Labor & Trade Union Newsletter in Palestine – September & October, 2020 # (8)

Facts and figures about the Palestinian Labor Market

Since its outbreak in Palestine (March 2020), the *Covid-19 pandemic* had a significant effect on the Palestinian Labor Market. During the 2nd quarter of 2020, the number of **employed persons decreased by 12%** compared to the 1st quarter of the same year & **unemployment reached 27%,** as indicated by PCBS. **30% of employed persons were absent from their jobs** due to the pandemic, especially in the education sector (27.9%). PCBS also indicated that the number of employed persons in the **local market** decreased from 888 thousand employed persons in the 1st quarter of 2020 to 793 thousand employed persons in the 2nd quarter of 2020, concentrated in restaurants, hotels, commerce, and construction. The number of Palestinian workers employed **in Israel and Israeli settlements** decreased from about 120 thousand employed persons in the 1st quarter of 2020 to 94 thousand. When it comes to workers' labor rights, **46%** of wage employees in the private sector were **hired without any contract, 37%** of wage employees **receive a contribution to a pension fund/end of service compensation,** and **57%** of women workers **received a paid maternity leave. 34% of wage employees in the private sector were paid less than the minimum wage (1,450 NIS) in Palestine**. Home quarantine imposed by Covid-19, had a negative effect on the **participation rate in the labor market, which decreased to 39% in the 2nd quarter 2020 compared to 43% in the 1st quarter 2020.**

Covid-19 also had an impact on access to services. As indicated by PCBS, 4% of households in need of ***health services*** were unable to access these services, as healthcare centers and hospitals did not receive patients (39%), being unable to pay (cover costs) (23%), and fear of leaving the house (11%). When it comes to ***education,*** for 51% of households in Palestine with children between the ages (6-18 years) enrolled in education before the lockdown period, their children participated in educational activities during the lockdown. The main reason for children not taking part in educational activities was the lack of availability of internet connection. As for ***food security,*** the income of two out of every five households decreased by half and more. 42% of Palestinian household's income declined by half and more during the lockdown period compared to February 2020.

DWRC issued two papers entitled "Workers & Coronavirus: work injury or occupational disease, or law deficiency?", and "Protecting health sector workers from pandemics".

The first paper addresses Covid-19 transmission at work, whether this should be considered as a work injury or an occupational disease, highlighting the differences between laws enforced in the private and public sectors. In the public sector, issues related to pandemics are addressed in a better way than in the private sector, especially as the public sector provides a risk allowance to workers working in hazardous jobs, benefiting mostly health sector workers. Such an allowance is mostly not provided in the private sector. The paper also analyses how different countries are dealing with the issue of protecting workers affected by Covid-19. It also addresses law deficiency when dealing with pandemics, the urgent need for law amendments, enforcement of social security law, and activating the role of trade unions demanding for compensations for workers, who were infected at work. The work paper was presented at a meeting of Gaza's National Committee for Occupational Safety and Health, and a small committee was formed to prepare legal recommendations for amending current legislation.

The second paper highlights the situation of health sector workers in Gaza during the Covid-19 outbreak, and measures taken by the government to prevent the spread of the disease. The government in Gaza did not apply sufficient procedures to control the spread of the virus. It focused on safety measures in the quarantine centers that were established, not paying sufficient attention to hospitals and other medical centers. It is essential to take into consideration Covid-19 transmission at hospitals and between health sector workers, and mechanisms to protect these workers. It is worth mentioning that the reasons for this rapid spread includes the fact that the health system lacks experience when it comes to dealing with pandemics, there is a lack of medical test devices, and non-commitment with safety measures. The paper also provides some advice for workers in the health sector to protect themselves from Covid-19 transmission at work. **The papers are available in Arabic on DWRC's website**.

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Success Story: DWRC obtained a court decision of 28,425 shekels for a former private school teacher as compensations for violation of labor rights, including payment of summer vacation wages, which many workers in private schools are deprived of

A'.N. used to work as a teacher for a private school between 2013 and 2016, for a monthly wage of 3000 NIS. Taking advantage of his need to keep his job, his employer used to demand that he signs an annual clearance declaring that he had received all his rights at the end of each year, although he received nothing. When A'.N. obtained a work opportunity at a governmental institution, he resigned from his previous job and requested his rights according to the Palestinian Labor Law, but the employer kept refusing to pay any compensations & refused to reach a negotiated settlement upon intervention by the Labor Ministry. This led the teacher to file a complaint with DWRC. *DWRC's Legal Aid and Human Rights Unit also attempted to engage in negotiations* with the employer, but as the school continued to refuse to agree to a settlement, the case was filed with a Palestinian court. The court issued its decision on 30/10/2018, awarding the teacher an amount of **28,425 NIS for end of service indemnities and summer vacation wages.** The school emptied all its bank accounts in an attempt to prevent the implementation of the court decision. The lawyer entrusted with the case had no choice but to request the seizure of the school and its properties. This decision was implemented in 08/09/2020, and the school's management had to approve the payment of the compensations due to its former employee. **DWRC's legal work in supporting workers' claims in courts is contributing in building case law on private school employees' right to obtain payment of wages during the three-month summer holiday school break**.

On the occasion of the International Equal Pay Day: Ensuring that Palestinian women workers women receive equal pay for work of equal value should be a priority

In Palestine, working women are exposed to many violations that affect their basic labor rights, starting with a lack of equal opportunities that hamper their participation in the labor market. Discrimination also affects women's right to equal wages. According to the Palestinian Central Bureau of Statistics (PCBS), in 2019, women employed in the private sector earned 71.9% of men's wages (based on the average daily wage).

Moreover, 35% of female wage workers in the private sector were paid less than the minimum wage, compared to 29% of men. Since the adoption of Cabinet Resolution No. (11) of the Year 2012 regarding the adoption of a minimum wage, interventions to ensure the enforcement of the decision have not been sufficient to ensure its wide application in certain sectors, where women's wages are especially low.

These interventions have not succeeded in radically reducing violations of women's right to a minimum wage, nor have they managed to hold employers accountable for their violations of women's rights in a manner that deters them from further contraventions. A national policy to promote equal opportunities and equal treatment in employment and occupation has not been developed yet, especially with regard to the adoption and application of tools to promote equal pay for work of equal value.

Since the Covid-19 pandemic started spreading in Palestine in March 2020, the situation has only worsened. The pandemic has highlighted discriminations and violations of rights that Palestinian working women have been exposed to. **For more details, please click here.**