

**During Covid-19 pandemic:** a number of Palestinian workers are forced to sign illegal commitments stipulating that if they obtained any financial assistance during the State of Emergency, these amounts shall be deducted from wages

After the declaration of a State of Emergency by presidential decree on 5/03/2020, which has been renewed several times and is still in force, DWRC's Legal Aid and Human Rights Protection Unit recorded an increase of workers' rights violations. Between March & June 2020, 1251 female and male workers affected by the Covid-19 crisis were able to benefit from our free legal aid. One of the biggest violations of rights monitored by our Legal Unit was employers forcing workers to sign illegal commitments stating that any financial assistance received shall be deducted from wages or that they shall provide these amounts to the employer to distribute as needed. Recently the Ministry of Social Development issued a statement denouncing these practices.

Many of the consultations provided by DWRC's Legal Unit concerned non-payment of wages during the State of Emergency period, especially for workers in kindergartens, hotels, restaurants, garment workshops, and some private companies. Workers expressed concerns during this period regarding the legal framework during the State of Emergency in relation to wages, as the agreement signed between social partners (Labor Ministry, workers and employers' organizations) that aimed to guarantee payment of 50% of wages to those unable to work due to the State of Emergency and closure of establishments, covered only two months. Workers inquired what would happen to their wages if the State of Emergency lasted longer, particularly since many employers did not abide with the agreement in the first place.

It is also worth mentioning that some employers deducted wages paid to workers from their end of service indemnities. In addition, many employers undertook restructuring, noting that there are internal instructions at the Ministry of Labor not to receive notifications of any restructuring during the State of Emergency. Others forced workers to take unpaid leaves, which is considered a violation of the Palestinian labor law. On the other hand, some employers deducted days not worked due to the State of Emergency from workers' annual leaves. A number of workers also lost their jobs, as their establishments dismissed them and decided to close without even paying them their end of service indemnities.

Due to the pre-existing sharp imbalance in shouldering family responsibilities, the Covid-19 pandemic put an additional burden on Palestinian working women, especially working mothers, and exposed them to further discrimination. Some employers refused to abide with the decision of the Labor Minister to apply the same directive to working mothers in the private sector as applied to those working in the public sector, i.e. adopt flexible attendance arrangements that allow them to care for young children, while schools and day-care facilities are closed. Thus, some employers in the private sector forced women to work at the establishment, or else they will deduct days not worked from their annual leaves.

### **Facts and figures about the Palestinian labor market**

During the first quarter of 2020, PCBS indicated that the unemployment rate remained the same compared to 2019, as it reached 25% among labor force participants (14% in the West Bank & 46% in Gaza). Meanwhile, women's unemployment rates continued to be double men's, reaching 40% for women and 21% for men. 29% of wage workers in the private sector were paid less than the minimum wage of 1450 NIS (about 414 USD). The percentage of workers not obtaining the minimum wage increased slightly in Gaza, from 80% in the last quarter of 2019 to 81% in the 1<sup>st</sup> quarter of 2020.

The average monthly minimum wage in Gaza reached 641 NIS (about 185 USD) compared to 1,050 NIS (about 304 USD) in the West Bank. When it comes to workers' fundamental rights in the private sector, 54% of workers do not have any work contracts, only 30% of them obtained severance pay, and 53% of female workers obtained paid maternity leave.

As for Palestinian workers working in Israeli settlements, PCBS indicated that the number of workers decreased by 3,000 workers between the 4<sup>th</sup> quarter of 2019, and the 1<sup>st</sup> quarter of 2020. The number of Palestinians employed in Israel and settlements was 120 thousand; about 21 thousand of them work in Israeli settlements, and 72% of them have work permits. The average daily wage of these workers increased between the last quarter of 2019 and the 1<sup>st</sup> quarter of 2020 from 255 NIS to 265 NIS (from 73.9 USD to 76.7 USD). In the first quarter of 2020, PCBS indicated that percentage of child workers aged (10-17 years) in the West Bank was higher than in Gaza, reaching 3% compared to 1%.

### The administration of Gaza Electricity Distribution Company circumvents the implementation of a court decision that improved labor rights of its contract-based workers

After the [Cassation Court issued a decision](#) in October 2019 granting 1050 contract-based workers employed by the Gaza Electricity Distribution Company their labor rights after two years of demand, in addition to guaranteeing the reinstatement of the head of the Gaza Electricity Distribution Company Workers' Union to his previous work position, from which he had been arbitrarily transferred due to his union activities, the administration of the company found a way to circumvent the implementation of the court decision, by registering a new union for the company workers with the Ministry of Justice in Gaza, taking advantage of the fact that the pre-existing union did not "register" under the new union law in Gaza after engaging in a labor dispute with their employer in 2015.

The Ministry of Justice registered the new union by claiming that the pre-existing union had not submitted any legal papers to the Ministry, rendering it illegal. DWRC held a workshop to discuss mechanisms to enforce the court's decision. 650 workers in the company signed a petition protesting the formation of the new union, which the Ministry of Justice did not consider, leading to a decision to prevent the head of the union and other union representatives from undertaking any union activity. They were compelled to transfer all records to the new union. At the last hearing, the court concluded that the company had satisfied its obligations towards the workers.

### DWRC trains media workers on addressing OHS issues at work and advocacy for workers' rights



**Gaza-** On 10/06/2020, the Democracy and Workers' Rights Center in Palestine (DWRC) concluded a three-day training course under the topic "media workers' role in addressing occupational health and safety issues at work and advocacy for workers' rights".

The training course was attended by 23 journalists, workers, and union representatives, 10 of them women. During the first day of the training, trainees improved their knowledge of legislation related to occupational health and safety, focusing on the [new law on Occupational Safety and Health Committees and Supervisors](#). Participants had an open discussion and analyzed reasons causing accidents and work injuries, insurance against work injuries, the role of labor inspectors, and the role that media workers should play in addressing OSH issues. The second day of the training focused on work hazards affecting media workers, required protection mechanisms, and analyzing risks in the field of work. At the end of the course, participants improved their capacities regarding media's role in promoting OSH education, communication skills, and advocating for labor issues related to OHS. They also discussed the necessity to establish an OSH platform and to highlight workers issues regarding this matter.