



REGULATORY FRAMEWORK GOVERNING MIGRANT WORKERS ¹

Updated December 2023



International
Labour
Organization

PRIVATE SECTOR WORKERS

(other than domestic workers)

DOMESTIC WORKERS²

KEY LEGISLATION	Labour Code 1946. ³	Decision No. 41/1 of 11 May 2022 on Regulating the Activity of Female Migrant Domestic Worker Recruitment Agencies and related regulations; the Standard Unified Contract, 2009 (SUC). ⁴
RECRUITMENT		
RECRUITMENT FEES	Charging recruitment fees to workers is not explicitly prohibited under the law.	Recruitment agencies are prohibited from charging fees to domestic workers. ⁵
PASSPORT CONFISCATION	There is no legislative prohibition preventing employers from confiscating workers' passports. ⁶	
WORKING CONDITIONS		
CONTRACT	<p>An employment contract may be written or verbal.</p> <p>Written contracts should be in Arabic, but may be translated to another language if the worker does not understand Arabic.</p>	<p>Prior to a worker's arrival, the employer must request approval to recruit a worker. Within 10 days of the worker's arrival, the employer must obtain a work permit for the worker. The employer must attend a public notary office with the worker for each to sign a copy of the SUC. The SUC is signed in Arabic, but a translated version in another language can be attached.⁷</p>

¹ The information in this factsheet is made available for general information purposes only. The information included does not, and is not intended to, constitute legal advice. No obligations or rights can be derived from the information provided. This factsheet was prepared by the ILO FAIRWAY Project, supported by the Swiss Agency for Development and Cooperation, and is based on publicly available information.

² Domestic workers as defined by Lebanese regulations may only be female workers.

³ Article 7 excludes the following categories of workers from the scope of the law: (1) servants in private households; (2) agricultural unions not related to commerce or manufacturing; (3) institutions that only employ family members under the management of the father, mother or legal guardian; and (4) government administrations and municipalities in terms of temporary employees and daily wage labourers to whom the Public Sector Staff Regulations do not apply.

⁴ As established by Unified Contract Decree No. 19/1, 2009, and governed by the Code of Contracts and Obligations. A revised SUC was issued by the Caretaker Minister of Labour on 8 September 2020, but was later suspended by the State Shura Council (Lebanon's Administrative Court), and thus is not currently in force.

⁵ Order No. 1/1 Governing the Work of Placement Agencies, 2011; Decision No. 41/1, article 28.

⁶ Previous court judgments regarding passport confiscation have relied on articles 670–673 of the Lebanese Criminal Code.

⁷ For certain nationalities, a signed employment contract in English is a mandatory condition set by their embassy (for example, the Philippines).

MINIMUM WAGE	<p>The minimum wage was raised to 9,000,000 Lebanese pounds on 1 May 2023 (equivalent to approximately US\$92).</p> <p>The minimum wage legislation does not explicitly differentiate between nationals and migrants.</p>	Not specified by law.
WORKING HOURS	Maximum of 48 hours per week.	<p>A maximum of 10 non-consecutive hours a day, (accounting for 60 hours per week).</p> <p>A minimum of a eight continuous hours of rest each night.</p>
REST PERIODS	<p>Men: Minimum of one hour of rest for every six consecutive hours of work.</p> <p>Women: Minimum of one hour of rest for every five consecutive hours of work.</p> <p>A consecutive nine-hour rest period must be permitted every 24 hours.</p>	A minimum of 24 hours of consecutive rest per week, the conditions of which are to be agreed upon between both parties.
OVERTIME	Overtime provisions are at a rate of 150 per cent of normal pay.	Not specified by law.
PAYMENT OF WAGES	Employers have to pay workers at least on a monthly basis, or by agreement in case of piecework.	<p>Employers have to pay domestic workers on a monthly basis without “unjustified delay”.</p> <p>The employer must pay the salary in cash or via bank transfer, and a written receipt must be provided.</p>
ANNUAL LEAVE	15 days per year after one year of work.	Six days per year.
OSH AND LABOUR ACCOMMODATION	<p>The employer shall take all the necessary measures of health protection in the workplace, especially in relation to safety, lighting, ventilation, aeration, drinking water, lavatories, evacuation of dust and smoke, accommodation of workers and hygiene measures to protect workers from pollution by pathological or biological factors.⁸</p> <p>All workers shall undergo regular medical examinations during employment as determined by the applicable rules and regulations.⁹</p>	<p>The employer must provide food, as well as accommodation that respects the domestic worker’s dignity and right to privacy.</p> <p>The employer must allow the domestic worker to receive telephone calls and to communicate with their family once a month at the employer’s expense.</p>

⁸ Décret n° 11802 du 30 janvier 2004 réglementant la prévention, la sécurité et l'hygiène professionnelle dans tous les établissements soumis au Code du travail. (Chapter 2, Article 38)

⁹ Décret n° 11802 du 30 janvier 2004 réglementant la prévention, la sécurité et l'hygiène professionnelle dans tous les établissements soumis au Code du travail. (Chapter 2, Article 38; Article 5)

	<p>The employer shall check, on a regular basis, either personally or through specialists, that the machines, tools and substances used by workers do not entail any risks to the health and safety of those who use them properly.¹⁰</p> <p>The employer shall provide workers with the appropriate personal prevention and protection uniforms and gears, ensure their maintenance and preserve them in good conditions for later use. This equipment is at the expense of the employer.¹¹</p>	
LEGAL ACCESS TO SOCIAL PROTECTION		
MEDICAL INSURANCE COVERAGE	Not specified by law, except for migrants from five European countries with which Lebanon has reciprocal arrangements. ¹²	The employer must guarantee medical care and obtain an insurance policy in accordance with the special conditions prescribed by the Ministry of Labour. ¹³
SICKNESS LEAVE AND PAY	<p>The number of paid sick leave days depends on the period of service:</p> <ul style="list-style-type: none"> • Between three months and two years: Half a month on full pay and half a month on half pay. • Between two and four years: One month on full pay and one month on half pay. • Between four and six years: One and a half months on full pay and one month on half pay. • Between six and ten years: Two months on full pay and two months on half pay. • More than 10 years: Two and a half months on full pay and two and a half months on half pay. 	Half a month of paid sick leave and another half a month with half pay, based on a medical report. ¹⁴
UNEMPLOYMENT BENEFITS	Not specified by law.	Not specified by law.
EMPLOYMENT INJURY BENEFITS	Not specified by law.	Not specified by law.
OLD-AGE, NATURAL DISABILITY, DEATH AND SURVIVORS' BENEFIT INSURANCE COVERAGE	No old-age, natural disability, death or survivors' benefits are provided for by law. However, there is a statutory benefit of an end-of-service gratuity that is determined as follows: One month of wages per year of service (half a month for service of less than one year). ¹⁵	Not specified by law.

10 Décret n° 11802 du 30 janvier 2004 réglementant la prévention, la sécurité et l'hygiène professionnelle dans tous les établissements soumis au Code du travail. (Chapter 1, Article 3, Paragraph 5)

11 Décret n° 11802 du 30 janvier 2004 réglementant la prévention, la sécurité et l'hygiène professionnelle dans tous les établissements soumis au Code du travail. (Chapter 1, Article 34).

12 According to the 1964 Social Security Law, "foreign wage-earners and salary-earners, working on the Lebanese territory, attached to one or several employers, and employers who engage them, shall be subject to all the obligations included in the Social Security Law and the conditions relating thereto, in what pertains to the sickness and maternity insurance branch, the family allowance branch".

13 This is a special health insurance designed for migrant domestic workers, which contains only minimal health coverage. However after the devaluation of the local currency, it is not clear whether this policy provides any genuine coverage.

14 Only in relation to sickness, not ailments/injuries derived from the domestic worker's service.

15 The amount of the end of service gratuity and its conditions are subject to: (i) the circumstances of the contract termination (dismissal or resignation); (ii) the number of years of registration with the National Social Security Fund (NSSF) as an employee; (iii) the age and gender of the employee; and (iv) the type of activity the person would like to exercise after having cashed their end of service gratuity. The compensation may range from 50 per cent of one month's service for an NSSF registration of less than five years, to 100 per cent of one month's service for more than 20 years of registration (articles 51–52 of the Lebanese NSSF Law).

FREEDOM OF ASSOCIATION		
ABILITY TO JOIN TRADE UNION	Migrant workers can join existing trade unions, but cannot form their own trade unions or take up leadership functions in existing trade unions.	<p>As domestic workers are outside of the Labour Code, they are unable to join or form trade unions.</p> <p>A domestic workers union was established by the National Federation of Worker and Employee Trade Unions in Lebanon (FENASOL), but has not been recognized by the government.</p>
GRIEVANCES AND DISPUTE RESOLUTION		
LODGING COMPLAINTS/ RESOLVING DISPUTES	<p>Conciliation</p> <p>Workers can apply for conciliation with the Ministry of Labour (MOL) via a lawyer or in person at the MOL office.</p> <p>Conciliation is undertaken by a labour inspector and is free of charge.¹⁶</p> <p>Judicial remedy</p> <p>Workers can bring an individual dispute to the Labour Arbitration Council¹⁷, provided that it is within the statute of limitations.¹⁸</p>	<p>Conciliation</p> <p>Workers can submit a complaint to the Department of Labour Inspection, Protection and Safety at the Labour and Labour Relations Unit and at the MOL's regional labour offices in the different governorates. Complaints can also be submitted via the 1741 hotline or the MOL's website, however it is not clear if either is currently functioning.¹⁹</p> <p>An employer who fails to abide by the recruitment terms and conditions and all persons living with them in the same household shall be added to the Ministry of Labour's "blacklist" of those prohibited from recruiting migrant domestic workers.²⁰</p> <p>Judicial remedy</p> <p>Domestic workers are not covered by the Lebanese Labour Code, but they can file a complaint before the Labour Arbitration Council, which applies the Code of Contracts and Obligations rather than the Labour Code in the case of domestic workers.</p>
SHELTERS AND PROTECTION SERVICES	There are shelters run by civil society organizations such as Caritas and Kafa.	

16 Ministerial Decision No. 2/13 (1996), article 5. The law does not specify any time limit on the MOL to close the matter pending before it. The labour inspector will explain to the worker their rights and will provide legal advice on how to resolve the matter. Both parties should be convened by the conciliator at an early date, taking into consideration that the conciliation and investigation processes must be completed by applying urgent procedures.

17 The Council is composed of a worker representative, an employer representative, a commissioner from the Department of Labour, as well as a chief judge. There are several Labour Arbitration Councils – in Beirut, Mount Lebanon (Baabda), Tripoli, Saida and Zahle.

18 In case of dismissal, the employee has a time limit of one month starting from the date of notification. In the case of work accidents, the employee has a time limit of one year. For all other complaints, the statute of limitations is two years.

19 Decision No. 41/1 On Regulating the Activity of Female Migrant Domestic Worker Recruitment Agencies, article 31. Recruitment agencies are required by Ministerial Decision No. 1/168 of 2015 to report disputes between workers and employers to the MOL and to file a complaint.

20 Decision No. 41/1 On Regulating the Activity of Female Migrant Domestic Worker Recruitment Agencies, article 30(3).

SPONSORSHIP

SPONSORSHIP AND CHANGING EMPLOYERS	<p><i>With permission of employer</i>²¹ At any time.</p> <p><i>Without permission of employer</i> Only possible with the employer’s approval.</p> <p>In cases of abuse, the worker can inform General Security or the MOL, which will decide whether to transfer the sponsorship.</p>	<p><i>With permission of employer</i> At any time, but limited to three times only (after which the worker must first leave the country if they wish to switch sponsors).</p> <p><i>Without permission of employer</i> Only possible with the employer’s approval.</p> <p>In cases of abuse or non-payment of wages for a period exceeding or equivalent to three months, the domestic worker can inform General Security or the MOL, which will decide whether to transfer the sponsorship.</p> <p>If a worker’s contract is terminated during the probation period, the recruitment agency may retain the worker for one month to find an alternative employer. If no employer is found, the worker is repatriated to her country of origin.²²</p>
“UNEXPLAINED ABSENCE” / ABSCONDING	<p>There is no specific offence for leaving an employer or “absconding”. However, an employer can nonetheless submit a complaint to General Security if the worker has left during the contract period, and General Security will cancel the worker’s permit based on a number of possible residency offences, such as changing the nature of one’s job or moving to another employer before having obtained prior approval from the MOL.²³</p>	
LEAVING THE COUNTRY	<p>There is no requirement for an exit permit to leave the country.²⁴</p>	

²¹ This is referred to as a “transfer” procedure and is completed via public notaries. The term “no objection certificate” is not used in Lebanon.

²² Decision No. 41/1 On Regulating the Activity of Female Migrant Domestic Worker Recruitment Agencies, article 27.

²³ Decree No. 17561 of 1964 Regulating the Work of Aliens, article 15.

²⁴ Syrians residing in Lebanon are subject to different regulations related to entry, residency and exit of territory due to their specific status consequent to the Syria crisis. They are granted permission to leave the country by the Lebanese General Security under conditions listed on their website and that may vary due to changes in Syria or Lebanon. See: <http://www.general-security.gov.lb/ar/posts/36>.