

**Lebanon labour inspection audit**  
**Joint outcome on labour inspection**

**LAB/ADMIN**

**Labour Administration  
and Inspection Programme**

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**Social Dialogue Sector**

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**International Labour Office – Geneva**

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## List of abbreviations

<b>GDP</b>	Gross Domestic Product
<b>MoL</b>	Ministry of Labour
<b>NSSF</b>	National Social Security Fund
<b>LL</b>	Lebanese Lira
<b>OSH</b>	Occupational Safety and Health
<b>ILO</b>	International Labour Organization
<b>GFTUL</b>	The General Federation of Trade Unions of Lebanon
<b>ALI</b>	The Association of Lebanese Industrialists
<b>DLIPS</b>	The Department of Labour Inspection, Prevention and Safety
<b>LI</b>	Labour Inspection
<b>MoPH</b>	Ministry of Public Health
<b>TC</b>	Technical Cooperation

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## Forward

This audit of the labour inspection system in the Republic of Lebanon, which comes under the inter-regional technical cooperation project, “Enhancing Labour Inspection Effectiveness”, being implemented by the International Labour Organization and funded by the Norwegian Government, was carried out in October 2009 at the request of the Ministry of Labour, which is responsible for labour inspection in the country. The purpose of this audit was to establish a joint action plan with the government for modernizing and strengthening the capacities of the labour inspection system in Lebanon within the framework of the ILO conventions on labour inspection.

Working on this audit included visiting the main concerned governmental institutions, the workers’ and employers’ organizations and the regional labour inspectorates in addition to interviewing a number of labour and occupational safety and health inspectors and directors and revising the main related legislations.

This audit report represents a snap shot of the existing labour inspection system in Lebanon, highlights some strengths and weaknesses and provides recommendations, related to matters such as the structure and function, human resources development, occupational safety and health and coordination and cooperation among the various concerned institutions. Those recommendations, if considered, are expected to enhance the effectiveness of labour inspection system as one of the main tools for protecting labour and human rights and ensure decent working conditions in the Lebanon.

The Labour Administration and Inspection Programme (LAB/ADMIN) of the ILO takes this opportunity to thank the esteemed officials of the Ministry of Labour of the Republic of Lebanon for their assistance and cooperation which facilitated the completion of this audit. We would also like to thank the social partners and the General Organization for Social Insurance for enriching this audit with the information provided by them.

We take this opportunity to thank Mr. Amin Al-Wreidat (ILO Beirut), who carried out and coordinated this assessment. In addition, we would like to thank Ms Maria-Luz Vega (LAB/ADMIN) and Ms Khawla Mattar (ILO Beirut) for their guidance and technical contribution, without which this work would not have been completed. Thanks are also extended to the ILO team in LAB/ADMIN and the ITC Turin staff.

# **I. Main economic, social and political elements**

## **1.1. Country context**

Lebanon is a parliamentary democracy on the eastern shore of the Mediterranean Sea, with an area of 10,452 km<sup>2</sup> and a population of about 4,600,000. Its coastline is about 225 km (in length) and is, on average, 45 km wide. As an Arab country, Lebanon's official language is Arabic, but English and French are widely spoken. Lebanon embraces one of the highest educated populations in the Arab world with an adult literacy rate of 91 per cent (92 per cent male; 90 per cent female).

Lebanon's GDP per capita is estimated to be \$11,100 according to 2008 statistics. The main imports of Lebanon are mineral products, electrical equipment, chemical products, vehicles, metal and metal products and the major exports are jewellery, food, chemical, mineral products, metal and electrical equipments.

Lebanon's liberal economy is based on competition and private ownership. Tourism and banking sectors predominate, but dependence on those sectors (which made the services sector the most important pillar of the Lebanese economy, attracting the majority of the Lebanese workforce (nearly 65 per cent)) leaves the economy vulnerable to political instability. The industrial sector constitutes twenty per cent. The main industries are cement, furniture, paper, detergents, cosmetics, pharmaceuticals, batteries, garments and processed foods. Other sectors include health care and higher education. Agriculture attracts a mere 12 per cent of the total workforce and contributes approximately to the remaining 10 per cent of country's GDP.

## **1.2. The labour force, working hours and wages**

The total labour force in Lebanon amounts to 1,408,747 of whom 30.4 per cent are female and 83 per cent are in the private sector, as shown in Table 1. Around 25 per cent of this labour force is engaged in the informal sector. The number of foreign workers in the country is estimated to be around 630,000, of whom only 20 per cent are registered and permitted by the Ministry of Labour, as shown in Table 2. Most of those foreign workers are in construction and agriculture, in addition to domestic work. In 2008, the unemployment rate was noted to be 20 per cent; however it dropped to 9.20 per cent in 2009.

The minimum wage in Lebanon was 300,000 Lebanese pounds, which amounts to about 200 US\$. However in 2008, the wage increased to 500,000 Lebanese pounds, which amounts to 333 US\$. The minimum wage is determined by a special committee which is formed in accordance with the labour law and has a tripartite structure. Any increase to the minimum wage shall apply to all workers regardless of their wages or salaries.

In addition to the wage, employees in Lebanon enjoy, by the law, additional benefits, such as transportation allowances and education subsidies for their children. Working hours in the public sector in Lebanon are from 8 am to 2 pm, from Monday to Thursday, from 8 am to 11 am on Friday and from 8 am to 1 pm on Saturday. The

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working hours in the private sector are mostly 8 hours a day, from 8 am to 4 pm from Monday to Saturday, but extend much longer in certain sectors.

**Table 1. The distribution of labour force by gender and work sector**

<b>Sector of Work</b>	<b>Female (%)</b>	<b>Male</b>
Public Sector	13.7	16.2
Private Sector	84.8	83
Family Work	0.9	0.2
Joint Work	0.1	0.1
Other	0.4	0.5
<b>Total</b>	<b>100</b>	<b>100</b>

**Table 2. Number of foreign workers licensed by the MoL**

<b>Number</b>	<b>2007</b>	<b>2008</b>
First Time Work Permits	42,218	36,714
Renewed Work Permits	79,157	94,398
<b>Total</b>	<b>121,375</b>	<b>131,112</b>

## **II. Legislative framework for the labour inspection**

The Lebanese Labour Law of 1946 and its amendments in particular 1962 (law 17th September) are the main source for labour legislation in Lebanon. This law is applicable to all workers and employers except the following categories:

1. domestic workers
2. agricultural workers
3. enterprises limited to family members
4. public servants

Other relevant regulations are:

1. Decree No. 3273 of 26 June 2000 on labour inspection
2. Decree No. 112 of 12 June 1959 regarding status of public officials
3. -Order No. 161/1 of 18 February 1999 concerning the re-evaluation of transport indemnities
4. Decree No. 128/ 2 of 17 February 2001 relating to the elaboration of inspection programmes

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## 2.1. Labour inspection

Labour inspection in Lebanon is mainly regulated by the Decree No. 3273 of 26 June 2000 on Labour Inspection which has brought about a significant progress in the transpositions of rights and obligations conferred by Convention No. 81 on Labour Inspection and has given rise to a statement of satisfaction from the side of the Committee of Experts in 2002,

According to Article 1 of Decree No. 3273, the labour inspection system coverage corresponds with the coverage of the labour code. It ensures the supervision of compliance with regulations regarding conditions of employment, protection of workers including OSH. It is not certain if these regulations also ensure compliance with social security laws; this fact would have to be verified.

In addition, the Labour Inspection Department is supposed to monitor if trade unions and occupational associations comply with relevant laws in addition to monitoring compliance with protection and safety measures in family enterprises along with the work of private employment agencies (compare Article 2, Decree No. 3237).

They are involved in conciliation and the control of work permits for foreign workers. This point gives rise to requests submitted by the CEACR, particularly in regards to the control of trade union rights which should be followed up to verify if there is inadmissible interference with respect to the freedom of association.

The Article 2 of the decree stipulates: The Department of Labour Inspection, Prevention and Safety of the Ministry of Labour shall supervise the implementation of all laws, regulations, decrees and rules pertaining to the terms and conditions of employment, and the protection of workers in the workplace, including the provisions of international labour Conventions ratified, and in particular:

- a. Ensuring the application of legal provisions relating to the terms and conditions of employment, and the protection of workers at the workplace, such as the hours of work, periods of rest, wages, safety, hygiene, health care, occupational diseases, occupational accidents, emergencies and work, the employment of young people, and other responsibilities assigned to labour inspectors;
- b. Providing employers and employees with technical information and advice on labour legislation, matters of hygiene and safety, aimed at the adoption of the most effective means of complying with the legal provisions in this respect;
- c. Monitoring professional unions and associations at all levels to verify that they do not disregard in their work the limits prescribed by law, their rule of procedure and statutes;
- d. Monitoring protection and safety measures in family enterprises, especially with regard to work which by its nature or conditions may jeopardize the life, health or morals of employees therein;
- e. Supervise the work of private employment agencies, in coordination with the National Employment Bureau.

Article 5 stipulates that the labour inspectors shall, prior to commencing their functions, take the following oath before the judge of the court of first instance: "I swear by almighty God that I will discharge the duties of my post in all honesty and fidelity, and not to divulge the secrets of industry or means of investment that shall come to my knowledge ex officio."

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The authorities of the labour inspectors are stipulated in Article 6 as follows: labour inspectors shall have the authority to:

- a. Enter freely and without prior notice all enterprises under their supervision during hours of work at the enterprise, and all parts thereof. In conducting an inspection visit, they shall apprise the employer of their presence on the premises, unless they consider such information detrimental to the execution of their functions.
- b. Carry out any search, test or investigation they may deem necessary for assuring strict compliance with the legal provisions in force, particularly by:
  1. Questioning the employer or workers at the enterprise, privately or before witnesses, on any issue relating to the application of the legal provisions in force.
  2. Requesting to see, in keeping with methods prescribed by laws and regulations, any ledgers, records or other documents required by law, to verify their compliance with the legal provisions applicable, and making photocopies or excerpts of and from such documents.
  3. Taking samples from materials and products for analysis, provided the employer or his representative be informed as to which samples or products were taken or extracted.
  4. Taking steps to rectify any deficiencies observed in respect of compounds, plans or methods of work which they have good reason to believe they might jeopardize the health and safety of workers, and reporting thereon to the competent authorities in the Ministry for action.

In order to enable labour inspectors to take such measures, and to protect the right of recourse by the employer before any legal or administrative body, specified by law, labour inspectors shall seek orders from the competent authorities to make adjustments in the equipment or compounds within the time limit needed to assure compliance with the legal provisions relating to the health and safety of workers, or else request the said authorities to take urgent measures to ensure compulsory implementation where there is imminent danger threatening the health and safety of the said workers.

The obligations of the labour inspectors, according to Article 8 of the labour law, are:

- a. Labour inspectors shall not have any direct or indirect interest in the enterprises under their supervision.
- b. Labour inspectors shall not, even after leaving government service, divulge any secrets that may have come to their knowledge in the course of performing their functions, otherwise appropriate disciplinary and legal penalties shall be instituted against them.
- c. Labour inspectors shall hold in absolute secrecy and confidentiality the source of all complaints submitted to them. They shall not reveal to the employer or his representative the source of complaints or information leading to the inspection.

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## **2.2. Occupational safety and health**

The Occupational Safety and Health issues, under the Labour Law of Lebanon, are mainly regulated in the following pieces of legislation:

1. The Decree No. 136 of 1983, the work related injuries and emergencies. This decree stipulates the employers' responsibilities in cases of occupational injuries and corresponding compensation and workers' entitlements. The Decree No. 136 also stipulates the sanctions in case of violations.
2. The Decree No. 11802 of 2004, Regulation of OSH in the enterprises.
3. This decree includes the OSH requirements and precautions required by the employers in their workplaces.
4. The Decree No. 11958 of 2004, Safety and Protection in Construction.
5. The Decree No. 4568 of 1960, Health care in the Enterprises.
6. The Decree No. 14229 of 2005, Occupational Diseases' List.
7. The Decree No. 129/2 of 17 February 2001 relating to OSH labour inspection in private establishments.

## **2.3. Sanctions and administrative measures**

Act of 17 September 1962, repealing sections 107 and 108 of the Labour Code of 23 September 1946. Under section 2 of the above Act (as amended by the Act issued by Decree No. 9816 of 4 May 1968) states that any person violating the provisions of the Labour Code and the decrees and orders issued thereunder shall be liable to a fine that ranges between 250,000 and 2,500,000 Lebanese Lira (hereinafter LL) (167 to 1667 US\$) and a sentence of imprisonment (involving the obligation to work under the provisions of the Penal Code) from 1 to 3 months or to one of these two penalties.

The sanctions in cases of violations of the provisions of the Decree No. 136, work-related injuries and emergencies, range from 50,000 to 500,000 LL (about 33 to 330 US\$) and/or imprisonment for 1 to 3 months.

Article 63 of the Labour Law stipulates that the inspectors may not issue any penalties concerning OSH violations unless the employer is warned in writing and given a notice period to remove the violations.

Article 109 stipulates: "Any sentence related to OSH violations shall include a notice period for rectifying the situation, after which the court may decide to close down the enterprise, if the violations are not removed".

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### **III. The labour inspection system and structure in the Ministry of Labour (MoL)**

Labour inspection in Lebanon is the responsibility of the Department of Labour Inspection, Prevention and Safety, which is under the Labour Relations Authority of the MoL.

At a decentralized level, the labour inspection department is attached to the “governorates” at the regional level, where the different ministries are represented (see Article 22 report of 2001). As to safety and health, according to the government, there is collaboration at the regional level, as all the different ministries are represented in the “governorates”. This point could be subject to further examination.

The relation and the structure of the Labour Inspection Department as a central authority are not quite clear and it appears that the establishment of the labour inspectorate’s independence as well as the functions of the labour inspectorate as a central authority should be strengthened.

#### **3.1. The Ministry of Labour (MoL)**

The MoL was established in 1919 and includes two main authorities in its structure: the Authority of Labour Force and the Authority of Labour Relations, which have the following departments, as shown in Annex 1:

1. The Department of Labour Inspection, Prevention and Safety.
2. The Department of Labour Relations and Trade Unions..
3. The Department of Investigations and Labour Disputes.

The Ministry of Labour has the following mission, and its annual report of 2008 included its main priorities, objectives and challenges which are all encompassed in the following ideals:

1. Promoting the principles and rights at work.
2. Creating more decent work opportunities for both men and women.
3. Improving and expanding the coverage of social protection.
4. Promoting tripartism and the social dialogue.

Priorities:

- Cooperation with the social partners on labour issues.
- Establishment of a labour market database.

The objectives are:

- Reform of the labour law to comply with the international standards and conventions, including the provisions related to labour inspection, safety and health and labour dispute settlement.

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- Expanding the labour and occupational safety and health inspection and services to ensure the compliance of the enterprises in the private sector with the labour legislations.
  - Building the ministry's capacities for handling labour issues and the overload of individual and collective labour disputes submitted to it.

The challenges are:

- The high rate of unemployment.
- The high load of work along with the shortage in human and financial resources.
- The large number of labour complaints submitted to the ministry by both workers and employers.
- The computerization of activities including labour inspection.

The labour inspection and OSH services at the regional level (which is based in the capital of Beirut), are provided for, by the following Departments of labour, in the other seven provinces:

1. The Department of Labour of the North.
2. The Department of Labour of the South.
3. The Department of Labour of the Lebanon Mount.
4. The Department of Labour of Baka'a.
5. The Department of Labour of Ba'albak.
6. The Department of Labour of Nabatieh.
7. The Department of Labour of Akkar.

#### **IV. ILO Conventions ratified by the Republic of Lebanon**

Lebanon ratified fifty of the ILO conventions, but in 2003 it denounced the Convention No. 15 on Minimum Age (Trimmers and Stokers). The Convention No. 81 on Labour Inspection, the Convention No. 150 on Labour Administration and seven of the eight core conventions are among the ratified ones, but the Convention No. 129 on Labour Inspection (Agriculture), the Convention No. 155 on Occupational Safety and Health and the Convention No. 87 on the Freedom of Association and Protection of the Right to Organise are not among them.

At several occasions the CEACR (direct request 2007, 2003) has criticized supervisory activities of the labour inspectorates with respect to occupational organizations, perceiving this right as an administrative interference rather than being a justified supervisory activity, and calling for legal provisions to limit this right.

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A further point of concern is the notification of industrial accidents and occupational diseases to the labour inspectorate as required by Article 14 of Convention No. 81. Verification must be conducted to ensure that this is really the case; the government indicated in its Article 22 report for 2005 that notification is made to the Labour Arbitration Council in the region that the accident occurred and most probably to the compulsory insurance scheme.

The Committee of Experts has at several occasions highlighted the absence of the communication of an annual report on the work of the inspection service (CEACR 2007, CEACR request 2004, CEACR direct request 2002). The government (see Article 22 report of 2003) has stated in this respect that there is a lack of comprehensive statistics at the Labour Ministry and that a plan was being implemented to automate all the ministry's activities. This point could be followed up in more detail, also in regard to the way statistics are collected and data is channelled.

In addition, the Committee of Experts expressed concerns as to the scheduling of labour inspection visits (see direct request 2002), not giving enough leeway to labour inspectors to take initiative on their own in this respect.

The *EC Commission* stated in its country report (SEC (2005) 289/3) that migrant workers, particularly domestic workers, did not fully benefit from protection under the labour code (see Chapter 3.1.4), which raises the question as to whether these groups of workers are covered by labour inspection in practice. In this context, the statement given in the Article 19 of the Convention No. 155 is of interest, as to the investigation into the elaboration on a guide on directives for domestic workers, referring to decision 40/2007 of 10 April 2007 (not available). Moreover, according to the EC Commission, social security rights are not respected, with 40 per cent of the population not benefiting from the social security coverage.

## **V. Industrial relations and tripartite structures**

### **5.1. The General Federation of the Trade Unions of Lebanon (GFTUL)**

The General Federation of Trade Unions of Lebanon, which represents all workers in the country, is composed of 50 federations, which include 400 trade unions. The GFTUL is run by a board of 12 members, which is elected by its Executive Council. The Executive Council is composed of 100 members, 2 from each federation. The trade unions are of three types:

1. Sectoral, which includes workers of none-sectors.
2. Professional, which includes professional staff, such as physicians, engineers, lawyers....etc.
3. Provincial, which include workers in a certain province or a geographical area.

The GFTUL organizes training programmes for the workers in coordination with the trade unions in the provinces and it has a special department for OSH and

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environment, the activities of which are mainly directed to the promotion of workers' protection and ensuring that they work in safe and healthy conditions.

The GFTUL is represented in the following organization which includes the employers' representatives as well:

- The Economic Social Council
- The NSSF
- The National Organization for Employment
- The Arbitration Councils
- The Arbitration Committee

The staff of the GFTUL expressed their lack of satisfaction with the performance of the LI system in Lebanon, which is according to them, very weak and not effective in monitoring working conditions and providing the workers with the minimum level of protection they need.

## **5.2. The Association of Lebanese Industrialists (ALI) / Federation of Chambers of Industry**

The Association of Lebanese Industrialists (hereinafter ALI or Association) was founded in 1943 as a Lebanese economic organization grouping industrialists from all over Lebanon. The ALI advocates a policy of balanced industrial development for all Lebanese regions. The Association seeks to create and maintain an environment which is favourable to industrial investment, growth and development. Considering that industry in Lebanon (aside from the cigarettes' manufacturing), is purely private, the Association's role becomes even more significant.

The membership of the ALI is limited to the industrialists who employ 5 workers at a minimum and who have production lines in which energy is used. At present, there are about 650 members of ALI out of about 3000 industries in Lebanon to which such criteria applies.

The ALI organizes training and awareness-raising programmes for the Lebanese employers, whom it represents in all national tripartite structures. It also takes part in the discussions related to passing new labour legislations or amending the existing ones.

According to the interviewed staff of the ALI, the labour inspection in Lebanon does not take into consideration the interests of the employers, who feel that labour inspection is just a tool of pressure to force them to compromise to the workers' continuous justifiable and unjustifiable demands. They also feel that the inspectors are under qualified and under trained and that there is a need to reform the inspection system in general.

## **5.3. Tripartite structures related to LI**

- The Labour Arbitration Councils
- The Social Economic Council

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- The National Organization for Employment
  - The National Corporation for Vocational Training
  - Collective Labour Disputes Committees (for labour disputes involving more than 50 workers)
  - The national Corporation for the Disabled Labour Welfare
  - The National Committee for Combating Child Labour

## **VI. Labour inspection, structure and main features**

The labour inspection services in Lebanon, as mentioned above, are the responsibility of the DLIPS, which is under the Authority of the Labour Relations

### **6.1. The Department of Labour Inspection, Prevention and Safety (DLIPS)**

The DLIPS, which has 11 labour and OSH inspectors, is considered to be the central authority of labour inspection in the country, but from the legal and practical points of view, all LI activities are decentralized and the DLIPS does not have any type of control or supervision over any LI activities out of Beirut and does not even have adequate links or coordination with the labour inspectors in the regional offices.. The DLIPS is physically located within the headquarters of the MoL, but practically, it is a regional department, which is in charge of LI activities within the capital and the other regional departments are independent of it.

The DLIPS is in charge of LI activities within the province of Beirut, and it undertakes the following other responsibilities:

- Documenting the inspection reports and data received from the labour inspectors in the central and regional inspectorates.
- Collecting the labour market statistics and data related to labour inspection submitting them to the division of statistics.
- Licensing machines operation in the factories and institutions in Beirut, in accordance with the related regulations.
- Investigation of the occupational diseases and work related injuries, within the province of Beirut, for the purpose of preventing their recurrence in the future.
- Organizing awareness raising programmes on labour issues and occupational safety and health in coordination and cooperation with the concerned departments in the Ministry of Public Health.

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## 6.2. Human resources and career development

There are 96 labour inspectors in MoL, as shown in Table 3 below, of whom 72 are generic (Administrative) labour inspectors, as shown in Table 4, who are in charge of inspecting conditions and terms of work, but not OSH. and 24 OSH inspectors Those inspectors are classified as follows:

- 26 generic (administrative) labour inspectors: Grade III.
- 46 assistant labour inspectors: Grade IV.
- 12 health inspectors (Physicians): Grade III
- 12 safety inspectors (Engineers): Grade III

The status of labour inspectors is governed by the Decree applying to all public officials (Decree No. 112 of 12 June 1959). According to the indications made by the government in 2001, labour inspectors should have been following (similar to the French model) an education in the national school of administration. Moreover, technical labour inspectors for engineering should have a diploma in engineering and medical labour inspectors should have a diploma in medicine

### 6.2.1. Recruitment

The labour inspectors are civil servants and are recruited according to the civil service system. The MoL usually reports the vacancies to the Civil Service Council, which advertises them through the media. **The applicants undergo written, oral or a written and oral exam**, but such an examination is almost the same for all applicants to civil service vacancies, regardless of the type of the job or the concerned institution. After the examination, the candidates are selected for the available positions. As a minimum, the candidates must have the following qualifications in order to be recruited as labour inspectors:

- For general labour inspectors: Bachelors Degree in Law, or equivalent, “Grade III”.
- For health inspectors: Bachelors Degree in Medicine and membership in the Lebanese Medical Association, “Grade III”.
- For safety inspectors: Bachelors Degree in Engineering, and membership in the Lebanese Engineers Association, “Grade III”.
- For assistant inspectors: Intermediate Diploma, Grade IV (recruitment is no longer sought for this position).

**Table 3. Labour and OSH inspectors, by grade, speciality and distribution**

Directorate of Labour	Labour inspectors		OSH Inspectors	
	Grade III	Grade IV	Physician	Engineer
Beirut, DLIPS	5	2	3	4
Beirut, other departments	1	17		
South Lebanon	3	3	1	1
Nabatyieh	1	1	1	1
Ba'albek	-	-	1	1
North Lebanon	4	8	2	1
Akkar	1	-	-	-
Mount of Lebanon	9	12	3	3
Beka'a	2	3	1	1
<b>Total</b>	<b>26</b>	<b>46</b>	<b>12</b>	<b>12</b>

**Table 4. Labour inspectors, by gender and department**

Directorate of Labour	Labour inspectors	
	Male	Female
Beirut	5	2
Labour Department of the South	3	3
Labour Department of Nabatyieh	1	1
Labour Department of Ba'albek	-	-
Labour Department of North Lebanon	4	8
Labour Department of Akkar	1	-
Labour Department of Mount of Lebanon	9	12
Labour Department of Baka'a	2	3
Foreign Workers Monitoring Department	-	5

Authority of Manpower	-	4
Investigations and Labour disputes Department	1	2
Other Non-Inspection Departments	-	6
<b>Total</b>	<b>26</b>	<b>46</b>

Once the new labour inspectors are recruited, they acquire full authority as labour inspectors. They are issued inspectors' IDs and they can immediately start conducting inspection visits. They usually, but not always, undergo some training for few days, which is mostly related to the obligations and responsibilities of civil servants in general, communication skills with the workers and employers and the labour legislation. The practical training is not included in any training programme for the newly recruited inspectors, but it is usually gained by accompanying, and observing senior inspectors during the field visits for variable periods of time.

The assistant labour inspectors, who are all in Grade IV should always be accompanied by the senior labour inspectors, who are in Grade III, (as shown in the classification of the labour inspectors above) while conducting inspection visits. They are not authorized to conduct such visits alone, but practically, due to lack of inspectors, the assistant labour inspectors do not follow such rules and they are allowed to utilize the same authority as qualified grade III inspectors and they take measures and actions against violators that they are not supposed to or are authorized to do. The 46 assistant inspectors are at present engaged in office work related to work permits and it is very rare that they go out for inspection.

### **6.2.2. Salaries and allowances**

The monthly salaries of the labour inspectors start with 1,060,000 LL (707 US\$) for the administrative inspectors who are law graduates, (as mentioned in the classification above) and who are in charge of inspecting the conditions and terms of work. For the OSH inspectors, they earn 1,196,000 (797 US\$) and they either are physicians or engineers (as mentioned above as well). The OSH inspectors also include those whose specialties qualify them for higher salaries, as per the Civil Service Laws in Lebanon. Senior inspectors may get up to 1,450,000 LL (967 US\$) per month and this is in addition to the transportation allowance of about 67 US\$ a month. Such salaries are hardly enough to support inspectors with small families in their very expensive country. Those salaries of the labour inspectors are the same as those of the other civil servants, without any other additional allowances or benefits. In order to improve their income, some of the inspectors do other work out of the official hours, which is not usually objected to as long as the other job is a decent one and does not result in any conflict of interests.

### **6.3. Labour inspection function and visits**

Each inspector is assigned a certain geographical area which he is required to cover for a period of 6 months. The area of each inspector is changed every 6 months on a rotational basis. This is done randomly, for all inspectors, by the central authority without consulting the regional directors or the direct supervisors. As a result, an inspector may be assigned the same area several times, which may be a quite distant one and very costly for the inspector to reach.

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Inspection visits are carried out according to an annual labour inspection programme, and monthly work report with results on labour inspection activities have to be prepared (see Article 22 report of 2001). However, there still seems to be room for unplanned and complaint-based inspection visits (see art. 22 report of 2003).

However, the labour inspection activities are not planned at the national level. The labour inspectors prepare their inspection plans by themselves on weekly, monthly and yearly bases and they do not receive any guidance or instructions from their supervisors on this matter. However, areas or sectors of work may be distributed randomly among the inspectors. The practice followed for conducting inspection visits is that no labour inspector may leave his or her office for inspection without having a “written mission order” from his direct supervisor. The mission orders are usually issued for one visit, for one enterprise, but in some cases such orders may be issued for a day or a full week, for unspecified number of inspections in a certain sector or a certain area, without specifying the targeted enterprises.

Each inspector is required to submit his or her reports to the direct supervisor or director and a new mission order may not be obtained before submitting the report of the previous mission. Each regional labour office is required to prepare monthly and annual reports about its activities including labour inspections and submit it to the central authority.

There are two types of inspection visits:

1. Periodic inspections.
2. Urgent inspections: those are mainly complaint-based.

When administrative labour inspectors, who are in charge of inspection conditions of work, come across safety and health violations which are out of their responsibilities, he or she will be required to report the matter to his or her director who authorizes an OSH inspector to check the situation and take proper corrective measures. The same thing applies in cases where OSH inspectors come across labour violations out of their scope of specialty. The functions carried out by the labour inspectors on a daily basis include the following:

1. Conducting routine and follow-up inspection visits to ensure the compliance of the enterprises in the private sector with the labour legislation.
2. Visiting the applicant enterprises to investigate the applications submitted to the MoL for employing foreign workers. Such investigations are required for granting new work permits but not for renewing them.
3. Dealing with individual labour disputes and complaints submitted to the regional labour offices.
4. Investigating the collective labour disputes referred to them by the Department of Investigation and Labour Disputes.
5. Providing the employers and employees with information and guidance on compliance and labour related issues.

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6. Supervision of the elections of the Trade Unions.
  7. Inspecting the foreign domestic workers recruitment agencies.

Those functions are mainly performed by the Grade III labour inspectors only and not by the Grade IV inspectors (assistant inspectors).

The OSH inspectors have the following functions:

1. Conducting inspection visits to ensure compliance with the OSH provisions of the labour law.
2. Examining the powered machines to ensure their compatibility with the OSH requirements and conditions, which is required by law for first-time licensing. Such inspections are not required for the renewal of the licenses of those machines.
3. Investigation of work related accidents.
4. Advising and guiding the employers and employees on safety and health matters.

The inspectors, both administrative and OSH, use a standard check list, which is a one-page form with half of it for general information about the inspected enterprise and the other half for listing the data of employed foreign workers. As required by the labour law, small areas are provided for on the form for information on the additional services and benefits available to the workers, for the findings in the enterprise and the outcome of the inspection visit.

In cases where the inspectors find violations in the enterprises being inspected, the following measures may be taken:

- A warning letter may be issued for the removal of the violation within the specified notice period.
- If the employer fails to remove the violation within the notice period, a penalty is issued and a fine is imposed on him or her after which a settlement may be requested by the employer within 15 days of the date of inspection. Any settlement should include the rectification of the violations and the payment at the Department of Labour of the minimum fine specified by the law, which is 250,000 LL (About 167 US\$). If no settlement is requested, the matter will be referred to the court, where the maximum fine, which is 2,500,000 LL (About 1667 US\$), is usually imposed.

When carrying out inspections, labour inspectors may issue warnings giving a period of notice for remedying defects. However, it seems that they may not immediately impose executory measures or alterations to installations or plants themselves; they have to go through the competent “authority” within the Ministry of Labour (see Article 22 report 2001). **This issue should be followed up; it is still compliant with Convention No. 81; however, in terms of efficiency, it would be better if labour inspectors could impose those measures themselves.**

It should also be checked if the Ministry of Labour can order immediate suspension of the economic activity of an undertaking going beyond ten days. According to Articles 107 and 108 of the Labour Code, this is not the case, and

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according to the indications given in the Article 19 report on Convention No. 155, p. 9, the interested party has to launch an urgency procedure with the appropriate and competent court if it wants to obtain an immediately executory action. So it should be (for linguistic reasons we cannot look into Law of 17 September 1962 providing amendments to Articles 107 and 108 of the Labour Code) checked how such measures are implemented on the initiative of the labour inspectorate.

Settlements are not accepted by the MoL in case of certain violations, such as hindering the inspection activities and illegal employment of foreign workers.

Many labour inspectors complained of internal and external influences in their activities and decisions. They feel that they are not protected enough to resist such interferences.

#### **6.4. Logistic support**

Some of the premises, where LI activities are located are very old and some inspectors do not even have a desk or a chair to sit on while performing their office work. Article 11 of the Labour Law stipulates: “[t]he competent authorities shall provide transportation facilities needed for the implementation of the duties of labour inspectors, and the appropriate measures to reimburse any incidental expenses incurred thereby”, but, practically, the labour inspectors are not provided with any form of transport, but each of them gets an average transportation allowance of around 100,000 LL, (about 67 US\$) per month, which is hardly enough to cover 3 days’ visits. The inspectors either use their own vehicles, if they have any, or use the public transports, which are expensive. Additional transport expenses incurred by the inspectors are not reimbursed. The inspectors are not provided with telecommunication facilities and expenses of using their mobile phones for work-related purposes are not compensated. Similarly, the inspectors have no access to computers or internet and the MoL does not have a database for the enterprises operating in the country and the labour market data. The inspectors do also have any secretarial support.

All inspection activities are manual and not computerized. Each inspectorate keeps paper files of the inspected enterprises in which the inspection reports and other related documents are kept.

#### **6.5. Labour disputes**

The labour relations issues and labour disputes within the province of the capital Beirut are under the Authority of Labour Relations, which has the following departments:

1. The Department of Investigations and Labour disputes.
2. The Department of Trade Unions.
3. The Department of Labour Relations.

The Department of Investigations and Labour Disputes deal mainly with the collective labour disputes, which are sometimes referred to the concerned labour inspectors for investigation. The individual labour disputes and complaints within Beirut are submitted to this department, but those out of Beirut are submitted to the

regional labour offices where they are handled by the labour inspectors. The majority of the individual labour complaints in Lebanon are related to termination of service, deprivation of workers from the annual leave and to the additional benefits of workers that they are entitled to by the law, such as the transportation allowances and the educational grants for their children.

Unsettled individual labour disputes are referred to the labour arbitration councils which are a form of labour courts. There is one council in each governorate under the supervision of the Ministry of Justice but the staff (who is primarily law graduates) is from the Ministry of Labour who should be law graduates.

Unsettled collective labour disputes are referred to the labour arbitration committee within the Ministry of Labour which is formed in accordance with Article 77 of the Labour Code issued on the 23<sup>rd</sup> of September 1946. Table 5 below shows the labour dispute cases handled by the Labour Inspection during the last three years.

**Table 5. Disputes received and handled by the Labour Inspection Department**

<b>Disputes</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Individual labour complaints	1,190	889	755
Collective labour disputes	84	90	117
Investigation of cases referred by the Labour Arbitrary Councils	293	465	234
Mediation in collective bargaining	75	27	N/A

## **6.6. Coverage of LI services**

The records of the MOL show that 12,721 enterprises, employing about 300,000 workers have been inspected by the MOL in the past but there is no indication of the period during which such activities were conducted. The annual reports of the MoL for the last three years show that the number of routine inspection visits conducted at the national level is around 2,000 visits per year, as shown in Table 6. With such numbers, the labour inspection activities in Lebanon are estimated to cover about less than 2 per cent of the enterprises operating in the country and about 21 per cent of the labour force every year. The coverage of enterprises with OSH services and inspections is far less than that. About 75 per cent of the inspection visits result in issuing warning letters and less than 0.5 per cent of them result in penalizing the employers and imposing fines on them, as Table 7 shows.

**Table 6. Activities of the Labour Inspection Department**

<b>Activities</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Routine periodic inspection	2,176	2,041	1,844
Special inspection	597	57	N/A
Investigation of work permit applications	167	301	80
OSH inspection	107	69	30

Supervision of Trade Union elections	144	296	148
Investigation of applications for establishing new TU	14	48	27

**Table 7.Measures taken by labour inspectors**

Measures	2006	2007	2008
Written warnings	1,656	2,052	887
Penalties	10	4	6

## VII. Other institutions

### 7.1. The National Social Security Fund (NSSF)

The social security services in Lebanon are provided by the National Social Security Fund (NSSF), which was established in 1963 by Decree No. 13955 as a social organization under the Ministry of Labour. It has a tripartite Board of Directors composed of 26 members, 6 members of the government and 10 members from each of the workers' and employers' organizations. The services and inspection of the NSSF cover all regions through 35 offices distributed all over the country. The number of enterprises registered in the system of the NSSF is 56,287 of which about 86 per cent have less than 10 employees, with about 556,000 insured persons contributing to this system. The NSSF provides the following services to the insured:

1. End of Service indemnity
2. Sickness and maternity social security
3. Family and academic allowances

According to the Social Security Law, the NSSF's services are supposed to include insurance against occupational diseases and injuries but this part of the law has not been implemented and such services are not yet included.

For the services mentioned above, 23.5 per cent of the wage is contributed to the NSSF (21.5 per cent paid by the employer and 2 per cent deducted from the employee's wage). The NSSF inspect the enterprises in the private sector to ensure compliance with the provisions of the Social Security Law. Such inspection is the responsibility of the "Directorate of Inspection and Enterprises Monitoring", which has 68 inspectors and 83 newly appointed inspectors, currently under training. Out of the 68 inspectors, 23 are senior inspectors, Grade II, and 45 are junior ones, Grade III. All inspectors employed by the NSSF must be university graduates of law or Business Administration. The newly recruited inspectors undergo a 9 month-training course before they assume their responsibilities as inspectors. Such training is conducted in the "Training and Qualification Institute" of the NSSF.

The inspection activities of the NSSF are all computerized and well planned on an annual basis. There is no coordination between the NSSF and the MoL in this respect.

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## **7.2. The Ministry of Public Health (MoPH)**

The Ministry of Public Health has a mission to “enhance the health and well being of all the people of Lebanon by ensuring the availability of, and the access to, comprehensive health services throughout the country. In order to attain and sustain the highest possible level of health, the Ministry will cooperate and collaborate with the other social and economic sectors, with the private sector, with Civil Society, for assuring the protection and promotion of Health. The Ministry of Health will share with individuals, families and communities the responsibility for achieving a state of health, which will permit them to lead a socially and economically productive life”

The MoPH established in 1961 an “Authority of Occupational Medicine and Work-related Diseases” by Decree No. 8377, but it has no staff other than the director. The relevant inspections are conducted by the generic Public Health Controllers, who inspect the food preparing and serving firms to insure their compliance with the public health rules and regulations, including the provision of first-aid facilities and precautions against fire and electrical hazards. Such enterprises may not be licensed unless the approval of the MoPH is obtained, following such an inspection.

Prior to assuming their responsibilities, the Public Health Controllers undergo a 3 year-training course in the “Health Controllers Institute”, which is supervised by both the MoPH and the Ministry of Education, and they should have completed the intermediate education level (Grade IX) as a minimum. However, the training they receive and their functions focus mainly on food handling and public health and it is not directly related to OSH or work-related injuries or diseases.

## **VIII. Occupational safety and health**

The occupational safety and health activities and services in Lebanon are under also under the DLIPS and those functions are carried out by the 24 OSH inspectors who are distributed in the 7 regional departments of labour and of whom there are 12 engineer labour inspectors, who are responsible for the safety component and 12 physician labour inspectors, who are responsible for the health component of the OSH activities.

As per the Article 4 of the Decree No. 11802, Regulation of OSH in the enterprises, the use of new mechanically powered machines is subject to the approval of the MoL, according to a report prepared by an engineer labour inspector. So industrial enterprises may not be licensed without such an approval, which is required only for the first time such enterprises are established and not required for the renewal of those licenses.

### **8.1. Occupational injuries and diseases**

Article 24 of Decree No. 136 pertaining to work related injuries and emergencies stipulates:

“[e]mployers, or their representatives, shall report all work-related injuries, within 3 days of their occurrence to the Labour Arbitration Council in their area, including a medical report of the details of the case and its expected outcome”.

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According to Article 6 of this decree, employers shall report all accidents to the MoL within 24 hours of their occurrence and shall submit to the MoL biannual accident reports. Article 36 of the same decree requires the employers to notify the MoL of occupational diseases as soon as possible.

The section of emergencies at work and occupational diseases of the Social Security Law stipulates that the NSSF shall keep records of occupational injuries and diseases of the insured, but this section is still not in force and needs to be activated. For this reason, the services of the NSSF do not yet include any insurance against work-related diseases and injuries, but Article 12 of the Decree No. 136 of the labour law stipulates that employers shall have contracts with insurance companies to cover the costs of the medical treatment and the compensation for work injuries of their employees.

In spite of the above mentioned parts of the labour law, the MoL does not yet have any system whatsoever for documenting occupational injuries and diseases and does not keep any such records. Such records or statistics are not kept by any other governmental institution. Related statistics collected from the private insurance companies in 2003 indicated that there were about 15,000 work-related injuries in that year, 10 per cent of which were serious and 70 per cent which were among the workers in the construction sector and included 20 deaths.

A further point of concern is the notification of industrial accidents and occupational diseases to the labour inspectorate (see direct request CEACR 2007) as required by Article 14 of the Convention No. 81. Nonetheless, notification is made to the Labour Arbitration Council in the region where the accident occurred and most probably to the compulsory insurance scheme.

It seems that serious accidents are reported to the Ministry of Labour or accidents which are subject of an arbitration case. The Ministry of Labour is also – according to Article 38F of Decree No. 11802- supposed to draw up a list of occupational diseases until the social insurance branch has become operational. This has not yet been the case (see Art. 19 report on Convention No. 155, page 5).

## **IX. Findings**

### **9.1. General comments**

The political conflicts and situations that Lebanon has been experiencing is one of its major obstacles to achieving a real progress (especially in regard to various aspects of the lives of the Lebanese). These obstacles mainly affect the economy, public services and security, which directly and negatively affect the development and promotion of the labour inspection and OSH services in the country.

The LI activities in the country are random and do not follow any clear policy or strategy and the ineffectiveness of the LI is intensified by the absence of collaboration among the different concerned institutions.

The huge numbers of complaints accumulated in the MoL exceed the capacities of the MoL. They consume most of the inspectors' time and keep the LI confined in a reactive role and prevent it from engaging in the important proactive and preventive role it is supposed to play.

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The MoL does not have any registry or database for the existing enterprises or a proper documentation system for the information collected on them and the inspectors have no access to any records or registries to obtain related data whenever needed. A comprehensive database of all operating enterprises subject to inspection need to be established for better planning and monitoring and better coverage of the LI services.

The Republic of Lebanon did not ratify the Convention No. 129 on Labour Inspection (Agriculture), although agriculture is one of the country's important sectors of work for both national and foreign workers.

Unlike the situation in neighbouring countries, most of the labour inspectors in Lebanon have good computer and communication skills and speak English or French as a second language, which facilitate the plans of promoting LI services.

## **9.2. Legislative framework for the labour inspection**

The labour law is scattered into a large number of decrees, decisions and regulations that makes the legislation not only difficult for the inspectors to access, but also makes them unclear, confusing and difficult to enforce.

The provisions of the labour law exclude some important categories, such as the domestic and agricultural workers and leave them legally unprotected.

The labour law does not include qualifications for being recruited as labour inspectors, but it refers to the OSH inspectors as "Engineer Inspectors" and "Physician Inspectors". Such a matter opens the way for the recruitment of unqualified persons as generic labour inspectors and, at the same time, it unnecessarily restricts the recruitment of OSH inspectors to the physicians and engineers.

The labour law does not stipulate any training for the labour inspectors after their recruitment, which leads to them conducting inspection visits without having any skills to do so. This contradicts the Labour Inspection Convention No. 81, which has been ratified by Lebanon, and which is, in addition to the Lebanese Labour Law, indicated as the basis for the Labour Inspection Decree No. 3273 of 2000, which regulates all LI activities and responsibilities in the country.

The labour law authorises the inspectors to penalize the employers without any notice in case of violations related to illegal employment of foreign workers, but takes away such an authority concerning OSH violations, regardless of their seriousness, as it stipulates that a notice period shall be given prior to any penalty.

The labour law does not ensure adequate protection for the labour inspectors and does not give them judicial authority.

The provisions of the labour law do not include any type of insurance or coverage against occupational diseases and do not refer to the employer's responsibilities in this respect.

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### **9.3. Labour inspection structure and organization**

The Department of Labour Inspection, Prevention and Safety occupies a low level within the hierarchy of the MoL. This does not reflect its importance and limits its functions. The central authority role should be revised.

### **9.4. Human resources and logistic support**

The shortage in the number of labour and OSH inspectors is one of the underlying causes of the poor coverage of LI and OSH services in Lebanon. At the same time, the NSSF employs a good number of well qualified inspectors, who could be a real asset in expanding such services, in case a proper collaboration and coordination is established between them, or if both services are integrated.

The shortage in human and other resources of LI has been intensified by directing those resources to the other functions of the MoL, mainly auditing and issuing the work permits for foreign workers, instead of engaging them in the LI activities.

The labour inspectors are under-trained and lack the knowledge and practical experience to conduct good quality inspections.

The inspectors are not motivated to carry out their jobs properly. They are under-paid in one of the most expensive countries in the region and they are not compensated for the unavoidable work related expenses, sometimes incurred by them.

The labour inspectors do not undergo any type of appraisal or evaluation of their activities and performance nor is there any follow-up.

The lack of logistic support for the labour inspectors in Lebanon goes for some of them as far as not even having a desk and a chair with which to conduct routine office work, let alone the other basic needs for conducting the inspection visits.

The labour inspectors do not have any transport means available for them to use for performing the required activities. All inspection visits are made either on foot or by means paid for by the inspectors themselves.

Computerization of the LI and OSH activities and access to computers and internet by all inspectors are among the most urgent needs for more efficient use of the available resources, for strengthening the capacities of the LI system and for promoting the LI and OSH services.

### **9.5. Labour inspection visits and function**

The decisions of the labour and OSH inspectors are not fully independent and the inspectors feel that they are not protected enough to resist internal and external interferences in their work and decisions.

The labour inspection and OSH activities are not properly planned. The inspectors have no adequate knowledge, experience or tools to assess the risk level of the enterprises and to identify the priorities of labour inspection.

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The DLIPS, which is considered the central LI authority in Lebanon, does not prepare or publish any reports on LI, including the annual general report, required in the Convention No. 81.

The checklist used by the labour and OSH inspectors is a concise one page form that mainly focuses on the information related to the employment of foreign workers. This checklist should be reformed in order to provide the inspectors with more information on the working conditions and terms in the enterprises being inspected and their level of compliance with the legislations in force.

The disciplinary measures and sanctions authorized for the labour and OSH inspectors by the law are not properly used by the inspectors against violators. This is clearly shown in the figures which reveal that violations are found and warning letters are issued in about 75 per cent of the inspection visits, while only 0.5 per cent of those visits result in taking serious action and penalizing the violators.

A guide to labour inspection is one the important tools that should be developed and made available to the inspectors in order to standardize and promote their activities.

## **9.6. Other institutions**

The Directorate of Occupational Medicine and Work-Related diseases of the MoPH is completely inactive and doesn't play any role concerning monitoring or promotion of occupational health. This role, which is not properly played by the MoL, leaves a large and important gap concerning the workers health.

Lack of collaboration and coordination between the MoL and the NSSF concerning inspection activities contribute to the weaknesses of the labour inspection system in the country, which could be supported if proper channels of collaboration and coordination are established between them.

The training institute of the NSSF, of adequate premises and well equipment could be, if properly used, of a great importance in facilitating and reducing the costs of strengthening the capacities of the labour and OSH inspectors of the MoL.

The "Emergencies at Work" part of the Social Security Law, related to insuring the workers against work-related injuries and diseases, is not yet implemented. As a result, the NSSF does not provide any type of insurance against occupational diseases and injuries.

## **9.7. Occupational safety and health**

There is no national occupational safety and health policy and the related activities and services are also random and do not follow any strategies or plans.

The numbers and proportions of the enterprises and workers covered by occupational safety and health inspection are estimated not to exceed 1 per cent of the enterprises and workers in the country.

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The shortage in the number of OSH inspectors is further intensified by the separation between the responsibilities and functions of the engineer labour inspectors and those of the physician labour inspectors.

The OSH activities are mainly directed to the inspection of the powered machines for licensing them in accordance with the labour law and not well expanded to cover the other relevant issues.

The MoL does not have any system for notifying, investigating or documenting occupational injuries and disease. The injuries are rarely reported and the diseases are never reported.

The insurance of the employees against occupational injuries by private insurance companies, as required by the law, is not an effective way to provide workers with such benefits, especially since compliance with such legal requirement is not effectively monitored. Moreover, many of the insurance companies choose to enter into contracts with the employers showing the number of the insured workers without specifying their names or identities. This allows the employers to misuse such contracts and keep large numbers of employees legally unprotected. Such system of insurance does not cover occupational diseases.

## **9.8. The social partners**

The social partners are not adequately involved in the labour issues in general and in the labour inspection activities in particular.

The workers' and employers' representatives do not have the proper training and experience to be actively involved in the social dialogue process. They should be trained mainly on the International Labour Standards, labour inspection and negotiation and collective bargaining skills.

The employers and workers need to be made aware of their rights and obligations and of the importance of the labour inspection for enhancing the productivity and sustainability of the businesses and protecting their rights. Well designed employers' brochure and other awareness raising programmes should be considered for this purpose.

## **X. Recommendations**

### **10.1. General recommendations**

A national labour inspection policy should be developed, and implemented, in consultation with the workers' and employers organizations and other partners and concerned institutions, mainly the NSSF and the MoPH..

*ILO suggestion: The ILO could provide technical support on this matter through an international expert within the TC project. A workshop that includes all partners needs to be organized.*

A comprehensive database containing all existing enterprises in the country should be established. This is necessary for the computerization of the inspection activities and for better planning and coverage of LI services. Cooperation with other

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institutions, such as the Ministry of Trade and industry and the NSSF, may help in this respect.

*ILO suggestion: The ILO may provide technical assistance in this field.*

The Republic of Lebanon should be encouraged to ratify and apply, the Convention No. 129 on Labour Inspection Convention, (Agriculture), the Convention No. 155 on Occupational Safety and Health and the Convention No. 87 on the Freedom of Association and Protection of the Right to Organize.

## **10.2. Legislative framework for the labour inspection**

The labour law should be reformed for expanding its coverage to the excluded categories, mainly the agricultural and domestic workers.

The reform of the labour law should address the other shortcomings identified above, including those related to the inspectors' qualifications, training and protection and coverage of the occupational diseases.

*ILO Suggestion: A tripartite workshop may be organized for revising the current labour law and suggesting amendments for its reform. The labour inspectors should be actively involved in this process. The ILO could support such an activity within the TC project.*

## **10.3. Labour inspection structure and organization**

The regional LI activities are not under the supervision or control of what is considered a central authority of LI. There is no proper coordination with it.

Promoting the Department of Labour Inspection, Prevention and Safety to a higher level on the hierarchy of the MoL and providing it with adequate authority to establish it as the legal, practical and central authority for LI at the national level would surely contribute to enhancing LI effectiveness in the country.

## **10.4. Human resources and logistic support**

The number of labour and OSH inspectors should be increased. For this purpose, an additional number of labour and OSH inspectors should be recruited or a proper integration or coordination and cooperation should be established with the NSSF in order to overcome the shortage in human resources that the LI system within the MoL suffers.

All inspectors of the MoL and the NSSF should undergo comprehensive training on labour inspection, which should include the international labour standards, the national labour legislation, basic human rights, occupational safety and health, mediation, reconciliation and collective bargaining and time and resources management.

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*ILO suggestion: The ILO could support the training of those inspectors and strengthening their capacities within the activities of the TC project.*

A human resources development unit should be established under the proposed central authority of LI, which would facilitate the continuous training process of the labour inspectors. Such a unit would develop policies related to monitoring the performance of the labour inspectors and may work on highlighting their weaknesses and training needs, and organizing capacity building programmes pertinent to such needs. Attaching a library to this unit would be of a significant importance.

*ILO suggestion: The training unit may be established with technical support of the ILO in the framework of the TC project and the ILO could provide the library with the materials and publications available in Arabic.*

The labour inspectors should be motivated by improving their salaries and allowances. Options like developing an incentive system based on performance should be considered. This will require a reliable evaluation process and funds.

All labour inspectors should be provided with offices and equipment as necessary for performing their duties and functions.

Adequate and proper transportation means should be made available to all inspectors whenever needed for inspection and there should be arrangements for reimbursing the labour inspectors for any travelling and other expenses which they may incur while performing their duties.

The labour inspection activities should be computerized. This requires access for all inspectors, to computers, the internet and the development of related software.

## **10.5. Labour inspection visits and function**

The independence of the labour inspectors' decisions should be ensured and internal and external interferences should be stopped.

The checklists and forms used by the labour and OSH inspectors should be reformed and developed in order to make the inspection visits more comprehensive and to provide better information on the working conditions in the enterprises being inspected and their level of compliance with the labour legislation.

A clear job description should be developed for the labour inspectors and assigning additional non-labour inspection responsibilities to them should be avoided, so that most of the inspectors' time is engaged only in labour inspection and related activities.

*ILO suggestion: The ILO would provide technical assistance under the project for developing the new checklist and the job description.*

A "Guide to Labour Inspection" should be developed in a way to cover the issues a labour inspector may need to know for practice and conducting good quality inspection visits.

*ILO suggestion: The ILO could provide technical support on this matter. The development of the checklists and forms may be worked on by a team of labour inspectors and the staff of the legal department with the assistance of an*

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*international expert, within the TC project. The checklists used by the labour inspectors in Jordan and Oman may be helpful in this regard.*

The procedures of conducting quality labour inspection, including the stages of planning and preparing for the inspection visit and practical inspection shall be included in the planned training programmes for the labour inspectors.

Annual report on labour inspection, including occupational safety and health should be issued in line with articles 20 and 21 of the ILO Labour Inspection Convention No. 81.

## **10.6. Occupational safety and health**

The coverage of occupational safety and health services should be expanded through training and through increasing the number of inspectors and integrating the labour inspection and OSH activities. The functions of the engineer and physician labour inspectors should not be separated.

A National Occupational Safety and Health Strategy/Policy should be developed, and implemented, in coordination and collaboration of all partners, including workers' and employers' organizations. A national OSH profile needs to be prepared for this purpose.

*ILO suggestion: the ILO could provide technical support and supervision, under the TC project, in preparing the profile and developing the policy. Coordination with Safe Work on this matter is necessary.*

An integrated occupational injuries and diseases documentation, notification and investigation system should be developed. A workshop on this matter should be organized with participants from all concerned departments and institutions, including the social partners.

## **10.7. The Social Partners**

The Social Dialogue and Tripartism should be promoted and the social partners should be actively involved in labour inspection activities, including the development and implementation of related policies and strategies. Their capacities should be strengthened by providing them with adequate training, mainly on the International Labour Standards, the national labour legislations, labour inspection and collective bargaining and negotiation skills.

A media campaign should be organized to raise the awareness of workers and employers of the labour inspection and of their labour rights and obligations. This may include designing and distributing workers' and employers' brochures.

*ILO suggestion: The ILO may support media campaigns and printing and distributing the brochures within the TC project.*

There is a need for establishing a strong and influential tripartite advisory committee with a mandate covering all labour issues in order to enhance an effective tripartite social dialogue.

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*The ILO may play an invaluable role in this matter through advisory services and organizing capacity building programmes for the social partners.*

## **10.8. Other institutions**

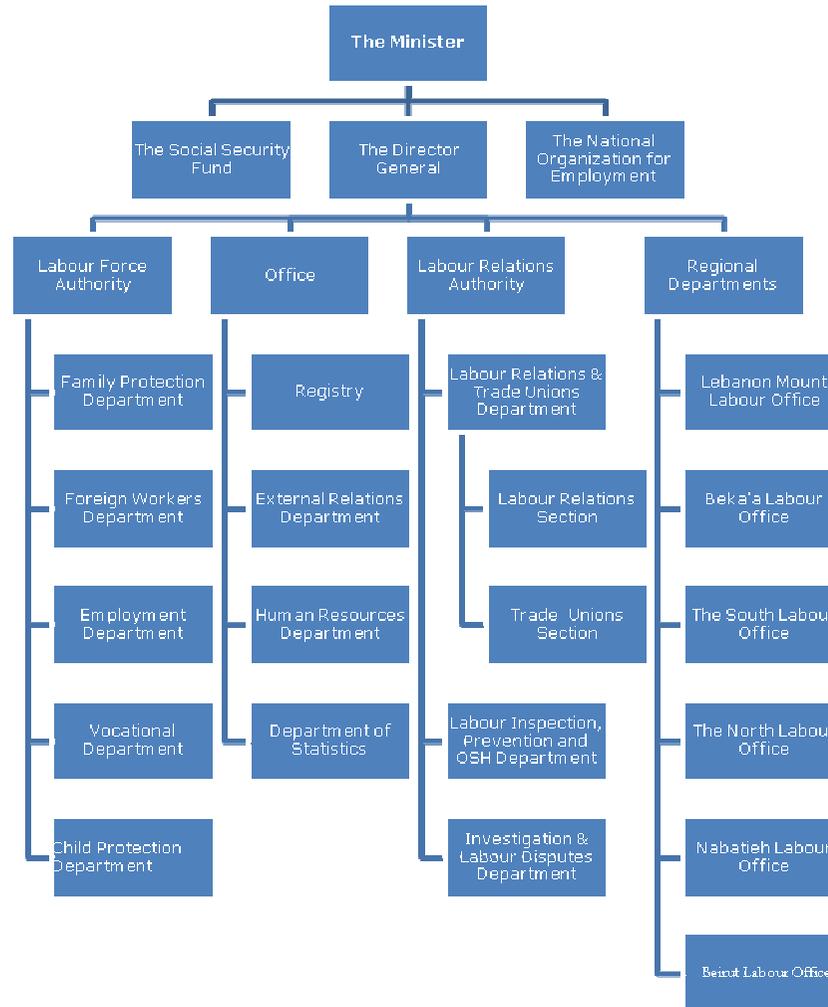
The NSSF should activate the parts of its law related to emergencies at work which would provide the workers with insurance against work-related injuries and occupational diseases.

Proper mechanisms of collaboration and coordination among the MoL and other concerned institutions, mainly the NSSF should be developed in order to promote the function of the LI system and to have a better use of the available resources. A national workshop for all concerned institutions may be organized for this purpose.

The MoPH should activate the Directorate of Occupational Medicine and Work-related Diseases, which would, through proper collaboration and coordination with the MoL, contribute effectively to the promotion of workers' health.

## Annex 1

The Organizational Chart of the Ministry of Social Affairs and Labour



## Annex 2

### Labour Inspection Checklist (Translated from Arabic to English)

<p>The Republic of Lebanon _____          Ministry of Labour _____          Department.....</p> <p style="text-align: center;"><b>Inspection Checklist</b></p>	<p style="text-align: center;"><b><u>Services and Benefits Provided to Workers</u></b></p> <p>- _____          - _____          - _____          - _____          - _____          - _____</p>
<p>- The Enterprise.....Number.....Nature of Activity.....</p> <p>-Type of enterprise: ← Shareholder                      ← Joint venture                      ← Individually owned</p> <p>-Address: City.....Area.....Street.....Building Number.....          Phone number.....P.O box.....</p> <p>-Name of Owner.....Nationality.....</p> <p>-Type of Work: Permanent.....Seasonal.....Temporary.....</p> <p>-Interviewed Staff Member Name.....Position.....</p> <p>-Total No. of Employees:      Male.....Female.....Juveniles.....Children.....</p> <p>-No. of Lebanese Employees:      Male.....Female.....Juveniles.....Children.....</p> <p>-No. of Foreign Employees:      Male.....Female.....Juveniles.....Child.....</p> <p>- Names of Foreign Employees      Nationality      Monthly Wage      Work Permit No.      Expiry date      Profession</p> <p>1- _____</p> <p>2- _____</p> <p>3- _____</p>	<p style="text-align: center;"><b><u>Findings</u></b></p> <p>- _____          - _____          - _____          - _____          - _____          - _____</p>
	<p style="text-align: center;"><b><u>Outcome of Visit</u></b></p> <p>_____          _____          _____          _____          _____</p>