article : 63**

The sanction may be toughened if the worker recurs to perpetrating a new infraction of the type of the one he has previously been sanctioned for, in case the new infraction occurs within six months from the date the worker is notified of imposing the previous sanction on him.

### **Article : 64**

No sanction shall be imposed on the worker except after notifying him in writing of the infraction ascribed to him, hearing his statements, actualizing his defense, and recording all that in a report to be deposited in his proper file, providing the investigation shall begin within at most seven days from the date of discovering the infraction. The trade union organization to which the worker is attached may delegate a representative for it to attend the investigation.

In the infractions for which a sanction of warning or wage deduction of not more than one-day pay, the investigation shall be conducted orally, providing its content shall be recorded in the decision to be issued imposing the sanction.

In all cases, the decision issued imposing the sanction shall conditionally be substantiated.

### **Article : 65**

The employer may investigate with the worker, by himself, or he may entrust the investigation process to the legal department or any other person experienced in the subject of the infraction, or any worker in the

establishment providing the functional level of the investigator shall not be less than that of the worker he investigates with.

#### **Article : 66**

The employer may suspend the worker provisionally from his work for a period not exceeding sixty days along with paying his wage in full, if so necessary in the interest of investigation, or if the committee referred to in article (71) of the present Law is requested to discharge him.

#### **Article : 67**

If the worker is charged with committing a crime or a misdemeanor of moral turpitude, or breach of honor or honesty, or committing a misdemeanor within the circle of work, the employer may suspend him provisionally from work, and shall refer the matter to the committee referred to in article (71) of the present Law within three days from the date of his suspension.

The committee shall determine the case referred to it within seven days from the date of its referral. If it approves the suspension, the worker shall be paid half his wage, but in case of non-approving the suspension, the worker's wage shall be paid to him in full from the date of his suspension.

If the concerned authority decides not to bring the worker to criminal trial, or if he is brought to trial and has been acquitted, he shall be returned to work along with settling his full dues; otherwise refusing his return shall be considered an arbitrary discharge.

If it is established that the employer or his representative have concocted the charge against the worker, the rest of his wage shall be paid for the period of suspension.

#### **Article : 68**

The jurisdiction for imposing the sanction of discharge from the service shall lie with the committee referred to in article (71) of the present law.



Imposing the rest of disciplinary sanctions shall be within the power of the employer or the person he delegates for that.

The director of the establishment may inflict the sanction of warning and deduction from the wage for a period of not more than three days.

### **Article : 69**

A worker shall not be discharged unless he commits a serious error. The following cases shall be considered as a serious error:

- 1- If it is established that the worker has assumed a false identity or submitted false documents.
- 2- If it is established that the worker has committed an error resulting in serious damages to the employer, providing the employer shall notify the event to the competent authorities within twenty four hours from the time he learns of its occurrence.
- 3- If, despite warning the worker in writing to observe the instructions necessary to be followed for the safety of workers and the establishment, he repeats non-observing them, providing they are issued in writing and put up at a prominent place.
- 4- If the worker absents himself without legitimate justification more than twenty intermittent days during the same year, or more than ten consecutive days, providing a written warning to the worker by registered letter with acknowledgement of receipt, ten days after his absence in the first case, and five days after his absence in the second case, shall precede his discharge.
- 5- If it is established that the worker has divulged the secrets of the establishment at which he works, leading to the occurrence of serious damages and harms to the establishment.
- 6- If the worker embarks on competing with the employer in the same activity.
- 7- If during the working hours the worker is found to be in a state of plain drunkenness, or affected by the intoxicating substance he used.

- 8- If it is established that the worker has aggressed against the employer or the general director, or also if he commits a serious aggression on any of his superiors during or because of the work.
- 9- If the worker does not observe the controls prescribed in articles (192) to (194) of Book - 4, of the present law.

#### **Article : 70**

If an individual dispute arises concerning the application of the provisions of the present law, each of the worker and the employer may request the concerned administrative quarter within seven days from the date of the dispute settling the dispute amicably. If such settlement is not reached within a period of ten days at most from the date of submitting the request, each of them may resort to the judicial committee referred to in article (71) of the present Law within a period of forty five days at most from the date of dispute, otherwise he shall forfeit his right to submitting the matter to the committee.

#### **Article : 71**

Committees with judicial powers shall be formed by decree of the Minister of Justice in agreement with the concerned authorities, as follows:

- Two judges, of whom the senior judge shall be chairman of the committee according to the rules prescribed by virtue of the Judicial Authority Law;
- The concerned director of the Manpower and Emigration Directorate, or his assigned delegate;
- A member of the Federation of Egyptian Trade Unions; and
- A member of the concerned Employers Organization.

Each committee shall exclusively be concerned with deciding the individual disputes arising from the application of the provisions of the present law. The committee shall decide the dispute submitted to it within sixty days from the date of submitting the dispute thereto.

The committee shall decide the request for discharging the worker within fifteen days from the date of the first session, and its decision shall be final. If it refuses the request it shall obligate the employer to return the worker to his work and pay him the entitlements that were not paid to him.

If the employer does not execute the committee's decision to return the worker at his work, it shall be considered an arbitrary discharge necessitating to compensate the worker according to article (122) of the present law.

The committee shall, in the merits, decide for provisional compensation if the worker requests doing that.

The committee's decision in this case shall be self-executed forthwith, even if an appeal is requested.

The amounts the worker has received in implementation of the committee's decision for suspending execution shall be deducted from the amount of compensation that may be ruled for him, or from any other amounts owing to him with the employer.

If the request for discharging the worker is because of his unionist activity, the committee shall rule returning him to his work, unless the employer establishes that the request for discharging the worker has not been due to his unionist activity.

For any dispute in respect of which no special text is prescribed in the provisions of the Procedure and Evidence Laws in civil and commercial matters shall be followed.

### **Article : 72**

The committee's decision shall be issued with the majority of views and shall be substantiated. It shall be tantamount to a ruling passed by the Court of First Instance. This shall all be after setting the executive wording to it by the clerks office of the concerned Court of First Instance.

The decision issued by the committee may be challenged before the concerned Court of Appeal according to the provisions of the Civil and Commercial Procedure Law.



### **Article : 73**

If by his error and on the occasion of his work, the worker occasions the loss or damage of equipment, machines, materials, or products owned by the employer, or kept in the worker's care, he shall pay the value of the lost or damaged object.

The employer, after carrying out the investigation and notifying the worker, may begin deducting the said amount from the worker's wage, providing the amount deducted for that purpose shall not exceed the wage of five days in the same month.

The worker may complain against the estimation made by the employer, before the committee referred to in article (71) of the present law, and according to the periods and procedures prescribed therein.

If the committee does not rule in favor of the employer for the amount estimated by him for the damage, or if it rules for a lesser amount, the employer shall refund the amount he deducted without legitimate right within seven days from the date of issuing the committee's decision.

The employer shall not collect his dues by deduction from the wage according to the provision of the present article, if the employer's total dues amount to the worker's wage for two months.

### **Article : 74**

The provisions prescribed in the present Part shall not prejudice the guarantees prescribed in the Trade Unions Law for the members of Trade Union Organizations Boards.

### **Article : 75**

The employer shall record the financial sanctions imposed on the workers in a special register, along with indicating the reason for imposing sanctions, the name of the worker and the amount of his wage. He shall also allocate a special account for the sanctions made, and disposition thereof shall be according to the concerned minister's decision as taken in agreement with the General Federation of Egyptian Trade Unions.

## **Part – VI**

### **Organization Of Work**

#### **Article : 76**

The employer shall not deviate from the conditions agreed upon in the individual Labour contract or the collective Labour agreement; nor shall he charge the worker with performing other than the work agreed upon, unless it is necessary to do that to prevent the occurrence of an accident or to repair its consequences, or in the case of a force majeure, providing this shall be a temporary procedure. He may also charge the worker with performing other than the work agreed upon if it does not substantially differ from it, providing the worker's rights shall not be prejudiced.

However, the employer may train the worker and qualify him to perform a different work in keeping with the technical development taking place at the establishment.

#### **Article : 77**

The employer shall establish a file for each worker in which he shall particularly indicate his name, profession, and skill level on joining the work, his home address, his social status, the date of starting his service, his wage, a statement of the developments made in his case, the sanctions imposed on him, an indication of the leaves he obtained, the date of his end of service and its reasons.

He shall keep in the file the investigation records and the reports of his chiefs on his work as prescribed in the statute of the establishment, and any other papers connected with the worker's service. Only those that are legally authorized to review these data shall have access to them.

The employer shall maintain the worker's file for at least one year starting from the date the work relation is terminated.

### **Article : 78**

The employer shall transport the worker from the quarter at which the contract is signed with him to the place of work, and shall return him to the said quarter within three days from the date the work contract is terminated for any of the reasons indicated in the law, unless the worker refuses in writing to return during the said period.

If the employer fails to do that, the concerned administrative quarter shall – if the worker resorts to it at the end of the said period – return him, at its expense, to the quarter where the contract was signed with him, and may then recover the expenses spent by it, through administrative attachment.

### **Article : 79**

If an employer entrusts another employer with carrying out one of his works or part thereof, in the same work area, the latter shall treat his own workers and the workers of the original employer equally in all rights, and shall be jointly liable with him in that.

## **Chapter – 1** **Working Hours And Break Periods**

### **Article : 80**

Subject to the provisions of Law No. 133 of the year 1961 regulating the employment of workers at industrial establishments, the worker shall not be employed in actual Labour for more than eight hours a day, or forty eight hours a week, not including the appropriated meal and rest hours.

The maximum working hours may be reduced by decree of the concerned minister for certain Labour categories, or in certain industries or works to be determined by him.

### **Article : 81**

The working hours shall include one or more break periods, totaling not less than one hour, for meals and rest. In determining this period, care



shall be observed that the worker shall not be made to stay at work more than five continuous hours.

The concerned minister may issue a decree determining the cases or works in which the work shall – for technical reasons or operating conditions – unavoidably continue without a break period. He may also determine the hard or exhausting works during which the worker shall be granted break periods which shall be counted as actual working hours.

#### **Article : 82**

The working hours and break periods shall be organized so that the period between the start and the end of working hours shall not be more than ten hours a day. The break period shall be counted as attendance hours if, the worker stays during it at the place of work.

Workers hired in works intermittent by nature, as determined by a decree of the concerned minister, shall be excepted from that provision, such that the period of their stay at the place of work shall not exceed twelve hours a day.

#### **Article : 83**

The work shall be reorganized at the establishment so that each worker shall have a weekly period of rest of not less than twenty four complete hours after at most six continuous working days. In all cases, the weekly period of rest shall be reckoned as a paid time.

#### **Article : 84**

In exception to the provision of the previous article, in areas lying away from urbanization centers, and at works which by nature or due to the conditions of labour therein, require running the work without interruption, the weekly times of rest entitled to the worker on a period not exceeding eight weeks may be added together, and the work organization and sanctions regulation shall determine the rules for obtaining the weekly days of rest as added together. The establishments where less than ten workers are employed shall set the rules regulating the weekly days of rest as added together in them, according to the decisions to be issued by the establishment.

In computing the account for the period of the weekly days of rest as added together, it shall be observed that the period begins from the hour of the workers' arrival at the nearest site where means of transport are provided and ends at the hour of their return to it.

#### **Article : 85**

The employer may not restrict himself by the provisions prescribed in articles (80, 81, 82, 83, and 84) of the present Law, if running the work continuously is for copying with unusual work exigencies or exceptional conditions, providing in these cases the concerned administrative quarter shall be notified with the justifications for overtime operation of work and the period required for completing the work, along with obtaining a written approval from it.

In this case, the worker shall in addition to his original wage be entitled to a wage for the overtime hours as shall be agreed upon in the individual or collective labour contract, providing such wage shall not be less than the wage the worker is entitled to plus (35%) for the day working hours, and (70%) for the night working hours.

If using the worker takes place on his day of rest, the worker shall be entitled to the equivalent of his wage for that day, and the employer shall grant him another day in lieu of that day of rest during the following week.

In all cases, the actual working hours shall not exceed ten hours per day.

#### **Article : 86**

The employer shall place on the main gates used by the workers for entry, and also on a prominent place in the establishment, a schedule for the weekly day of rest, the working hours, the break periods determined for each worker, and all changes to be introduced in that schedule.

### **Article : 87**

**The provisions of articles (80, 81, 82, and 84) of the present Law shall not apply to the following:**

- 1- The authorized delegates of the employer.
- 2- Workers engaged in preparation and complementation tasks to be accomplished before or following the end of work.
- 3- Workers assigned for guarding and cleaning.

The maximum actual and overtime working hours for the works referred to in items (2 and 3) shall be determined by decree of the concerned minister. An additional wage shall be payable to the workers mentioned in these two items according to the text of article (85) of the present Law.

## **Chapter – 2** **Employment of Woman Workers**

### **Article : 88**

Subject to the provisions of the following articles, all provisions regulating the employment of workers shall apply to woman workers, without discrimination among them, once their work conditions are analogous.

### **Article : 89**

The concerned minister shall issue a decree determining the cases, works, and occasions for which women shall not be employed to work during the period between 7 pm and 7 am.

### **Article : 90**

The concerned minister shall issue a decree determining the works that are unwholesome and morally harmful to women, as well as the works in which women may not be employed to work.



### **Article : 91**

A female worker having spent ten months in the service of the employer or more shall have the right to a maternity leave of ninety days, with a compensation equal to her comprehensive wage, comprising the period before delivery and after parturition, providing she shall submit a medical certificate indicating the date on which delivery most likely took place.

A female worker shall not be required to work during the forty five days following childbirth.

The maternity leave shall not be entitled more than twice throughout the female worker's period of service.

### **Article : 92**

The employer shall be prohibited to discharge the female worker or terminate her service during the maternity leave indicated in the previous article.

The employer may deprive her from the compensation for her comprehensive wage on the leave period, or recover the amount paid by him to her if it is proved that she has worked during the leave with another employer. This shall all be without prejudice to the disciplinary impeachment.

### **Article : 93**

A female worker nursing her child shall – in addition to the determined rest period – have the right during the twenty four months following the date of childbirth to two other periods for breast-feeding, each of not less than a half hour. The female worker shall also have the right to add the two periods together.

These two additional periods shall be counted as working hours, and shall not result in any wage reduction.

#### **Article : 94**

Subject to the provision of the second clause of article (72) of the Child Law as promulgated by Law No. 12 of the year 1996, a female worker in the establishment where fifty workers or more are employed shall have the right to obtain a leave without pay for a period not exceeding two years, to care for her child. This leave shall not be entitled more than twice throughout her service period.

#### **Article : 95**

The employer, in case of employing five female workers or more, shall put up at the places of work or of workers gathering a copy of the women employment system.

#### **Article : 96**

An employer engaging a hundred female workers or more in the same place shall establish a nursery school or assign to a nursery school caring for the female workers' children, according to the conditions and terms to be determined by decree of the concerned minister.

Establishments employing less than a hundred female workers in the same area shall participate in implementing the obligation prescribed in the previous clause according to the conditions and terms to be set by a decree of the concerned minister.

#### **Article : 97**

Female workers engaged in sheer agricultural labour shall be excepted from applying the provisions of the present Chapter.

**Chapter – 3**  
**Employment of Infants/juveniles**

**Article : 98**

In applying the provisions of the present Law, an infant/juvenile shall mean any person reaching fourteen years of age, or past the age of elementary education and not reaching eighteen complete years of age.

An employer appointing an infant/juvenile under sixteen years of age shall grant him a card proving that he works for him. A picture of the infant/juvenile shall be stuck on the card and approved by the concerned manpower office.

**Article : 99**

Employing female and male infants/juveniles not reaching the age of complete elementary education or fourteen years of age, whichever is older, shall be prohibited. However, they may be trained once they reach twelve years of age.

**Article : 100**

The concerned minister shall issue a decree determining the system of employing infants/juveniles, the conditions, terms and cases for their employment, and the jobs, occupations, and industries in which it is prohibited to appoint them, according to the different stages of age.

**Article : 101**

An infant/juvenile shall not be made to work for more than six hours a day, during which one or more break periods totaling not less than one hour shall be granted for meals and rest. Such period(s) shall be specified in a way by which the infant/juvenile shall not be made to work for more than four unbroken hours. An infant/juvenile shall not be made to work overtime hours or be required to come to work on the weekly days of rest and the official holidays.



In all cases, an infant/juvenile shall not be made to work between 7 p.m. and 7 a.m.

### **Article : 102**

*An employer appointing one or more infants/juveniles shall:*

- (A) hang on a prominent place at the location of work a copy comprising the provisions prescribed in the present chapter.
- (B) draw up a statement indicating the working hours and the break periods duly approved by the concerned administrative authority.
- (C) provide the concerned administrative authority with the names of infants/juveniles working with him, the tasks assigned to them, and the names of the persons charged with controlling their work.

### **Article : 103**

The provisions of the present chapter shall not apply to infants/juveniles working in sheer agricultural labour.

## **Part – VII**

### **Termination Of Work Relationship**

#### **Article : 104**

A labour contract concluded with a definite period shall terminate with the expiry of its period.

If the contract is concluded for a period of more than five years, the worker may terminate it without indemnity upon the lapse of five years, after notifying the employer three months before its termination.

The provisions of the previous clause shall apply to cases of terminating the contract by the worker following expiry of the said period.

#### **Article : 105**

Subject to the provisions of article (106) of the present Law, if the period of a labour contract concluded with a definite period expires and its two parties continue to execute it, it shall then be considered by them as renewal of the contract for an indefinite period.

This provision shall not apply to labour contracts with aliens.

#### **Article : 106**

If a labour contract concluded with a definite period terminated with the expiry of its period, it may be renewed by express agreement between its two parties for one or more other periods.

If the original and renewed periods of the contract exceed five years, the worker may terminate it according to the provisions of article (104) of the present Law.

#### **Article : 107**

If the labour contract is concluded for accomplishing a specific work, the contract shall terminate with accomplishing that work. If accomplishing that work lasts for a period exceeding five years, the worker shall not terminate the contract before accomplishing that work totally.

#### **Article : 108**

If a labour contract concluded for accomplishing a specific work expires and its two parties continue to execute the contract following accomplishment of the work, it shall be considered by them as renewal of the contract for an indefinite period.

#### **Article : 109**

If the labour contract concluded for a specific work terminates with accomplishing that work, it may be renewed by express agreement between its two parties for other similar work(s).

If the period for accomplishing the original work and the works for which the contract is renewed exceed five years, the worker may not terminate the contract before accomplishing these works totally.

#### **Article : 110**

Subject to the provision of article (198) of the present Law and the provisions of the following articles, if the labour contract is for an indefinite period, each of its two parties may terminate it on condition of notifying the other part in writing before such termination.

The employer may not terminate this contract except within the limits of the provisions prescribed in article (69) of the present Law, or in case the worker's inefficiency is established according to the provisions of the endorsed regulations.

The worker, in terminating the contract, shall base himself on a legitimate and adequate cause related to his health, social, or economic conditions.



In all cases, the termination shall be observed to take place at a time commensurate with the work conditions.

#### **Article : 111**

The notification shall be given two months before terminating the contract if the worker's uninterrupted period of service with the employer does not exceed ten years, and three months before the contract termination if that period exceeds ten years.

#### **Article : 112**

The notification terminating the contract shall not be made contingent on an abrogating or suspending condition.

The notification period shall begin from the date of its receipt. The worker's service period shall be counted from the date of receiving his work up to the date the notification period will end.

#### **Article : 113**

The notification shall not be addressed to the worker during his leaves, and the notification period shall not be counted except from the day following the end of his leave.

If the worker obtains a sick leave during the notification period, the validity of this period shall be suspended and shall not restart except from the day following the end of that leave.

#### **Article : 114**

The labour contract shall remain existing throughout the notification period and its parties shall execute all the obligations resulting from it. The contract shall terminate with the expiry of that period.

### **Article : 115**

No agreement on exemption from the notification condition or reduction of its period shall be reached. However, agreement may be reached on increasing that period.

The employer may exempt the worker from observing the whole or part of the notification period in case the contract is terminated by the worker.

### **Article : 116**

If the contract termination is notified by the employer, the worker shall have the right to absent himself a full day per week or eight hours during the week, to look for another work, and remain entitled to his wage for that day or the hours of absence.

The worker may determine the day or hours of absence, conditional upon notifying that to the employer at least on the day preceding his absence.

### **Article : 117**

The employer may exempt the worker from his work during the notification period and count his service period as uninterrupted until the termination of the notification period, along with the results occurring particularly the worker's entitlement to his wage for the notification period.

### **Article : 118**

If the employer terminates the labour contract without notification or before the end of the notification period, he shall pay to the worker an amount equivalent to his wage for that period or the part remaining of it.

In this case, the said period or part remaining of it shall be counted within the worker's service period, and the employer shall continue to bear the burdens and obligations ensuing therefrom.

However, if the contract termination is made by the worker, the contract shall terminate from the time he quits the work.

#### **Article : 119**

The worker's resignation shall not be reckoned with until it is submitted in writing. A resigning worker may withdraw his resignation, in writing, within a week from the date the employer notifies the worker of accepting the resignation. In this case, the resignation shall be considered as null and inexistent.

#### **Article : 120**

*The following reasons shall not be considered as legitimate and adequate justifications for termination:*

- (A) Color, sex, social status, family obligations, pregnancy, religion, or political view.
- (B) The worker's affiliation to a union organization, or his participation in a union activity within the context of the limits set by the laws.
- (C) Exercising the quality of workers' representative, former exercise of that quality, or seeking to represent the workers.
- (D) Submitting a complaint, filing an action against the employer, or joining in that, in protest against violating the laws, regulations, or labour contracts.
- (E) Laying garnishment with the employer on the worker's dues.
- (F) The worker's use of his rights to the leaves.

#### **Article : 121**

The worker may terminate the contract if the employer defaults on any of substantial obligations ensuing from the Law, the individual or collective labour contract, or the articles of association of the establishment, or if the employer or his representative commits a hostile act against the worker or a member of his family.



Terminating the contract, in these cases, shall be tantamount to terminating it by the employer without lawful justification.

### **Article : 122**

If either party to the contract terminates it without legitimate and adequate justification, he shall compensate the other party for the harm occasioned to him in consequence of such termination.

If such unjustified termination is by the employer, the worker shall have the right to resort to the committee referred to in article (71) of the present Law requesting a compensation. Such compensation as shall be determined by the committee shall not be less than the wage of two months of the comprehensive wage for each of the years of service.

This shall not prejudice the worker's right to the rest of his legally prescribed dues.

### **Article : 123**

The labour contract shall terminate with the actual or presumptive decease of the employer according to the prescribed legal rules.

The labour contract shall not terminate with the decease of the employer, unless it was concluded for considerations connected with the person of the employer or his activity, which shall be disrupted with his decease.

If the worker dies when being in the service the employer shall pay to his family the equivalent of two complete months' wage to face the funeral expenses, with a minimum of two hundred and fifty pounds. He shall also pay a grant equivalent to the worker's full wage for the month in which he dies and the two following months according to the rules of the Social Insurance Laws.

The employer shall bear the costs of preparing and transporting the dead body to the place from which he had been brought to work, or the place his family requests transporting him to it.

#### **Article : 124**

The labour contract terminates with the worker's total incapacity to perform his work, whatever the cause of that incapacity.

If his incapacity is partial, the work relation shall not terminate with that incapacity until no other work that the worker can perform satisfactorily is established to be available with the employer. The existence or non-existence of that other work shall be established according to the provisions of the Social Insurance Law.

If it is established that there exist that other work, the employer shall transfer the worker to that work upon the worker's request and without prejudice to the provisions of the Social Insurance Law.

#### **Article : 125**

No age less than sixty years shall be determined for retirement.

The employer may terminate the worker's contract if he reaches sixty years of age, unless the contract is for a definite period and its period extends to beyond reaching that age, in which case the contract shall not terminate except with completing its period.

In all cases, the provisions of the Social Insurance Law shall not be violated with regard to the pension entitlement age, and the worker's right to continue working past that age, in order to complete the period required for entitlement to the pension.

#### **Article : 126**

The worker shall be entitled for his work period past the age of sixty to an indemnity at the rate of a half-month's wage for each of the first five years, and one month for each following year, if he is entitled to no rights for that period according to the old age, incapacity, and death insurance provisions prescribed in the Social Insurance Law.

The indemnity prescribed in the previous clause shall be payable for the years of service before the age of eighteen years, to the trainee and the

worker on reaching that age. The indemnity shall be computed on the basis of the last wage paid to him.

#### **Article : 127**

The employer shall not terminate the labour contract due to the worker's sickness, unless the worker has exhausted his sick leaves as determined by the Social Insurance Law, in addition to his frozen annual leaves due to him.

The employer shall notify the worker of his wish to terminate the contract before the lapse of fifteen years from the date the worker has exhausted his leaves.

If the worker recovers before the notification is made, the employer shall be disallowed to terminate the contract due to the worker's sickness.

#### **Article : 128**

A female worker may terminate the labour contract, whether concluded for a definite or an indefinite period, because of her marriage, pregnancy or child-bearing, without affecting her rights as prescribed according to the provisions of the present Law or the Social Insurance Law provisions.

The female worker desiring to terminate the contract for the reasons prescribed in the previous clause shall notify the employer in writing of her wish within three months from the date of contracting the marriage, her established pregnancy, or the date of childbirth, according to each case.

#### **Article : 129**

The employer may terminate the labour contract, even if it is for a definite period, or concluded for accomplishing a specific work, if the worker is finally sentenced to a criminal or custodial penalty in an offense involving moral turpitude, or breach of honor, honesty or public morals, unless the court rules for staying the execution of the penalty.



### **Article : 130**

The employer shall give the worker on terminating his contract and upon his request a free certificate indicating the date he joined the employer's service, the end of service date, the kind of work he performed and the benefits he obtained.

The worker may obtain from the employer a free certificate determining his experience and professional efficiency, during the validity and at the end of the contract.

The certificate may, upon the worker's request, indicate as well the amount of the wage he received and the reasons for terminating the work relationship.

The employer shall return to the worker, on terminating the contract, the papers, certificates, or articles the worker had deposited with him immediately upon his request.

**Book - 3**  
**Vocational Guidance and Training**

**Article : 131**

In applying the provisions of this book the following terms shall denote the meanings indicated next to each of them:

**Vocational guidance:**

Helping the individual in choosing the vocation or the vocational course that suits mostly his abilities, aptitudes, and likings in light of the continuous studies of the labour market, the required vocations, and their constituents.

**Vocational training:**

The means that are apt to enable the individual to acquire and develop the knowledge, skills, and abilities necessary to prepare him for the suitable job.

## **Part – I**

### **Vocational Training Organizations**

#### **Article : 132**

A decree of the President of the Republic shall be issued forming the Higher Council for Development of Human Resources and determining its powers and the system of work in it. The council shall undertake drawing up the national policy for human development planning and setting a national program for its development and optimal use in coordination with the concerned ministries and authorities.

#### **Article : 133**

A Fund with public juridical personality shall be established for finance of training and habilitation. It shall be attached to the concerned minister and provide the finance for establishing, developing and updating the training centers and programs which aim at harmonizing the needs of the local and private labour market.

The Fund shall be concerned with setting the conditions and rules to be followed for the vocational training educational and theoretical programs and periods, and the tests and certificates to be issued in this respect.

The prime minister shall issue a decree forming the board of the Fund under the chairmanship of the concerned minister and determining the system of work in it and in its branches in the governorates, its executive regulations, the system of collecting its resources, the accounting system to be followed, and the system of control on its moneys and property.



### **Article : 134**

The resources of the Fund referred to in the previous article shall be made up of:

- 1- 1% of the net profits of the establishments that are subject to the provisions of the present Law, and the number of workers therein are more than ten workers.
- 2- The resources to be appropriated for it by the State.
- 3- The aid, donations, and gifts the board of the Fund will accept according to the rules to be set in the executive regulations of the Fund.
- 4- The yield of investing the Fund's property and moneys, according to the rules to be set in the executive regulations of the Fund.

The Fund shall have a special account with one of the commercial banks accredited with the Central Bank of Egypt. Its moneys and property shall be forwarded from one financial year to another.

The Fund shall prepare annually the financial statements indicating the financial position, and its moneys and property shall be subject to control by the Central Audit Agency.

## **Part – II**

### **Licensing The Exercise Of Vocational Training Operations**

#### **Article : 135**

No quarter shall exercise the vocational training operations unless it assumes the form of a joint stock company, a partnership limited by shares or a limited liability company. The Higher Council for Development of Human Resources, as prescribed in article (132) of the present Law shall determine the minimum capital of each of these companies according to the kind of activity in which the training operation is exercised.

*The following shall be excepted from the provisions of the previous clause:*

- 1- The trade union quarters and organizations and the non-governmental associations and institutions established according to Law No. 84 of the year 2002 which exercise the vocational training operations at the time of promulgating the present Law.
- 2- Quarters to be established by the units of the administrative machinery of the state, the public authorities, and the local government units.
- 3- Quarters exercising vocational habilitation and training operations for the handicapped.
- 4- Quarters undertaking the training of their workers.

#### **Article : 136**

Exercising the vocational training operations shall be conditional upon obtaining a license therefor from the concerned ministry, with the exception of the quarters prescribed in items (2), (3), and (4) of the second clause of the previous article.

The concerned minister shall issue a decree determining the conditions, rules and procedures of granting the license and recording it in the special register.

A register shall be prepared in the said ministry for recording the quarters to be licensed for exercising the vocational training operations.

Quarters exercising the vocational training operations at the time of promulgating the present law shall obtain the said license within one year from the date the present law comes into effect.

The license shall be abrogated in case of breaching any of its conditions.



## **Part – III**

### **Exercising Vocational Training Operations**

#### **Article : 137**

Quarters authorized to exercise vocational training shall submit the training programs to be set by the concerned agencies at the competent ministry for their approval, along with observing the following:

- 1- The conditions to be fulfilled by the trainees to join the programs, and the training expenses.
- 2- Degree of adequacy of the training operations, in terms of the training subjects and fields, and the number of hours appropriated therefor.
- 3- Levels and types of trainers.
- 4- Level of the skill the trainee acquires following completion of the program.
- 5- Any other conditions to be set by the concerned ministry.

The submitted programs shall be approved within sixty days from the date of their submission. The lapse of this period without notification shall be considered an approval of these programs.

#### **Article : 138**

Trainers exercising vocational training works shall be required to have been licensed for that by the concerned ministry.

The concerned minister shall issue a decree determining the conditions, rules and procedures of granting the license and the cases of its abrogation.

A register shall be provided at the concerned ministry for recording the licensed trainers, and for marking in it the license abrogation cases.

## **Part – IV**

### **Measuring The Skill Level And Licensing The Exercise Of Crafts**

#### **Article : 139**

The quarter exercising vocational training operations shall grant the trainee a certificate indicating that he passed successfully the training program held by it, and indicating the level he has reached.

A decree of the concerned minister shall be issued determining the other data to be indicated in this certificate as well as the provisions on measuring the skill level, the quarters concerned with determining that level, the crafts that are subject to such measuring, the method it is carried out, the requirements to sit for it, the place where it is held in respect of each craft, the certificates granted by the quarters undertaking that procedure, the degrees given for the skill as rated by it, and all data to be recorded in these certificates, along with indicating the fees prescribed for them, such that they shall not exceed forty pounds, and the cases of exemption from that fee.

#### **Article : 140**

Any person desiring to exercise any of the crafts prescribed by a decree of the concerned minister, as referred to in the previous article, shall apply to the concerned administrative quarter for a license qualifying him to exercise the craft.

The employer shall not hire a worker for any of the crafts indicated in the ministerial decree referred to in the previous article, unless the worker has obtained the said license.

A decree to be issued by the concerned minister after consulting the view of the trade union organization, shall determine the conditions, rules, and procedures of granting the said license, the fee determined for it, which shall not exceed forty pounds, and the cases of exemption therefrom.

## **Part – V**

### **Apprenticeship**

#### **Article : 141**

A person joining service with an employer with the aim of learning a vocation or trade shall be considered an apprentice.

The concerned minister shall issue a decree concerning the rules and procedures regulating vocational apprenticeship.

#### **Article : 142**

The agreement for apprenticeship shall be made in writing. It shall determine the period for learning the vocation or trade, its successive stages and the remuneration in each stage, estimated progressively, providing that in the final stage it shall not be less than the minimum wage determined for the category of workers in the vocation or trade of his apprenticeship.

#### **Article : 143**

The employer may terminate the apprenticeship agreement if it is established to him that the apprentice is unfit, or lacks the aptitude for learning the vocation or trade satisfactorily. The apprentice may also terminate the agreement.

As a condition, the party willing to terminate the agreement shall notify his wish to the other party at least three days before terminating it.

#### **Article : 144**

The provisions concerning the leaves, the working hours, and the break periods, as prescribed in articles (47) to (55), and (80) to (87) of the present Law, shall apply to the apprentices.



**Book - 4**  
**Collective Labour Relationships**

**Part - I**

**Consultation And Cooperation**

**Article : 145**

A consultative council for labour shall be formed by a decree of the Prime Minister, comprising in its membership representatives for the concerned quarters, a number of the experienced persons, and representatives for each of the employers / businessmen organizations and workers organizations to be elected by their relevant organizations equally between them. The decree shall define the head of the council and the system of work in it. The council shall in particular assume the following:

- (A) Express the view in draft laws connected with labour relationships.
- (B) Express the view in international labour agreements before signing them.
- (C) Study the subjects connected with vocational and productive relations at the national level.
- (D) Propose the means for strengthening cooperation between labour organizations and employers organizations.
- (E) Propose proper solutions for prevention of collective labour litigations at the national level, particularly in economic crises that lead to interrupting the work of certain projects wholly or partially
- (F) Express the view in subjects referred to it by the concerned ministry.

## **Part – II**

### **Collective Negotiation**

#### **Article : 146**

Collective negotiation is the dialogue and discussions carried out between the trade unions organizations and the employers or their organizations toward:

- (A) Improving labour terms and conditions and employment provisions.
- (B) Cooperating between the labour parties toward realizing social development for workers of the establishment.
- (C) Settling the disputes between the workers and employers.

#### **Article : 147**

Collective negotiation shall be at the level of the establishment, the branch of the establishment, the profession, or the industry. It shall also be at the regional or national level.

#### **Article : 148**

Negotiation in establishments employing fifty workers or more shall be held between representatives of the trade union committee in the establishment as well as the general union, and the employer.

Where no trade union committee exists in the establishment, the negotiation shall be held between the employer and five workers to be elected by the concerned general trade union providing they shall include at least three among the workers of the establishment.

With regard to establishments employing less than fifty workers, the negotiation shall be held between the representatives for the concerned general trade union and the representatives for the concerned employers organization or the employer. The representatives of each party shall be

legally mandated in carrying out the negotiation and concluding the agreement resulting from it.

If one of the parties refuses to begin the collective negotiation procedures, the other party may request the concerned administrative authority to set in motion the negotiation procedures by notifying the businessmen organization or the trade union organization, according to each case, to carry out the collective negotiation on behalf of the refusing party. The concerned organization shall in this case be considered legally mandated in the negotiation and in signing the collective agreement.

#### **Article : 149**

The employer shall provide the data and information concerning the establishment as will be required by the representatives of the trade union organization in the collective negotiations.

The employer or the representatives of the trade union organization may request these data from their organizations, according to each case.

The General Federation of Egyptian Trade Unions, and the employers organizations shall provide all data and information concerning the branch of the activity, the profession, or the industry as necessary for the good process of collective negotiations. The General Federation and the said organizations may request these data and information from the concerned authorities.

It is to be observed in all cases that the required data and information shall be essential and necessary for proceeding with the negotiation.

#### **Article : 150**

The employer shall be prohibited during the negotiation to take procedures or issue decisions connected with the subjects tabled for negotiation, except in case of occurring necessity or urgency. In such case, the procedure or decision shall conditionally be provisional.



### **Article : 151**

The agreement reached through the negotiation shall be recorded in a collective agreement according to the conditions and rules prescribed in the present law regarding the collective labour agreements.

If no agreement results through the negotiation, either party may resort to the concerned administrative authority to try reconciling between them and assist them in reaching an agreement.

## **Part – III**

### **Collective Labour Agreements**

#### **Article : 152**

The collective labour agreement shall be an agreement regulating labour conditions and terms and employment provisions. It shall be signed between one or more trade union organizations and the employer or a group of employers, or one or more of their organizations.

#### **Article : 153**

The collective agreement shall be drawn up in Arabic, and shall be submitted within fifteen days from the date of signing it to the board of the general trade union or the General Federation of Egyptian Trade Unions according to the conditions prescribed in the Trade Unions Law. Its approval by either one shall be with the absolute majority of the board members, and within a period not exceeding thirty days from the date of signing the agreement.

The default of any of the foregoing conditions shall result in invalidating the agreement.

#### **Article : 154**

All provision set forth in the collective agreement contradicting the provisions of the law or public order or the public morals shall be null and void.

In case a provision in the individual labour contract contradicts the counterpart provision in the collective agreement, the provision realizing a better benefit to the worker shall exclusively apply.

#### **Article : 155**

Signing the collective agreement shall be for a determined period not exceeding three years or for the period necessary for executing a specific

project. If in the latter case the period exceeds three years, the two parties to the agreement shall negotiate to renew it every three years in light of the economic and social conditions that might take place.

The procedures prescribed in article (156) of the present law shall be followed concerning the renewal.

#### **Article : 156**

The two parties to the agreement shall follow the course of collective agreement for its renewal, three months before expiry of its period. If the latter period lapses without agreeing on the renewal, the validity of the agreement shall extend for a period of three months and negotiation shall continue for its renewal. If two months lapse without reaching an agreement, either party to the agreement may then bring the matter before the concerned administrative authority to take steps as necessary toward following the mediation procedures according to the provisions of article (170) of the present law.

#### **Article : 157**

The employer shall put up on a prominent place at the lieu of work the collective agreement comprising its texts, those signing it, and the date of depositing it with the concerned administrative authority.

#### **Article : 158**

The collective agreement shall be operative and binding to its parties after depositing it with the concerned administrative authority and publishing such deposition in the Egyptian Wakaych / Government Bulletin shall comprise a summary of the agreement provisions.

The concerned administrative authority shall put the agreement on record within thirty days from the date of its deposition with the authority, and publish the recorded entry according to the provisions of the first clause.

It may, within the said period, object to the agreement, refuse recording it, and notify the parties to the agreement of its objection, refusal, and reasons thereof, by registered letter with acknowledgement of receipt.

If the said period lapses and the administrative authority does not record, publish or object, it shall proceed with recording and publishing the agreement according to the foregoing provisions.

#### **Article : 159**

If the concerned administrative authority refuses recording the agreement according to the provisions of the previous article, each of the parties to the agreement may resort to the Court of First Instance within the circuit of which lies the place of work, and request recording the agreement according to the usual procedures of filing the action, within thirty days from the date of notifying the refusal.

If the court rules for recording the agreement, the concerned administrative authority shall effect the entry in the special register and publish the summary of the agreement in the Egyptian Wakayeh / Government Bulletin free of charge.

#### **Article : 160**

The trade union organizations, the employers and their organizations, other than the parties to the collective agreement, may join the agreement after its publication in the Egyptian Wakayeh / Government Bulletin, upon the request of the two parties desiring to join it without need for the approval of the two original parties to the agreement.

Joining the agreement shall be through submitting a request signed by the two parties to the concerned administrative authority.

#### **Article : 161**

The concerned administrative authority shall mark in the margin of the register the different steps introduced in the collective agreement comprising renewal, joining, modification, and publishing a summary of the said marking steps in the Egyptian Wakayeh / Government Bulletin, within fifteen days from the date of occurrence of these steps.



#### **Article : 162**

The two parties to the collective agreement shall implement it in a way commensurate with good faith exigencies, and refrain from carrying out any deed or procedure liable to impede implementing its provisions.

#### **Article : 163**

In case exceptional and unforeseen conditions occur and their occurrence results in rendering the implementation of the agreement or one of its provisions encumbering to one of its parties, the two parties shall then follow the course of collective negotiation to discuss these conditions and reach an agreement realizing a balance between their interests.

If the two parties fail to reach agreement, either one may submit the matter to the concerned administrative authority to take steps as necessary toward following mediation procedures according to the provisions of article (170) of the present law.

#### **Article : 164**

Each of the two parties to the collective agreement, and also any interested worker or employer may request a court ruling for implementing any of the agreement provisions, or compensation for non-implementation, against the party refraining from implementation or contravening the obligations prescribed in the agreement. A ruling for compensation shall not be passed against the trade union organization or the employers organization unless the act resulting in the damage for which the compensation is payable was issued from the board of the organization or its legal representative.

#### **Article : 165**

The trade union organization and the employers organizations that are party to the collective agreement may file in the interest of any of their members all the actions resulting from violating the provisions of the agreement, without need for a retainer for that from him.

A member in whose interest the action is filed by the organization, may intervene in it. He may also file this action originally, independently from it.

#### **Article : 166**

Litigations concerning any of the collective agreement provisions shall be subject to the procedures the two parties will agree upon in the agreement.

If no such procedures are prescribed in the agreement, these litigations shall be subject to the provisions concerning the settlement of the collective labour litigations as prescribed in Book (4), Part (IV) of the present law.

#### **Article : 167**

The concerned ministry shall establish an administrative unit to be concerned with the negotiations and collective agreements affairs, and controlling their application.

The concerned minister, in agreement with the workers organizations and employers organizations shall issue a decree determining the levels and subjects of collective negotiation, and the procedures to be followed in its respect at the national and regional levels as well as the lower levels.

The concerned minister shall issue a decree comprising a model collective labour contract to be consulted by the parties to the negotiation.

## **Part – IV**

### **Collective Labour Litigations**

#### **Article : 168**

Subject to the right of judicial litigation, the provisions of the present part shall apply to all litigation arising between an employer or a group of employers and all workers or a team of them in connection with work conditions, terms or employment provisions.

#### **Article : 169**

In case a dispute of those prescribed in the previous article arises, its two parties shall enter in a collective negotiation to settle it amicably.

#### **Article : 170**

If the dispute is not settled wholly within thirty days from the date of beginning the negotiation, the two parties or either one, or those representing them may submit a request to the concerned administrative authority to take mediation procedures in respect thereof.

#### **Article : 171**

A list of mediators to be issued by decree of the concerned minister in consultation with the General Federation of Egyptian Trade Unions and employers organizations shall be provided at the concerned ministry.

A decree of the concerned minister shall be issued determining the conditions for entry in the list of mediators.

#### **Article : 172**

The dispute mediator to be selected from the list of mediators shall fulfill the following requirements:

- (A) He shall be well experienced in the subject of the dispute.
- (B) He shall have no personal interest in the dispute.
- (C) He shall not have previously participated in any form in studying the dispute or trying to settle it.

The concerned administrative authority shall determine, on the occasion of each dispute, the quarter(s) that will bear the mediation costs, and the period during which the mediator shall terminate his mission shall amount to a maximum forty five days.

### **Article : 173**

The two parties shall elect the mediator from among those recorded in the list of mediators prescribed in article (171) of the present law and notify the concerned administrative authority with him, within eight days from the date of submitting the request. This authority shall notify the mediator they have chosen.

If it transpires to this quarter that the elected mediator lacks any of the conditions prescribed in article (172) of the present law, or the period referred to in the previous clause has expired without the two parties selecting the mediator, the concerned administrative authority shall appoint him from among those recorded in the said list, within the next ten days.

### **Article : 174**

The mediator's mission shall begin from the date he is notified of being chosen or appointed by the concerned administrative authority. The papers concerning the dispute shall be attached to the notification.

The mediator shall accomplish his mission within the period determined for him according to the provision of article (172) of the present law. In performing his mission, he may seek the assistance of whoever is necessary among those experienced.



#### **Article : 175**

The mediator shall have all powers toward examining the dispute and thoroughly cognizing its elements. He may in particular hear the two parties to the dispute and review the relevant necessary documents. The two parties shall submit to the mediator the data and information that will help him in performing his mission, as requested by him.

#### **Article : 176**

The mediator shall exert his endeavors to narrow the viewpoints of the two parties. If he fails in realizing that end, he shall submit to the two parties, in writing, the recommendations he suggests for settling the dispute.

#### **Article : 177**

If the two parties accept the recommendations submitted by the mediator, or part thereof, it shall be recorded in an agreement to be signed by the two parties and the mediator.

Refusing the said recommendations, wholly or partly, by both parties or one of them, shall be substantiated. The mediator may in this case grant a period of maximum three days to the party refusing the recommendations, to change his refusal, before the mediator submits his report to the concerned administrative authority.

#### **Article : 178**

The mediator shall, within one week from the expiry date of the period referred to in the previous article, submit a report to the concerned administrative authority comprising a summary of the dispute, a substantiated statement of the recommendations reached by him, and their acceptance or refusal by the two parties or one of them, as well as the reasons of the refusal.

#### **Article : 179**

If the two parties or one of them refuses the recommendations submitted by the mediator, either party may then submit to the concerned administrative authority a request for taking the arbitration procedures.

#### **Article : 180**

The request for arbitration, as submitted by the employer, shall be signed by him or by his authorized deputy.

If the request is made by the workers, it shall be submitted by the head of the trade union committee (if any) or by the concerned general trade union. This shall all be following approval of the board of the general trade union.

The concerned administrative authority shall refer the file of the dispute to the arbitration panel, within two days from the date of submitting the request.

#### **Article : 181**

Either party to the dispute in the strategic and vital establishments referred to in article (194) of the present law, in case of non-settling the dispute amicably through negotiation, may request the concerned administrative authority to refer it directly to the arbitration panel, without following the course of mediation. A memorandum explaining the subject of the dispute shall be attached to the request.

The concerned administrative authority shall refer the dispute to the arbitration panel within at most one week from the date of submitting the request for arbitration.

#### **Article : 182**

##### **The arbitration panel shall be formed of :**

- 1- One of the courts of appeal circuits, as determined at the beginning of each judicial year by the general assembly of each court, and within

the area of its jurisdiction lies the head office of the establishment. The chief of that circuit shall be the head of the arbitration panel.

- 2- An arbiter for the employer.
- 3- An arbiter for the trade union organization to be elected by the concerned general trade union.
- 4- An arbiter for the concerned ministry to be elected by the concerned minister.

Each of the employer, the trade union organization, and the concerned ministry shall elect a standby arbiter to substitute the original arbiter in case of his absence.

### **Article : 183**

The arbitration panel within the area of jurisdiction of which lies the head office of the establishment shall assume the examination of the dispute. Where no special provision in respect of that dispute is prescribed in this part, the provisions of the Arbitration Law in civil and trade matters and of the Civil and Commercial Procedure Law shall apply.

### **Article : 184**

The head of the arbitration panel shall determine a session for examination of the dispute, the date of which shall not exceed fifteen days from the date the panel receives the file of the dispute. The members of the panel, the representative of the concerned ministry, and the two parties to the dispute shall be notified with the scheduled session at least three days before its date, by registered letter with acknowledgement of receipt.

### **Article : 185**

The arbiter, before assuming his work, shall take the oath before the head of the arbitration panel, that he shall perform his mission honestly and truthfully.



### **Article : 186**

The arbitration panel shall decide the dispute tabled before it within a period not exceeding one month from beginning its examination. The panel may decide hearing the witnesses, delegating the people of experience, surveying the places of work, reviewing all documents concerning the dispute, and taking the procedures enabling it to decide the dispute.

### **Article : 187**

The arbitration panel shall apply the laws in force. Where there is no legal text applicable, the judge shall rule by virtue of judicial usage and custom. If no such usage exists, he shall rule according to the principles of the Islamic Law, and where no such principles exists, he shall rule by virtue of the principles of the natural law and the rules of justice according to the economic and social conditions prevailing in the area of the establishment.

The arbitration award shall be issued with the majority of views. In case of equal voting the head of the panel shall have the casting vote which shall be substantiated and the arbitral award shall in this case be tantamount to a ruling passed by the court of appeal after footing it with the executive wording.

### **Article : 188**

The arbitration panel shall notify each of the two parties to the dispute with a copy of the arbitrament, by registered letter with acknowledgement of receipt, within three days from the date of passing the arbitration award.

The panel shall send the file of the dispute, after notifying its parties, to the concerned administrative authority, for recording the pronouncement in a special register. Each interested party shall in this case have the right to obtain a copy of that arbitrament.

Each of the two parties to the dispute may challenge the arbitrament before the court of cassation.



In the notification and contestation the conditions, terms and procedures prescribed in the Arbitration Law in civil and commercial matters shall be followed.

#### **Article : 189**

The rules concerning the correction and explanation of pronouncement as prescribed in the Arbitration Law in civil and commercial matters shall apply to the arbitrations passed by the arbitration panel.

#### **Article : 190**

The arbitration panel shall be concerned with examining the complications in execution of the arbitrations passed by it, according to the rules prescribed in the Arbitration Law in civil and commercial matters.

The Minister of Justice shall issue a decree in agreement with the concerned minister determining the number of the arbitration panels within the jurisdiction area of each court of appeal. The general assemblies of these courts shall determine at the beginning of each judicial year the circuits entering in the formation of these panels.

The said decree shall comprise the determination of the sessions attendance allowance for arbiters of the employers, the trade union organization, and the concerned ministry.

#### **Article : 191**

With the exception of the strategic and vital establishments referred to in article (194) of the present law, the employer or the trade union organization - in case none of them accepts the recommendations reached by the mediator in the dispute arising between them - may agree on resorting to the private arbitration instead of the arbitration panel prescribed in this part.

The two parties shall determine in the arbitration document signed by them the subject of the dispute and the conditions and procedures to be followed in the private arbitration and the number of arbiters, providing their number shall be an odd number.

The arbitration award shall bind the two parties after the arbiter(s) deposit the original arbitrament and the original arbitration document with the clerks office of the court within the area of jurisdiction of which lies the head office of the establishment. This arbitrament shall be executable by virtue of a warrant to be issued by the justice of the execution at the court where the original arbitrament is deposited with its clerks office upon the request of any of the interested parties.

The justice of the execution shall be concerned with all matters connected with executing the arbitration award.

The provisions prescribed in the Arbitration Law in civil and commercial matters shall apply where this article and the arbitration document are void of relevant applicable provisions.

### **Article : 192**

The workers shall have the right to stage a peaceful strike. The strike shall be announced and organized through their trade union organizations in defense of their vocational, economic and social interests, within the limits and according to the controls and procedures prescribed in the present law.

In case the workers of the establishment that has a trade union committee intend to stage a strike where it is allowed by the present law, the trade union committee shall - following approval of the board of the concerned general trade union with the majority of two thirds of its members - notify each of the employer and the concerned administrative authority, at least ten days before the date determined for the strike, by registered letter with acknowledgement of receipt.

If the establishment has no trade union committee, the notification of the workers' intention to stage the strike shall be sent to the concerned general trade union, and the latter shall - following approval of its board of directors with the majority prescribed in the previous clause - attend to sending the said notification.

In all cases, the notification shall comprise the reasons prompting to the strike and the time-limit determined for it.

### **Article : 193**

Workers shall be prohibited to stage or announce the strike through their trade union organizations with the aim of modifying the collective labour agreement during its validity period, and also during all stages and procedures of mediation and arbitration.

### **Article : 194**

Staging or calling for a strike shall be prohibited in the strategic or vital establishments where interrupting the work therein will result in disturbing national security or the basic services provided by them to the citizens.

A decree of the prime minister shall be issued determining these establishments.

### **Article : 195**

The strike referred to in article (192) of the present law shall result in counting the period of which as a leave to the worker without wage.

### **Article : 196**

The employer, for economic necessities, shall have the right to close down the establishment wholly or partially, or shrink its size or activity which might affect the size of labour therein, according to the conditions, terms and procedures prescribed herein in the present law.

### **Article : 197**

In applying the provisions of the previous article, the employer shall submit a request for closing down the establishment or shrinking its size or activity, to a committee to be formed for that purpose.

The request shall comprise the reasons it is based on in doing that, as well as the numbers and categories of workers to be dispensed with.



The committee shall issue its decision duly substantiated within at most thirty days from the date the request is submitted to it. If the decision is issued accepting the request, it shall comprise an indication of the date of its execution.

The concerned party may complain against that decision before another committee to be formed for that purpose. The complaint against the decision accepting the request shall result in staying its execution.

A decree of the prime minister shall be issued forming each of the said two committees and determining their powers, the quarters represented on them, the procedures to be followed before them, and the dates and procedures of submitting the complaint.

It shall be observed that the formation of each of the two committees shall comprise a representative of the concerned trade union organization to be nominated by the General Federation of Egyptian Trade Unions, and a representative of the employers organizations to be nominated by the organization concerned with the activity of the establishment.

#### **Article : 198**

The employer shall notify the workers and the concerned trade union organization of the request submitted by him and the decision issued for total or partial closure of the establishment or shrinking its size or activity.

The said decision may be executed effective the date to be determined by the committee examining the request or the complaint, according to each case.

#### **Article : 199**

In case of partial closure or shrinking the size or activity of the establishment, if the collective agreement in force at the establishment does not comprise the objective criteria for choosing the workers to be dispensed with, the employer shall in this respect consult with the trade union organization, after the issue of the decision and before its execution. The seniority, family burdens, age, and vocational abilities and skills of the workers shall be within the criteria that may be drawn upon in this respect.



In all cases, these criteria shall observe balancing between the interests of the establishment and those of the workers.

#### **Article : 200**

The employer shall be prohibited to submit the request for total or partial closure of the establishment or shrinking its size or activity during the stages of mediation and arbitration.

#### **Article : 201**

Subject to the provision of article (198) of the present law, and in the cases where the employer has the right to terminate the labour contract for economic reasons, he may - instead of using that right - modify the conditions of the contract temporarily. He may in particular charge the worker with performing a work not agreed upon, even if it differs from his original work. He may also reduce the wage of the worker up to not less than the minimum wages.

If the employer modifies the conditions of the contract according to the previous clause, the worker may terminate the labour contract without being committed to send a notification. The termination of the contract in this case shall be considered a substantiated termination on the part of the employer, and the worker shall be entitled to the compensation prescribed in the following clause.

In terminating the contract for economic reasons according to the procedures indicated in articles (196) to (200) of the present law, the employer shall pay to the worker whose contract he terminated a compensation equivalent to the comprehensive wage of one month for each of the first five years of service, and one and a half months for each year after the first five years.

**Book - 5**  
**Vocational Safety And Health And**  
**Ensuring Labour Environment Security**

**P**art – I

**Definitions And Range Of Application**

**Article : 202**

In applying the provisions of this Book, the following expressions shall denote the meanings indicated next to each of them:

1. **Work injury, vocational diseases and chronic diseases:**

The definitions prescribed in the Social Insurance Law and its executive decrees.

2. **Establishment:**

Any project or utility owned or managed by a public or private law person.

3. **Establishment in applying the provisions of Part (IV) of this Book :**

Any project or utility owned or managed by a private law person.

**Article : 203**

The provisions of this Book shall apply to all work sites, establishments and their branches whatever their kind or attachment, whether they are inland or offshore.

They shall also apply to water surfaces of all kinds, and the different means of transport.

## **Part – II**

### **Work Sites, Installations And Licenses**

#### **Article : 204**

In choosing the sites of work, establishments and their branches, and in granting their relevant licenses, the environment protection exigencies shall be observed according to the provisions of legislations issued in this respect.

#### **Article : 205**

A central committee shall be formed at the Ministry of Industry under the chairmanship of the head of the concerned central department in that ministry with the membership of each of the concerned heads of central department at the ministries of Manpower, Emigration, Housing, Health, Water Resources and Irrigation, Electricity, Interior, and Environmental Affairs.

A decree forming this committee shall be issued by the competent minister in agreement with the concerned ministers. This committee shall be concerned with the following:

1. Set the criteria and conditions for granting licenses of the industrial stores and establishments as set up or managed by the ministries or the public authorities and their affiliated economic units, or the public business sector or public sector companies.
2. Approve taking the procedures of granting the licenses for said the stores and establishments, providing the licenses shall be issued from the concerned local department units, subject to the provisions of the laws issued in that respect.

#### **Article : 206**

A committee shall be formed in every governorate under the chairmanship of the governorate's general secretary with the membership

of the ministries' representatives in the different governorates referred to in the previous article.

A decision of the concerned governor shall be issued forming this committee which shall be concerned with the following:

- (A) Follow up taking procedures of granting the licenses to the stores and establishments referred to in the said article, and executing the conditions set by the central committee in this respect.
- (B) Grant the approvals and the issue of licenses with regard to the stores and establishments of the investment sector, with the same criteria and conditions as set by the central committee.

### **Article : 207**

A local committee shall be formed at the level of each post, city, and district, comprising the representatives of the agencies in charge of housing, manpower, emigration, health, electricity and environmental affairs in the local units.

A decision of the concerned head of the local unit shall be issued forming this committee which shall exclusively be concerned with the following:

- (A) Granting approvals and issuing licenses to the stores and installations affiliated to the private sector, with the exception of the small stores and establishments as determined by a decree of the Minister of Housing specifying the conditions of their establishment.
- (B) Determining the special conditions to be fulfilled by the store or establishment subject of the license request, and ensuring the fulfillment of these conditions before issuing these licenses.

Granting the licenses to the stores and establishments to which the licenses are issued from other quarters shall require the approval of the vocational safety and health agencies of the Ministry of Manpower and Emigration before issuing these licenses and in carrying out any modifications therein.



## **Part – III**

### **Ensuring Labour Environment Security**

#### **Article : 208**

The establishment and its branches shall provide the means of vocational safety and health and ensuring labour environment security in places of work by which to ensure protection from physical risks resulting in particular from the following:

- (A) Severity and intensity of heat and chilliness;
- (B) Noise and vibrations;
- (C) Lighting;
- (D) Harmful and dangerous radiations;
- (E) Atmospheric pressure changes;
- (F) Static and dynamic electricity; and
- (G) Explosion risks.

#### **Article : 209**

The establishment and its branches shall take all precautions and measures as necessary to provide the means of vocational safety and health and ensuring labour environment security for protection from mechanical dangers resulting from colliding the worker's body with a solid body, particularly the following:

- (A) All danger arising from work tools and machines comprising tagging and lifting equipment, articles, apparatuses, and means of transport, handling and power transmission.
- (B) All danger arising from construction, building, and digging works, and risks of collapse and downfall.

### **Article : 210**

The establishment and its branches shall take all protection means for its workers from the danger of infection with bacteria, viruses, fungi, parasites and the rest of biological risks, once the nature of work exposes the workers to the conditions of infection therewith, particularly the following:

- (A) Dealing with infected animals, their products and their wastes; and
- (B) Mixing with sick people and carrying out care services for them including medical analyses and examinations.

### **Article : 211**

The establishment and its branches shall provide means of protection from chemical dangers resulting from dealing with solid, liquid, and gaseous chemical substances, subject to the following:

- (A) The highest concentration permissible in the chemical materials and the cancer causing materials to which the workers are exposed shall not be exceeded.
- (B) The dangerous chemical materials stock shall not exceed the threshold quantities for each of them.
- (C) Providing the necessary precautions for protection of the establishment and workers on transporting, storing, handling and using the dangerous chemical materials and disposing of their wastes.
- (D) Keeping a register for limiting the dangerous chemical materials being handled, comprising all data concerning each material, and a register for recording the status of work environment and exposure of the workers to the danger of chemicals.
- (E) Placing labels for recognizing all chemical materials handled at work, and indicating their scientific and trade name, their chemical composition, their degree of dangerousness, the safety precautions, and the relevant emergency procedures. The establishment shall obtain the data mentioned in these materials from the suppliers upon supplying them.

- (F) Training the workers in dealing with the dangerous chemical materials and the cancer causing substances, and enlightening and acquainting them with their dangers and with the methods of safety and protection from these dangers.

#### **Article : 212**

The establishment and its branches shall provide the means of protection from the negative risks arising from and the aggravation of the harm or danger through the failure to provide them, like the means of rescue, the first aid, and the clean-up, arrangement and organization of the places of work, along with ensuring that the workers in places of food cooking, meal serving, and having drinks carry health certificates indicating that they are free of epidemic and contagious diseases.

#### **Article : 213**

The concerned minister shall issue a decree indicating the limits of safety and the necessary conditions and precautions for preventing the risks defined in articles (208), (209), (210), (211), and (212) of the present law, after consulting the view of the concerned authorities.

#### **Article : 214**

The establishment and its branches shall take the necessary precautions and conditions for protection from fire risks as determined by the concerned quarter at the Ministry of Interior, and according to the nature of the activity exercised by the establishment, and the physio-chemical properties of the materials used and produced, subject to the following:

- (A) All fire-fighting and extinguishing equipment and tools being used shall conform to the Egyptian standard specifications.
- (B) Developing the fire-fighting and protection equipment by using the latest methods, and providing alarm, early warning, cautioning, protective insulation, and automatic fire extinguishing equipment whenever necessary, according to the nature of the establishment and its activity.



### **Article : 215**

The establishment and its branches shall carry out an evaluation and analysis of the risks and of the expected industrial and natural disasters, and prepare an emergency plan for protection of the establishment and its workers in the event of an occurring disaster, providing the effectiveness of this plan shall be tested, and practical drills shall be conducted on it to ascertain its efficiency and train the workers to face its requirements.

The establishment shall notify the concerned administrative authority with the emergency plan and any modifications introduced therein, and also in case of storing or using dangerous materials.

In case the establishment refrains from implementing the procedures necessitated by the foregoing provisions and the decrees enforcing them, within the dates determined by the concerned administrative authority, and in case a danger to the health or safety of the workers suddenly emerges, this authority may order closing down the establishment totally or partially, or stopping one or more machines until the causes of the danger disappear.

The decree issued for closing down the establishment, or stopping the machines shall be executed through administrative channels, subject to the workers' right to receiving their full wages during the period of closure or stoppage.

The concerned administrative authority may remove the causes of the danger by direct execution at the cost of the establishment.



## **Part – IV**

### **Social And Health Services**

#### **Article : 216**

Subject to the provisions of the Social Insurance Law, the establishment and its branches shall carry out the following:

- (A) Medically examining the worker before joining the work to ascertain his safety and health fitness pursuant to the type of work to be assigned to him.
- (B) Examining his abilities, to ascertain the worker's fitness from the point of view of his physical, mental and psychological abilities to ensure his fitness to work demands.

These examinations shall be carried out according to the health insurance regulating provisions. The concerned minister, in agreement with the Minister of Health, shall issue a decree determining the levels of fitness and health safety, as well as the mental and psychological abilities on the basis of which these examinations are carried out.

#### **Article : 217**

**The establishment and its branches shall undertake the following:**

- (A) Training the worker on sound bases for the performance of his vocation.
- (B) Informing the worker, before exercising his work, of the risks of his vocation, and compelling him to use the means of protection determined therefor, along with providing the proper personal protection tools and training him in using them.

The establishment shall not charge any costs to the worker or deduct any amounts from his wage against providing the means of protection necessary for him.

### **Article : 218**

The worker shall use the protection means and articles, undertake to maintain with care all that is kept of them with him, and to implement the instructions issued for the maintenance of his health and for his protection from work accidents. He shall not commit any act intended to prevent implementing the instructions, or abuse, change, or cause any damage or harm to the means placed for the safety and protection of the workers employed with him, without prejudice to what is imposed by any other law in this respect.

### **Article : 219**

*The establishment and its branches shall undertake the following procedures:*

- (A) Carry out the daily periodical inspection on the places of work in each shift, especially the dangerous ones, in order to discover the vocational risks and work on protection therefrom.
- (B) The doctor of the establishment (if any) shall examine the sickness complaint of the worker and know its connection with the type of work.
- (C) Coordinate with the Health Insurance Authority for carrying out the periodical medical examination for all workers of the establishment, to continuously maintain their health fitness and safety, discover the vocational diseases appearing in their first stages, and carry out the medical examination at the end of service. This shall all be according to the health insurance systems prescribed in this respect.

### **Article : 220**

The establishment shall provide the first aid means for its workers.

If the number of the establishment's workers in the same place, or the same town, or in a circle with a radius of fifteen kilometers exceeds fifty workers, the establishment shall employ one or more qualified male nurses for nursing or first aid services in each shift of work at the establishment, charge a doctor to visit them at the place provided by the

establishment for that purpose, and give them the medicines necessary for treatment free of charge.

If the worker in the two cases prescribed in the two previous clauses, is treated at a governmental or charity hospital, the establishment shall pay to the hospital management the costs of the patient's medical treatment, medicines, and stay at the hospital.

In determining the costs of treatment, medicines, and stay at the hospital, as prescribed in the previous clauses, the methods and terms to be issued by decree of the concerned minister in agreement with the Minister of Health shall be followed.

### **Article : 221**

An employer hiring workers in remote areas in which the normal means of transportation does not reach shall undertake the responsibility of providing them with appropriate means of transportation.

An employer hiring workers in areas lying away from urbanization shall provide them with suitable food and proper dwellings along with appropriating some of these dwellings for the married workers.

The concerned minister, in agreement with the concerned ministers, the General Federation of Egyptian Trade Unions, and the employers organizations shall issue the necessary decrees for determining the areas lying away from urbanization, and the conditions and specifications of the dwellings, and defining the kinds of food, the quantities to be offered thereof to each worker, and the amounts to be paid by the employer for them.

With regard to the food meals prescribed in the previous clause, a system approved by the management of the establishment and its workers or their representatives may be applied providing it shall be endorsed by the concerned administrative authority, and the system shall not comprise substituting these meals wholly or partially in return for any monetary payment.



### **Article : 222**

An establishment where the number of workers is fifty or more shall provide the necessary social and cultural services to its workers, in contribution with the trade union committee (if any) or with representatives for the workers to be elected by the concerned general trade union.

A decree shall be issued by the concerned minister - following approval of the General Federation of Egyptian Trade Unions - determining the minimum limit for these services.

### **Article : 223**

A Fund for social, health, and cultural services at the national level shall be established at the concerned ministry.

All establishment where the number of workers is twenty or more shall pay an amount of not less than five pounds annually on each worker to finance that Fund.

The concerned minister shall issue a decree determining the said services and the amount each establishment shall pay, which shall not be less than the said minimum amount. This shall all be in agreement between the General Federation of Egyptian Trade Unions and the employers organizations.

The concerned minister shall also issue a decree forming the board of the Fund, along with observing in its formation the three-man representation on the basis of each quarter's nomination of its representative.

The concerned minister shall as well issue a decree concerning the fund's financial and administrative regulations, and comprising in particular the method of disposal of the proceeds of the said amounts and its related procedures.



## **Part – V**

### **Inspection In The Field Of Vocational Safety And Health And Labour Environment**

#### **Article : 224**

Subject to the provisions prescribed in Book (6) of the present law, the concerned administrative authority shall undertake the following:

1. Preparing a specialized agency for inspection on the establishments, to be formed of members fulfilling the necessary scientific qualifications and experience in the fields of medicine, engineering, science, and others.

The said agency shall assume controlling the implementation of the provisions of vocational safety and health and labour environment, and inspection on the places of work shall take place within suitable periodical periods.

2. Organizing specialized and specific training programs for enhancing the efficiency and performance level of the members of the inspection agency referred to in the previous clause, and providing them with the developed technical experiences whereby to guarantee the best levels of vocational safety and health and labour environment.
3. Providing the said inspection agency with measuring instruments and equipment and all potentials necessary for performing its mission.

Inspecting the establishments the work of which is connected with national security and which shall be determined by a decree of the prime minister, by means of the quarter to be defined in that decree.

#### **Article : 225**

Toward performing their work, the Vocational Safety and Health and Labour Environment Inspection Agency members may:

- (A) effect certain necessary medical and laboratory examination on workers in the establishments to ascertain the fitness of work conditions.
- (B) take samples of the substances used or handled in the industrial processes and which might have a harmful effect on the workers' safety and health or the labour environment, with the aim of analyzing them and recognizing the effects of using and handling them, and inform the establishment of such steps and results to take the relevant necessary procedures in that respect.
- (C) use the equipment, instruments, cameras and others for analyzing the causes of accidents.
- (D) review the emergency plan and analyze the risks of the establishment.
- (E) review the results of technical and administrative reports received by the establishment on the kinds and causes of grave accidents.
- (F) review the quantities of dangerous materials in stock which pose a threat to the establishments.

The concerned administrative authority may, based on the report of the Vocational Safety and Health and Labour Environment Inspection Agency, order closing down the establishment totally or partially, or stopping the use of one or more machines, in case of a sudden emergency of a danger threatening the safety of the establishment, the workers' health or the safety of labour environment, pending disappearance of the causes of danger.

The closure and stoppage order shall be executed by administrative channels.

The said authority shall issue the closure or stoppage canceling order upon removal of the causes of danger.

#### **Article : 226**

The inspection right, with regard to the vocational safety and health, and labour environment conditions set forth in the licenses, for the vocational safety and health and labour environment inspectors shall be in accordance with the provisions of the laws and decrees regulating them.

## **Part – VI**

### **Regulating the Agencies for Vocational Safety And Health And Ensuring Labour Environment Security In the Establishments**

#### **Article : 227**

The concerned minister shall issue the decrees necessary for determining the establishments and their branches which shall undertake the institution functional agencies for vocational safety and health and ensuring labour environment security, the relevant concerned committees and the quarters to be assigned by the training process in these fields. These decrees shall determine the rules to be followed in this respect.

- The said committees shall be concerned with studying the conditions of work, the causes of accidents and injuries, the vocational diseases and others, and shall lay the rules and precautions capable to prevent them. The decisions of these committees shall bind the establishments and their branches.

The training process shall comprise the workers of the Functional Agency for Vocational Safety and Health, and Ensuring Labour Environment Security, the members of the concerned committees, and those in charge of all levels of management and production, commensurate with their responsibilities and the nature of their work.

#### **Article : 228**

All industrial establishment employing fifteen workers or more, and all non-industrial establishment employing fifty workers or more shall provide the concerned manpower directorate with a semi-annual statistical statement on the diseases and injuries, during the first half of the months of July and January at most.



Each of the establishments subject to the provisions of this part shall notify the said directorate of each grave accidents occurring in the establishment within twenty four hours from its occurrence.

The concerned minister shall also issue a decree concerning the Forms to be used for that purpose.

## **Part – VII**

### **Research and Studies Agencies And Consultative Agencies**

#### **Article : 229**

The National Center for Industrial Safety Studies shall be concerned with setting the central plans for research and studies in the fields of vocational safety and health, and ensuring labour environment security. It shall follow up their implementation in coordination with the interested agencies at the concerned ministry, according to the rules and procedures to be issued by decree of the concerned minister.

#### **Article : 230**

A decree of the prime minister shall be issued forming the Higher Consultative Council for Vocational Safety and Health and Ensuring Labour Environment Security. This council shall be concerned with drawing the general policy in these fields and proposing the necessary recommendations concerning the implementation of this policy.

It shall be observed in forming the council that it shall be headed by the concerned minister, with the membership of representatives of interested ministries, an equal number of representatives of each of the employers organizations and of the General Federation of Egyptian Trade Unions, as well as a number of the experienced in the field of vocational safety and health, and labour environment.

A decree of the concerned minister shall be issued regulating the work of this council.

#### **Article : 231**

A consultative committee for vocational safety and health, and ensuring labour environment security shall be formed under the chairmanship of the governor in each governorate by virtue of a decision of the concerned governor.

The committee shall comprise in its membership representatives for the concerned quarters in the governorate, an equal number of representatives of the employers organizations, representatives of the workers in the governorate, and a number of the experienced.

A decree of the concerned minister shall be issued determining the powers of these committees and the system of work therein.



**Book - 6**  
**Inspection On Work, Judicial**  
**Police Authority And Penalties**

**P**art – I

**Inspection On Work And Judicial Police  
Authority**

**Article : 232**

Public servants in charge of executing the provisions of the present law and the decrees issued for its enforcement, and those to be determined by decree of the Minister of Justice in agreement with the concerned minister shall be vested with the quality of judicial law officers with respect to crimes committed within the circles of their competence in connection with the tasks of their jobs.

Each of them, before exercising his work, shall take the oath before the concerned minister, to perform his work with honesty and integrity, and not to divulge any of the work secrets or inventions to which he will have access in virtue of his position even after he quits the work.

**Article : 233**

A public servant vested with the judicial law officer quality shall hold a card establishing that quality. He shall have the right to enter all places of work, inspect them to ascertain the application of the provisions of the present law and its enforcing decrees, examine the books and papers connected therewith, and request the necessary documents and data from the employers or their assigned deputies.

A decree of the concerned minister shall determine the rules of issuing instructions for night inspection of the places of work, outside the official times of work for those in charge of it, and the remunerations payable to them.

#### **Article : 234**

The employers or their assigned deputies shall facilitate the mission of those charged with controlling the implementation of the provisions of the present law and its enforcing decrees and submit to them the documents and data necessary for performing their mission.

#### **Article : 235**

The employers or their assigned deputies shall respond to the appearance demands sent to them by the public servants referred to in article (232) of the present law, within the dates determined by them.

#### **Article : 236**

The concerned authorities shall assist the public servants charged with controlling the implementation of the present law and its enforcing decrees in performing their jobs when so requested.

## **Part – II**

### **Penalties**

#### **Article : 237**

Subject to any stricter penalty prescribed in any other law, the penalties prescribed in the following articles shall be imposed on the crimes referred to therein.

#### **Article : 238**

Whoever violates the provision of article (13) clause-2 of the present law shall be liable to a fine penalty of not less than fifty pounds and not exceeding one hundred pounds. The fine shall be multiplied with the multiplicity of workers in whose respect the crime occurred, and shall be doubled in case of recurrence.

#### **Article : 239**

Whoever violates any of the provisions of the first and second clauses of article (15) of the present law shall be liable to a fine penalty of not less than two hundred pounds and not exceeding five thousand pounds.

The minimum limit of the fine shall be one thousand pounds in case of violating any of the provisions of the third clause of the said article.

#### **Article : 240**

Whoever violates the provision of the second clause of article (16) of the present law shall be liable to a fine penalty of not less than one thousand pounds and not exceeding five thousand pounds. The fine shall be multiplied with the multiplicity of workers in whose respect the crime occurred, and shall be doubled in case of recurrence.

### **Article : 241**

Whoever violates any of the provisions of the ministerial decrees enforcing article (26) of the present law shall be liable to a fine penalty of not less than fifty pounds and not exceeding five hundred pounds. The fine shall be multiplied with the multiplicity of workers in whose respect the crime occurred, and shall be doubled in case of recurrence.

### **Article : 242**

Whoever commits any of the following crimes shall be liable to imprisonment for a period of not less than one month and not exceeding one year and a fine penalty of not less than ten thousand pounds and not exceeding twenty thousand pounds or either penalty:

1. Exercising the activities of recruiting the Egyptians for work within the Arab Republic of Egypt or abroad, by other than the quarters determined in article (17) of the present law, without obtaining the license prescribed therein or by virtue of a license issued on the basis of false data.
2. Collecting amounts from the worker in return for recruiting him to work in the Arab Republic of Egypt or abroad, in contravention to the provisions of article (21) of the present law, or charging amounts without due right on the worker's wage, or out of his dues in return for his work at home or abroad.
3. Violating the provisions prescribed in the first clause of article (20) of the present law, or submitting to the concerned ministry or other concerned quarters false data on agreements or contracts for recruiting the Egyptians to work outside the Arab Republic of Egypt, on their wages, the kind or conditions of their work, or any other conditions connected with that work.

In all cases, a ruling shall be issued for refund of the amounts collected or obtained without due right, and the court shall automatically rule for compensating the victim of the crime for the harm caused to him because of the crime prescribed in item (3) of the present article.



**Article : 243**

Whoever violates any of the provisions of article (24) of the present law or the ministerial decree issued for its enforcement shall be liable to a fine penalty of not less than two thousand pounds and not exceeding ten thousand pounds.

**Article : 244**

The ruling passed in conviction, in any of the crimes prescribed in the two previous articles, shall order the closure of the establishment where the crime took place, and shall be published in two mass circulation dailies at the expense of the convict.

The fines, refund of amounts or compensations as ruled by the court shall be collected from the amount of the letter of guarantee as prescribed in item (3) of article (22) of the present law. The rules prescribed for execution of the court rulings shall be followed in connection with amounts in excess of that value.

**Article : 245**

Whoever violates any of the provisions of chapter (2) of part (I) in Book (2) concerning the regulation of aliens' work and the ministerial decrees issued for its enforcement shall be liable to a fine penalty of not less than five hundred pounds and not exceeding five thousand pounds.

The fine shall be multiplied with the multiplicity of workers in whose respect the crime occurred, and shall be doubled in case of recurrence.

**Article : 246**

The employer or his delegated representative for the establishment who violates the provision of article (32) of the present law shall be liable to a fine penalty of not less than fifty pounds and not exceeding one hundred pounds.

The fine shall be multiplied with the multiplicity of workers in whose respect the crime occurred, and shall be doubled in case of recurrence.

#### **Article : 247**

The employer or his delegated representative for the establishment shall be liable to a fine penalty of not less than one hundred pounds and not exceeding five hundred pounds if he violates any of the provisions of articles (33, 35, 37, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 52, 54, 58, 59, 61, 62, 63, 64, 65, 66, 67, and 68) of the present law and its enforcing ministerial decrees.

The fine shall be multiplied with the multiplicity of workers in whose respect the crime occurred, and shall be doubled in case of recurrence.

#### **Article : 248**

The employer or his delegated representative for the establishment shall be liable to a fine penalty of not less than five hundred pounds and not exceeding one thousand pounds if he violates any of the provisions of articles (73 clause (2), 74, 75, 89, 90, 98, 99, 101, and 102) of the present law and its enforcing ministerial decrees.

The fine shall be multiplied with the multiplicity of workers in whose respect the crime occurred and shall be doubled in case of recurrence.

#### **Article : 249**

The employer or his delegated representative for the establishment shall be liable to a fine penalty of not less than one hundred pounds and not exceeding two hundred pounds if he violates any of the provisions of articles (76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 91, 92, 93, 94, 95, 96, 139, 140, 142, and 144) of the present law and its enforcing ministerial decrees.

The fine shall be multiplied with the multiplicity of workers in whose respect the crime occurred, and shall be doubled in case of recurrence.

#### **Article : 250**

The employer or his delegated representative for the establishment shall be liable to a fine penalty of not less than two hundred pounds and not exceeding five hundred pounds if he violates any of the provisions of articles (110, 111, 113, 116, 118, 119, 123, 124, 126, 127, and 130) of the present law and its enforcing ministerial decrees.

The fine shall be multiplied with the multiplicity of workers in whose respect the crime occurred, and shall be doubled in case of recurrence.

#### **Article : 251**

Whoever violates any of the provisions of articles (135, 136, 137, and 138) of the present law shall be liable to a fine penalty of not less than five hundred pounds and not exceeding two thousand pounds.

In case a ruling with conviction, it shall be coupled with an order for mandatory closure of the establishment.

#### **Article : 252**

Whoever violates any of the provisions of articles (149, 150, and 157), of the present law shall be liable to a fine penalty of not less than two hundred pounds and not exceeding five hundred pounds.

#### **Article : 253**

Whoever violates the provision of article (169) of the present law shall be liable to a fine penalty of not less than one thousand pounds and not exceeding five thousand pounds.



#### **Article : 254**

The employer or his delegated representative for the establishment shall be liable to a fine penalty of not less than one thousand pounds and not exceeding two thousand pounds if he violates the provision of article (196) of the present law.

The fine shall be multiplied with the multiplicity of workers in whose respect the crime occurred, and shall be doubled in case of recurrence.

#### **Article : 255**

The employer or his delegated representative for the establishment shall be liable to a fine penalty of not less than five hundred pounds and not exceeding one thousand pounds if he violates the provisions of articles (197, 198, and 200) of the present law.

#### **Article : 256**

Whoever violates any of the provisions of Book (5) on "Vocational Safety and Health, and Ensuring Labour Environment Security", and the decrees issued for its enforcement shall be liable to imprisonment for a period of not less than three months and to a fine penalty of not less than one thousand pounds and not exceeding ten thousand pounds or either penalty.

The imprisonment and fine penalties as prescribed in the previous clause shall be mandatory in case the crime results in death or grave injury.

The fine shall be doubled in case of recurrence.

The employer or his delegated representative for the establishment shall be responsible jointly with the convict for settlement of the financial penalties unless the crime has occurred in consequence of his default on any of the duties imposed on him by the present law.



**Article : 257**

The employer or his delegated representative for the establishment shall be liable to a fine penalty of not less than five hundred pounds and not exceeding one thousand pounds if he violates the provisions of articles (234, 235) of the present law.

The fine shall be doubled in case of recurrence.

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## Labour Law

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**Law No. 12 Of The Year 2003**

**Promulgating**

# **Labour Law**

In the name of the people,  
The President of the Republic,  
The People's assembly has passed the following bill, and we hereby  
promulgated it into Law;

## **Article : 1**

The provisions of the attached Labour Law shall come into force.

## **Article : 2**

The provisions prescribed in the legislations enacted concerning certain labour categories shall remain valid pending conclusion and enforcement of the collective agreements reached in respect thereof according to the provisions of the attached Law.

The benefits prescribed in these legislations shall represent the minimum limit on the basis of which negotiations shall take place.

## **Article : 3**

The workers in whose respect the provisions of the attached Law are applicable shall be entitled to a periodical annual increment of not less than (7%), on its due date, of the basic salary on the basis of which the social insurance contributions are reckoned, until the National Council For Wages issues the decisions regulating the payment of that increment.

## **Article : 4**

The provisions of the attached Law shall not violate the workers' rights they had previously obtained comprising wages and benefits as derived from the provisions of laws, statutes, articles of associations,

agreements, and internal decisions that existed before its provisions came into force.

#### **Article : 5**

All amounts ruled on violating the provisions of the attached Law shall devolve to the Ministry of Manpower and Emigration and shall be disposed of as follows:

- (A) Two thirds shall be allocated to spending in the aspects and according to the conditions and terms to be issued by a decree of the Minister of Manpower and Emigration on social purposes and motivating the workers and those participating in applying the present law.
- (B) One third to be allocated to the cultural labour and social labour institutions affiliated to the General Federation of Egyptian Trade Unions, and shall be distributed among them by virtue of a decree to be issued by the Minister of Manpower and Emigration in agreement with the General Federation of Egyptian Trade Unions.

#### **Article : 6**

The executive decrees of the Labour Law as promulgated by Law No. 137 of the year 1981 shall remain valid where they shall not contradict the provisions of the attached law, until the Minister of Manpower and Emigration issues the relevant enforcing decrees within a period not exceeding ninety days from the effective date of the law.

#### **Article : 7**

Subject to the provision of article two of the present law, the Labour Law promulgated by Law No. 137 of the year 1981 as well as all provision contradicting the provisions of the attached Law shall be superseded.

The term "the attached law" shall replace the expression "the Labour Law promulgated by Law No. 137 of the year 1981" wherever mentioned in the Laws and decrees in force.

**Article : 8**

The present Law shall be published in the Official Journal, and shall come into force after ninety days from the day following the date of its publication.

The present Law shall be stamped with the seal of the state, and be enforced as one of its laws.

Issued at the Presidency of the Republic on 5 Safar 1424 (Hejira Year), corresponding to 7 April 2003 (Calendar Year).

**Hosni Mubarak**

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