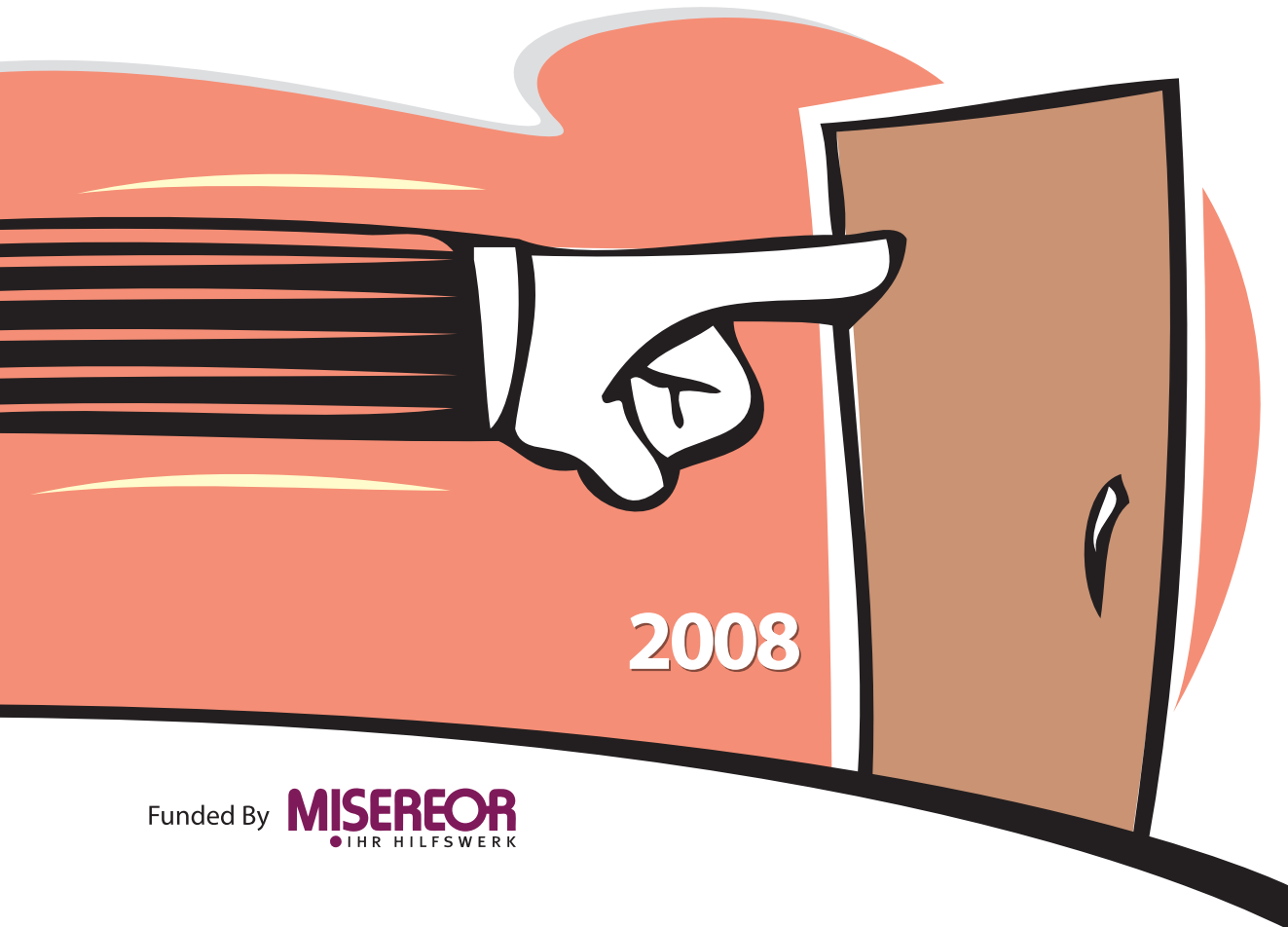


The Democracy & Workers' Rights Center in Palestine



Legal Study on Arbitrary Dismissal: Between Theories & Practice

Prepared by
Mohammad Amarneh



Funded By **MISEREOR**
IHR HILFSWERK



Democracy and Workers' Rights Center in Palestine (DWRC)

Headquarters

Ramallah - Al-Irsal Street, Al-Masayaf compound

P.O. Box 876, West Bank

Tel: 972-(0)2-295-2608 / 295-2718 / 296-4997 / 296-4998

Fax: 972-(0)2-295-2985

E-mail: info@dwrc.org

Website: <http://www.dwrc.org>

Gaza Branch Office

Gaza Al-Naser – Haboob building

P.O. Box 5251 Gaza Strip

Tel: 972-(0)8-285-3011

Fax: 972-(0)8-285-3010

E-mail: gaza@dwrc.org

Copyrights reserved © 2008

The contents of this publication are the sole responsibility of the DWRC

Table of Contents

Introduction

Preface

First Chapter: Arbitrary dismissal according to alestinian labor law number 7 for the year 2000

- How does the labor law deals with arbitrary dismissal?
- Analysis of legal articles specific to arbitrary dismissal

Second Chapter: Comparative laws

- When is arbitrary dismissal applicable?
- Problems in proving arbitrary dismissal
- Compensation
- Additional provisions

Third Chapter: Arbitrary dismissal in Palestine

- Cases and reasons for dismissal
- Concrete examples of arbitrary dismissal

Fourth Chapter: Results and recommendations

References

Executive summary

This legal study aims to investigate the shortcomings and ambiguities on the subject of arbitrary dismissal in labor relations in Palestine. In the first chapter, this study provides an analysis of the labor law articles relating to the issue of arbitrary dismissal, whereas the second chapter refers to comparative labor legislation in three countries (Jordan, Bahrain, and France) in relation to the subject of arbitrary dismissal.

The third chapter of the study provides concrete examples of cases that were referred to the Democracy and Workers' Rights Center during the year 2007, indicating the number of dismissed employees and the reason behind their dismissal, whenever necessary, further classification of the cases is discussed.

The fourth chapter concludes with the presentation of this study's findings on the Palestinian legal system regarding arbitrary dismissal and the means adopted by the law to deal with this issue. Legal recommendations are also put forth in order to remedy to the shortcomings and ambiguities of Palestinian labor law.