



الاتحاد العام لنقابات عمال فلسطين
Palestine General Federation Of Trade Unions

PALESTINIAN WORKERS

A COMPREHENSIVE REPORT ON WORK CONDITIONS,
PRIORITIES AND RECOMMENDATIONS

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مركز العالم العربي للبحوث والتنمية
Arab World For Research & Development

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Table of Contents

The Palestinian Labor Movement: A Historic Overview

Chapter 1: Introduction&Methodology

Chapter 2: Research Results

Part 1: Socio-economic Background

Part 2: Nature of Work

Part 3: Working Days and Hours

Part 4: Access to the Workplace and Transportation

Part 5: Work Contracts

Part 6: Wages and Health Insurance

Part 7: WorkingConditions and Discrimination

Part 8: Work Injuries and Disputes

Part 9: Awareness of Labor Rights

Part 10: Confidence in Institutions

Part 11: Palestinian Labor Law

Part 12: Trade Unions

Part 13: Conditions by Location and Specific Group of Workers

Chapter 3: Priorities and Recommendations

Tables

Table (1): Distribution of Workers by Place of Residence

Table (2): Number of Working Hours by Location

Table (3): Parties to whom Complaints were Filed by Work Sector

Table (4): Are you Familiar with the Labor Law?

Table (5): Confidence in Workers' Institutions

Table (6): Threats Perceived by Workers who Stay Overnight in Israel

Table (7): Discrimination against Jerusalem Workers

Boxes

Box (1): Working Hours

Box (2): Suffering and Oppression at the Checkpoint

Box (3): Fraud and Violations of Workers' Rights

Box (4): Impact of Low Wages

Box (5): Abuse of Female Workers in Settlements

Box (6): Hazards at Work

Box (7): Work Accidents –'Blunt talk'

Box (8): On Awareness of Rights

Box (9): Labor Law and the Role of Trade Unions (Statements by Professionals)

Box (10): Who Safeguards Workers' Rights in the Gaza Strip?

Box (11): Weak Enforcement of Labor Law

Box (12): Preference to work in Israel, despite the suffering and abuse

Box (13): Difficulties at Checkpoints:

Box (14): Burden on workers who work in Israel

Box (15): Sleeping in Israel

Box (16): Discrimination against Jerusalem Workers

Box (17): Dues owed to Gaza Strip Workers

Box (18): Victims of Tunnels

Box (19): Women - Work without Rights

Box (20): Women and Brokers

Graphs

Graph (1): Distribution of Workers by Current Workplace

Graph (2): Place of Family Residence

Graph (3): Distribution of Workers by Age

Graph (4): Educational Qualifications among Workers

Graph (5): Use of the Internet by Age Group

Graph (6): Percentage of Smokers among Workers by Location of Work

Graph (7): Distribution of Workers by Sector.

Graph (8): Distribution of Workers by Services Sub-sectors

Graph (9): Size of Enterprise and Work Sectors

Graph (10): Type of Contract/Agreement with Employer by Location

Graph (11): Conditions Covered By the Written Work Contract

Graph (12): Percentage of Workers Performing Duties beyond Those Stipulated by Location

Graph (13): Health Insurance Cover by Location

Graph (14): Job Security among Workers by Location

Graph (15): Workers Exposed to Toxic Substances by Work Sector

Graph (16): Workers who Received Compensation for Accidents

Graph (17): Legal Assistance in Dispute Resolution with Employers

Graph (18): Reasons for not Filing Complaint

Graph (19): Sources of Information on Rights

Graph (20): Are you Familiar with the Labor Law?

Graph (21): Do You Consider Yourself Active in Trade Unions?

Graph (22): Sleeping at the Workplace

Graph (23): How Would You Describe Your Accommodation inside the Green Line?

Graph (24): How Would You Describe Work in Tunnels?

Graph (25): Main Problems Faced by Workers

Graph (26): How Important are the Following Issues for Workers?

The Palestinian Labor Movement: A Historic Overview

The Palestinian General Federation of Trade Unions (PGFTU) was founded in 1965. It was a natural extension of the Palestine Arab Workers' Society, established in 1925 to lead the labor and trade union movement in Palestine and one of the most important institutions in the development of the Palestinian national labor movement. The PGFTU embraced Palestinian concerns as it represented the largest social strata of society. It participated in the leadership of the Palestinian national struggle throughout the period of Israeli occupation and worked to achieve independence, to shape the Palestinian identity and to establish the pillars of the Palestinian state in accordance with the core fundamentals of Palestinian political struggle and union demands at all stages of the Palestinian question.

The Palestinian labor movement dates back to the beginning of the 20th century and was one of the oldest and most prominent labor movements in the Arab world. This is due to the economic development and awareness of labor issues which prevailed in Palestine at the beginning of the last century; an Ottoman law of 1907 permitted the formation of social associations unrelated to political concerns. The actual history of the Palestinian trade union struggle dates from 1920 and culminated in the formation of the Palestine Arab Workers' Society in 1925. This was a natural response to the establishment of the General Federation of Jewish Labor in Palestine (Histadrut) in 1920, which promoted the 'Judaization of labor' whereby Arab workers were not allowed to work in Jewish settlements and factories. The role of the Histadrut was not restricted to labor issues and trade unions; it was later one of the cornerstones of the state of Israel.

The foundation of the Palestine Arab Workers' Society was the beginning of a new phase in the history of the labor movement in Palestine. The Society was reformist in nature and attempted to model itself on the Jewish trade union movement in spite of the significant disparity in labor awareness and available material resources and social and political capabilities: in these the Jewish labor movement was way ahead. The most important objective of the Arab Workers' Society was to organize Arab workers against the immigration and settlement of Jews, including migrant Jewish workers, into Palestine. The most important achievements of the Palestine Arab Workers' Society included opposition to the policy of the railway company that preferred Jewish over Arab workers; the successful convention of the first workers' conference on the 11th of January 1930; the opening of evening schools to educate workers and raise awareness of their national and labor rights; attempts to build model villages resembling the Israeli settlements; the raising of workers' wages; the specification of working hours; and increasing membership numbers and establishing branches in Palestinian cities.

Many events accompanied the growing role of the Palestinian labor movement that resulted in weakening and dispersing its efforts and curbing its previously rapid growth and influence. The Palestinian labor movement had suffered from divisions throughout its history. In 1942, the Federation of Arab Trade Unions and Workers' Societies was founded as a rival to the Palestine Arab Workers' Society rather than an extension or ally. Another rift in the Society occurred in 1945, which coincided with the Palestinian Nakba

and the UN Partition Resolution; all these contributed to the downfall of the Palestinian labor movement. The labor movement found itself disintegrated and scattered with many of the Palestinian people transferred and exiled, some residing inside the Zionist entity and the rest in what remained of historical Palestine in the West Bank and the Gaza Strip.

These events impacted the work of the Palestine Arab Workers' Society and its representation of the Palestinian working class. Perhaps, the most significant criticism of the Palestinian labor movement in the aftermath of the Nakba was the amalgamation of its political leadership into a new form under the pretext of the prevailing socio-economic conditions. In the forefront were the progressive groups who led the labor movement and represented its interests prior to the Nakba; the members of the National Liberation League who found themselves occupied in 1948 joined the Israeli Communist Party, while League members joined Marxist forces in Jordan to form the Jordanian Communist Party. Several Palestinian trade unionists participated in the establishment of the Jordanian labor movement, while the labor movement was suspended in the Gaza Strip until the foundation of the PGFTU in 1965.

At the time when the political annexation of the West Bank to Jordan was declared in 1950, there was no tangible presence of trade unions in Jordan under the iron fist policy of the regime. Thus, the Jordanian labor movement in which the Palestinian labor movement had been incorporated was crushed whenever it attempted to initiate action. This persisted until 1953 when the law for the establishment of trade unions was enacted. A number of trade unions were formed but were still subjected to state intimidation. This remained the case until 1967 when the West Bank and Gaza Strip fell under Israeli occupation. Meanwhile, the General Federation of Trade Unions was founded in 1954 with two branches opened in Jerusalem and Nablus in 1965.

During the period of Israeli occupation, the Palestinian labor movement developed and established itself as a public institution that addresses Palestinian suffering imposed by the realities of Israeli occupation and the pursuit of independence. This led to concerted attacks against its leadership and its prominent role in the Palestinian national struggle.

Initially, steps were taken to reactivate the Palestinian trade union movement, despite a decree by the Israeli occupation authorities to freeze all trade union activities in Jerusalem and close down the office of the General Federation of Trade Unions. During 1968, serious attempts were made to revive the Federation's branch in Nablus and encourage trade union activities. This culminated in the first meeting of the Federation on the 10th of January, 1969 and the election of Zakaria Hamdan as secretary general; he was deported by the Israeli authorities three months later.

The second step, taken in 1972, was to break the dependence on the Jordanian Federation of Trade Unions, changing its name to the General Federation of Trade Unions in the West Bank with headquarters in Nablus. In this way, the Palestinian labor movement declared its independence and adherence to Palestinian nationalism. Although the Palestinian labor movement endured various types of Israeli oppression and persecution that affected all sectors of the Palestinian community, including the

trade union movement, and in spite of the failures and schisms undergone by the movement during the Israeli occupation of the West Bank, it maintained its presence and achieved some success in its endeavors.

The stages through which the Palestinian labor movement passed may be divided as follows:

Period of stagnation: from the Nakba in 1948 until 1974 there were extremely difficult years of decline and stagnation in trade union activities. Some trade unions did manage to survive and continue with their mission by maintaining their trade unionist fervor.

Period of advancement: from the end of 1974 until 1981 the trade union movement expanded its activities, reviving several suspended trade unions and opposing Israeli schemes to confiscate Palestinian land and end the nationalist and political role of trade unions.

Period of waver and disintegration: from 1981 until 1990 many divisions appeared and several parallel trade union federations were founded. As many as three federations carried the same name of the General Federation of Trade Unions in the West Bank, each considering itself the legitimate federation and representative of the Palestinian working class. In 1990, all trade union blocs agreed to unite the labor movement inside Palestine. This culminated in the Amman agreement in 1994 to unify the labor movement within the framework of the Palestinian General Federation of Trade Unions (PGFTU); for the first time, all trade unions and workers' movements in the West Bank and Gaza Strip were incorporated under one umbrella.

The PGFTU is considered to be the most important labor institution that acts to safeguard and promote the rights of Palestinian workers in line with their aspirations and objectives. The PGFTU also leads the process of supporting the working class in their struggle for the ratification and implementation of modern and fair workers' legislation, primarily the adoption of the Palestinian Labor Law No. 7 of 2000. Work also continues in advocacy, participation in the drafting of social security legislation, in addition to social protection laws, minimum wages, unemployment laws, occupational health and safety, child labor and decent work laws.

The mission of the PGFTU is based on its role as a democratic and independent trade union that aims to organize male and female workers in sectoral trade unions to improve their working and socio-economic conditions and raise awareness with regard to rights with representation at national and international levels. It also aims to contribute to the national struggle and the development of socio-economic policies and legislation through trade unionist struggle. The enhancement of their participatory role in social discourse and collective negotiations at local and national levels promotes social justice. The PGFTU has emerged as a distinctive democratic, independent and unified trade union organization that works to achieve decent working conditions and the active participation of workers in decision making, as well as developing laws, regulations and policies relating to workers, acting as an intermediary with the authorities and with local, national and international organizations.

Source: Khaled Abdel Haq: The Role of the Palestinian General Federation of Trade Unions (PGFTU) in Addressing the Effects of the Aqsa Intifada in the northern West Bank, (unpublished MA thesis), Al-Najah National University, Nablus, Palestine 2005.

Chapter 1

Introduction and Methodology

Introduction

The Arab World for Research and Development (AWRAD) has conducted field research and prepared this report on the conditions of Palestinian workers in the West Bank, Gaza Strip, Jerusalem, Israel and its settlements to serve the interests of Palestinian workers and to support the goals of the Palestinian General Federation of Trade Unions (PGFTU) to build a research-based future strategy that will enhance their response to the requirements of Palestinian workers. This study aims to achieve the following research objectives:

- Ascertain and analyze the existing work conditions of Palestinian workers in all geographic locations and sectors in terms of:
 - Their socio-economic background
 - Working conditions in different locations and sectors
 - Work accidents and disputes
 - Knowledge and awareness of rights by workers
 - Labor law.
- Identify the special conditions of each location and of specific groups most vulnerable to discrimination, such as women and those working in Israeli settlements, especially those without a work permit who are obliged to stay overnight in Israel.
- Investigate and analyze the situation of trade unions and other workers' organizations in various sectors in order to assist the PGFTU in determining obstacles to the expansion of membership by workers.
- Produce recommendations and guidelines that will contribute to the development of PGFTU strategies in general, to its representation of workers, and increase membership in trade unions.

Research Methodology

This study is based on comprehensive and objective participatory research methodology. All relevant parties were engaged in the study, particularly those directly related to these issues: workers, trade union representatives, government institutions, civil society organizations, contractors and employers. The methodology of the research was based on a series of activities conducted in successive phases with the use of regulatory tools and frameworks which had been prepared in consultation with PGFTU. The methodology was also based on a combination of quantitative and qualitative research tools as follows:

First: Review of literature

The AWRAD team reviewed all studies and surveys relating to labor conditions in Palestine, including data from the Palestine Central Bureau of Statistics (PCBS). This review contributed to the development of the research questionnaire and the drafting of the final report.

Second: Preparatory phase

The AWRAD team held several meetings with PGFTU to clearly ascertain their needs

and identify the issues to be addressed by the research study. The mechanisms for the implementation of the study, targeted groups, important issues of concern, and the nature of the indicators to be adopted by the study were agreed upon. In addition, two workshops were held to discuss the main issues and aspects of the research, one in the West Bank and the other in the Gaza Strip.

Third: Quantitative data

A field survey using a comprehensive questionnaire was conducted to obtain data required for the study to identify the conditions and needs of workers. Interviews took place with a representative sample of workers in all areas (the West Bank and Jerusalem, Gaza Strip, Israel and the settlements). A descriptive and detailed account of the methodology used is as follows:

- **The questionnaire:** This was designed on the basis of the issues and topics that emerged from the preparatory meetings and workshops. The questionnaire was divided into sections and comprised a variety of key indicators designed to assess the conditions, violations and challenges faced by workers and their needs and priorities, with specific questions for each of the targeted groups.
- **The sample:** 1,000 male and female Palestinian workers were interviewed throughout the West Bank governorates, Jerusalem, the Gaza Strip, Israel and the settlements. The sample was selected on the basis of probability sampling that ensures random and representative sampling through a multi-phased sample, sometimes stratified sometimes systematic and sometimes simple random sampling. The study adopted the standards used for PCBS data in the Labor Force Survey, first quarter 2012. Accordingly, the sample was distributed between the West Bank and the Gaza Strip in line with the percentage distribution of workers in the two areas. The sample size totaled 424 in the West Bank including Jerusalem, and 376 in the Gaza Strip. To ensure coverage of workers in Israel and the settlements, 200 workers from this category¹ were interviewed. In addition to geographical distribution, the following elements were taken into consideration:
 1. Gender (males and females)
 2. Employment sectors (formal, informal and various economic activities)
 3. Various age groups (15 years and above)
 4. Various professions
 5. Place of residence (cities, villages and refugee camps).

In line with the probability sampling, 50 locations were systematically selected to represent diversity geographically and by place of residence. However, the final selection of sample individuals was achieved in two ways:

- The random probability sampling technique was adopted as stipulated by statistical

¹ This category represents 10% of the workers from the West Bank and Jerusalem. A larger number of questionnaires were allocated to this category to ensure their representation in order to facilitate the analysis and the efficiency of data. Overall results are weighted according to statistical rules to achieve a balanced assessment of the influence of this group on the overall results of the study.

rules with regard to the West Bank sample.

- The snowball sampling method was used for those working in Israel and the settlements, as well as the use of intermediaries to reach these workers.
- **Field work:** The field work for this study started on 5 October 2012 and was completed on 15 November 2012. A total of 35 field researchers, supervisors and data entry staff participated in the survey. Prior to the field work, an intensive training program was organized comprising a workshop on field research techniques and issues related to the survey of the different targeted groups. AWRAD took advantage of the most advanced research techniques to ensure high quality results by standardization of work mechanisms within the research team, the monitoring of field research, checking a number of interviews to ensure that field researchers had fulfilled their duties correctly, and to ascertain the credibility of the respondents. In general, the field work proceeded smoothly with no obstacles of note other than the following:
 - In the case of interviews conducted close to Israeli checkpoints to monitor workers in the Israeli labor market, the presence of soldiers made the workers anxious and our field researchers had to look for a more suitable location to conduct the interview out of the sight of Israeli soldiers.
 - There is a negative stigma attached to workers in settlements, especially for women, so our researchers were trained to respect the privacy of all respondents and to avoid judgment of their work or its location.
- **Data entry, organization and analysis:** The AWRAD data entry team prepared the coding for the systematic interviews with codes that correspond to the standards adopted by AWRAD. Data entry took place at AWRAD premises in the presence of two experts to ensure quality assurance and the confidentiality of data. All data sheets were reviewed afterwards and the information drawn from interviews was examined by specialized coding staff as required. This was followed by a series of additional tests by an appraisal program specially designed for this purpose to examine each questionnaire to ensure internal data consistency. Finally, a SPSS software package was used for data documentation (categorization) and analysis to produce an index of targeted workers. In addition to the data for each question, an analysis of correlation coefficients was carried out to examine possible relationships between various variables, in particular independent demographic variables such as age, location, education, employment and other socio-economic indicators.

Fourth: Qualitative data

The following methods were used to collect qualitative data:

- **In-depth interviews:** 12 interviews were conducted with a diverse group of professionals concerned with the conditions of employment of Palestinian workers and their occupational needs and who represent different institutions,

such as PGFTU, workers' organizations, relevant ministries, the private sector and employers. The researchers who conducted the interviews used a manual to guide the phrasing of questions in order to obtain the necessary information.

- **Focus research workshops:** AWRAD moderated seven focus workshops in the West Bank and the Gaza Strip attended by over 60 male and female workers. The workshops targeted trade union activists, workers in the Qalqilia area, female workers in settlements in the Jordan Valley, and groups of workers from various sectors in Nablus, Ramallah, Hebron and the Gaza Strip. Questions prepared in advance aimed to encourage in-depth discussions on labor conditions, needs and priorities.

Chapter 2

Research Results

PALESTINIAN WORKERS

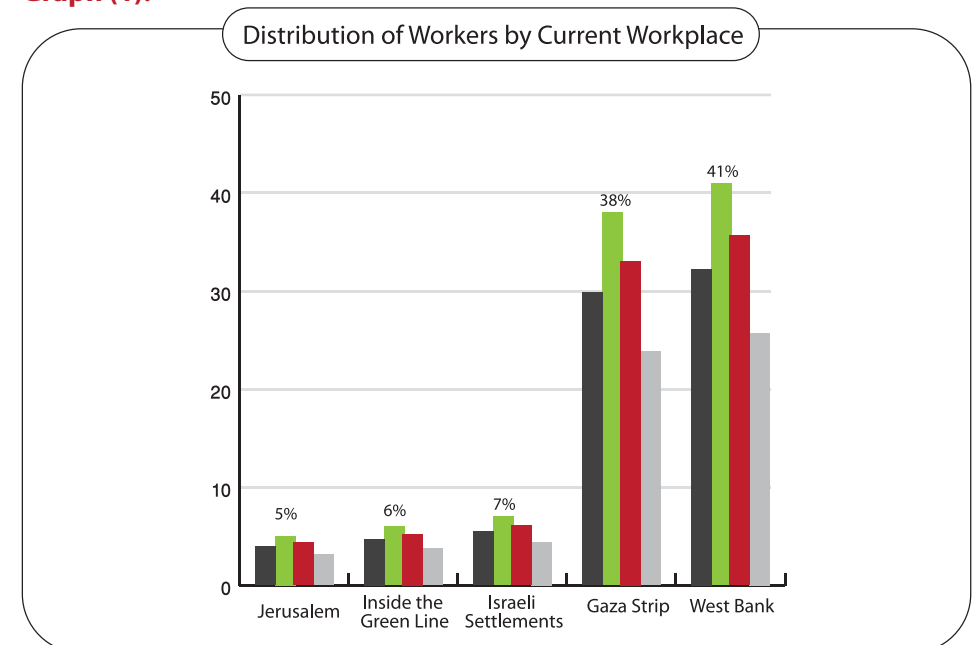
A COMPREHENSIVE REPORT ON WORK CONDITIONS, PRIORITIES AND RECOMMENDATIONS

This chapter presents the main results of the research, analysis of the components, and links the quantitative results drawn from the questionnaire with the quantitative research results ensuing from the interviews and workshops.

1. The Socio-economic Background of Workers

1.1 Geographic distribution: The survey took into account the socio-political conditions relevant to Palestinian workers in all workplaces (the West Bank and Jerusalem, the Gaza Strip, Israeli settlements, and Israel). The following graph illustrates the distribution of workers by location (not necessarily their original residence as a percentage of workers from Jerusalem work in Israel and not only in Jerusalem, and some workers from the West Bank work in Jerusalem).

Graph (1):



The following table illustrates the place of residence of workers in governorates. This distribution of the sample by governorates is in line with the PCBS Labor Force Survey of May 2012.

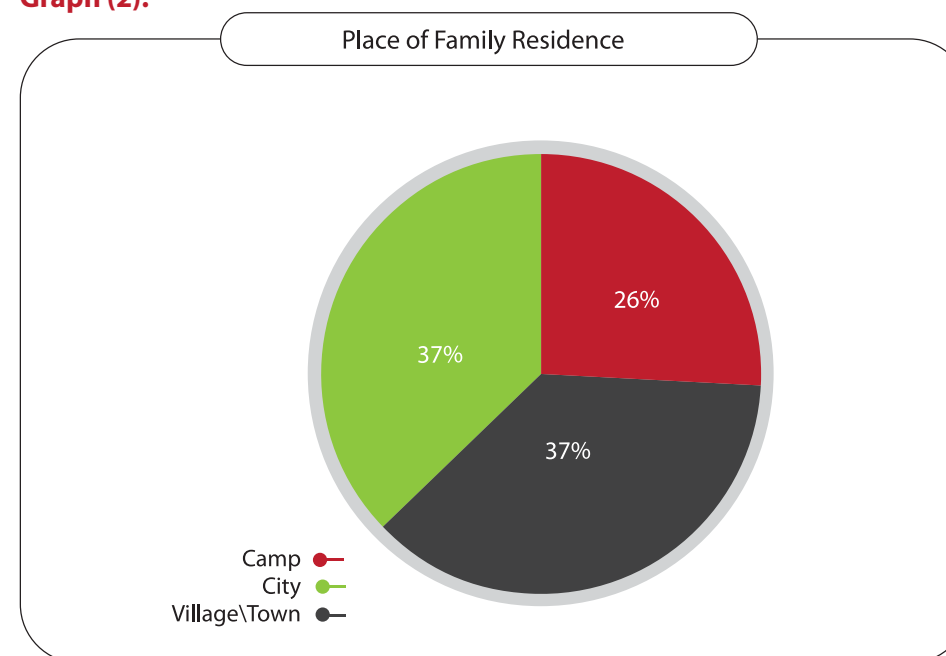
Table (1): Distribution of Workers by Place of Residence

District	Percentage of workers	District	Percentage of workers
Jenin	5.6	Tulkarem	3.2
Qalqilia	4.1	Nablus	7.1
Salfit	4.7	Tubas	1.7
Ramallah	6.3	Jerusalem	8.2
Jericho	4.1	Bethlehem	5.6
Hebron	12.0	Jabalia	7.1
Gaza	12.8	DeirAlBalah	6.0
Khanyounis	7.2	Rafah	4.5

These percentages comprise workers with both Palestinian and Israeli employers (settlements and Israel). The results illustrate the different employment rates by workers from various governorates in Israel: 23% in Qalqilia governorate, 16% in Salfit governorate, and 14% in Hebron. Workers from Jericho and the Jordan Valley are the most likely to work on a settlement (39%) since there are more than 36 Israeli settlements in the area compared to 26% of workers in Salfit governorate, 10% in Jerusalem, and 7% in Hebron. Salfit governorate is the most dependent on work from Israeli employers (whether in settlements or Israel) and 42% of workers had an Israeli employer compared with 39% in Jericho, 28% in Qalqilia, 21% in Hebron, 20% in Jerusalem, and 15% in Bethlehem. The lowest dependency on Israeli employers was in Gaza Strip governorates since workers are not allowed into Israel. The percentage of workers with an Israeli employer (settlements or Israel) totals around 4% in Nablus governorate, 7% each for Ramallah and Jenin, and 9% in Tubas.

Workers covered by the study originated from various places of residence: 37% from cities, a similar percentage from villages, and 26% from refugee camps.

Graph (2):



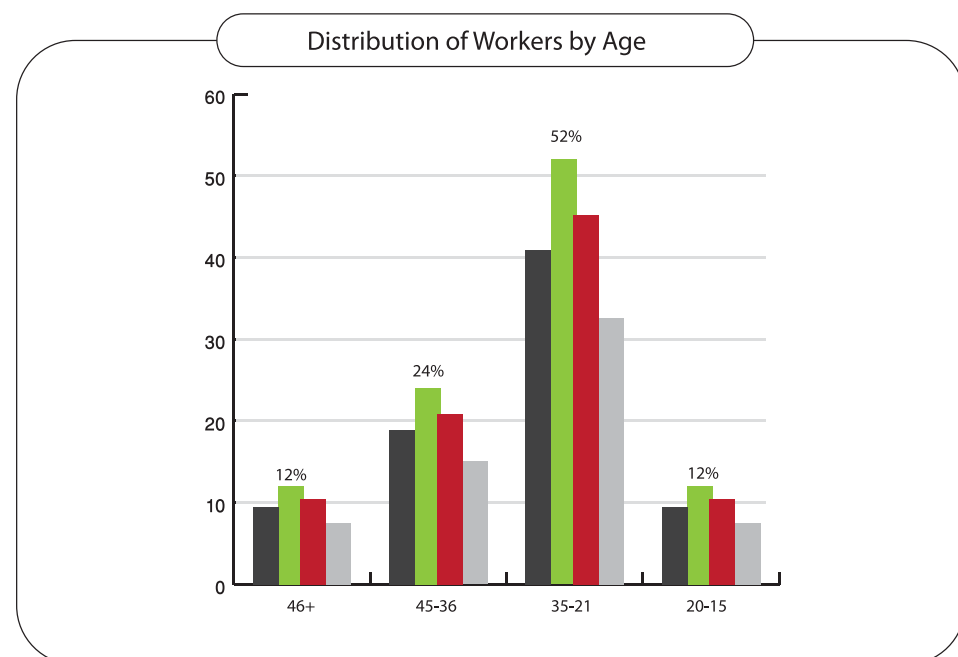
The majority of workers in settlements and Israel come from villages and account for 65% of Palestinians working in settlements and 55% of those working in Israel. These figures reveal the tendency of workers from rural areas to work in settlements and Israel. They also reflect the deteriorating economic conditions in villages due to the absence of investment and productive enterprises.

1.2 Distribution by sex: The sample comprised 74% male workers and 26% female workers. This reflects to a large extent the actual distribution of males (80%) compared to females (20%) in the labor force in the Palestinian Territories.²

1.3 Distribution by age: The study targeted workers aged 15 years and above. The results reveal the young nature of the workforce since the 21- 35 year age group made up 52% of total workers. Workers aged between 36 to 45 years accounted for 24% of workers while the younger age group (15-20 years) and the over-45 age group represented 12% each, as demonstrated in the following graph.

² Labor Force Survey.PCBS, first quarter 2012.

Graph (3):

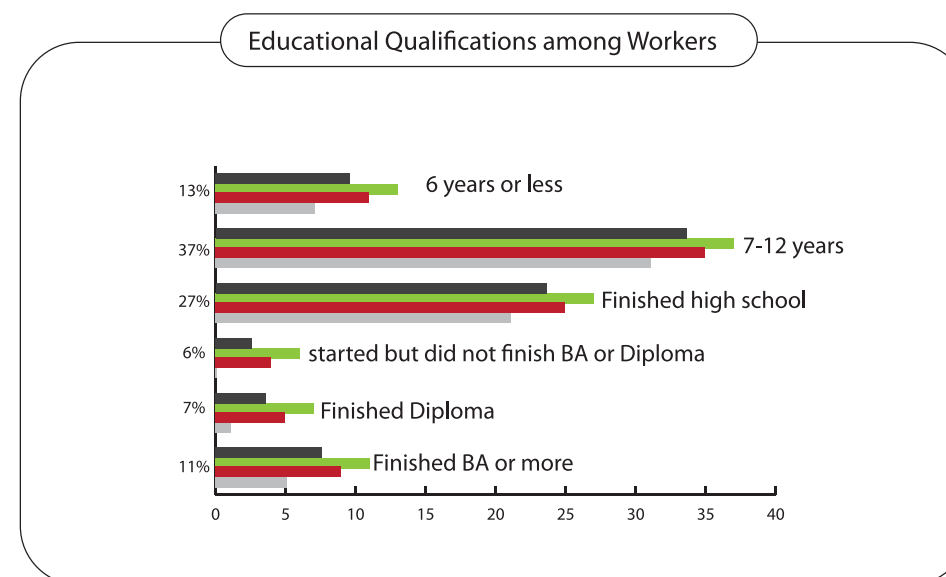


1.4 Social and marital status: More than half (56%) of the workers in the sample were married and one third of them not married. In addition, 5% were engaged and another 3% were either divorced or widowed. The percentage of married workers in Israel and the settlements was significantly higher than the general rate at about 75% in each of these areas. The average dependency ratio per Palestinian worker was 6.6 persons, which is high compared with the average national ratio of 5.8 in 2011.³ This demonstrates the additional burdens facing the families of workers compared to other groups in the Palestinian community. In general, 9% of the workers surveyed stated that the number of persons in their family ranged from 1-3; 34% stated that the number was between 4-6 persons; 45% stated that they had 7-10 family members; and 6% had families comprising over 10 persons.

1.5 Educational background: The results reveal that 18% of workers held a diploma or university Bachelor's degree: 26% of male workers and 13% of female workers. 82% of workers did not have a university degree/diploma and 27% held a high school certificate. These results match national rates and illustrate that educational levels among workers are similar to those at national level.

³ PCBS press release on the occasion of International Population Day, 13 August, 2012. <http://www.alzaytouna.net/permalink/22611.html#.UOau3-Qp9dE>

Graph (4):

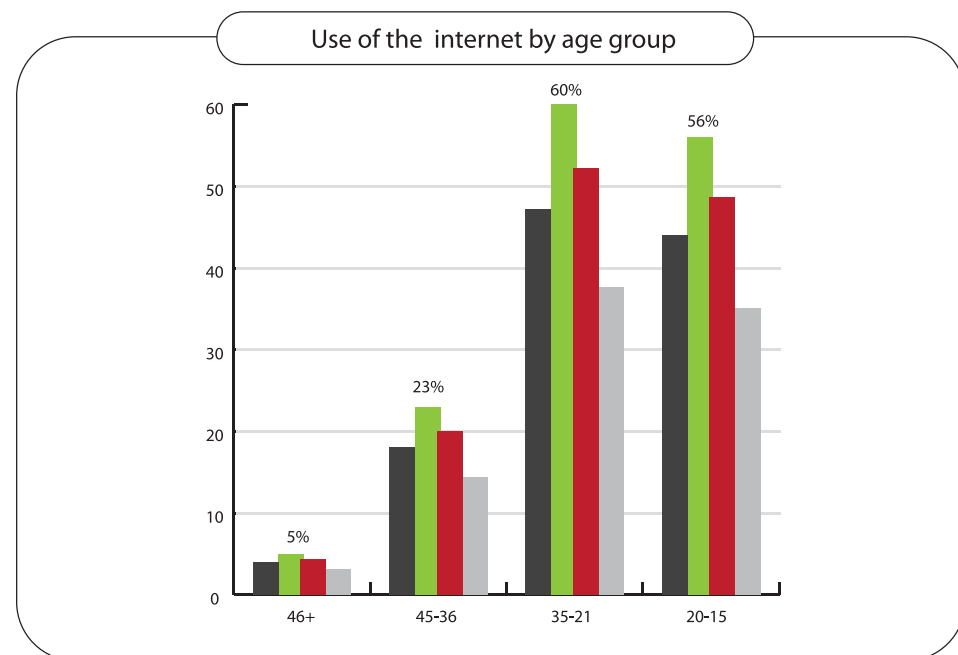


1.5 Primary indicators -Internet use, mobile phone ownership, and smoking:

The study explores some specific indicators, such as use of the Internet and mobile phones, since these have implications on the living conditions of workers compared to other social groups. The majority of workers (95%) owned a mobile phone, matching general national rates in this regard. Workers for Israeli employers are obliged to have mobile phones registered with Israeli telecommunications companies. Thus, 48% of those working in Israel had two mobile phone lines - a Palestinian and an Israeli - while 32% of them had just one Israeli mobile phone line. With respect to workers in the settlements, 18% of them had an Israeli mobile line and 37% had both an Israeli and a Palestinian mobile line. In Jerusalem, 54% of workers had just an Israeli mobile line and 27% had two mobile lines. Among West Bank workers, 92% used solely a Palestinian mobile line, rising to 100% in the Gaza Strip.

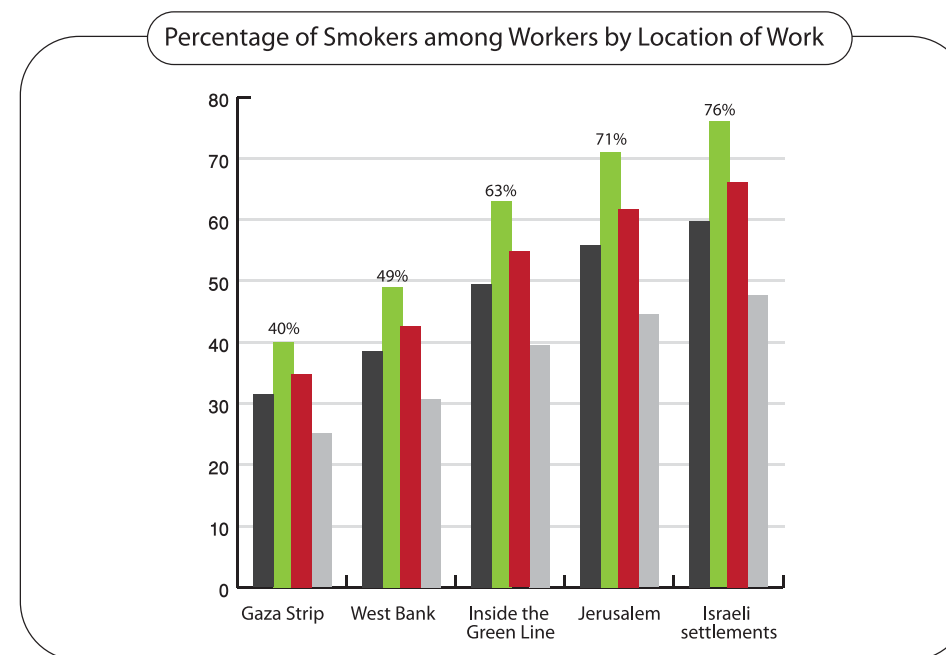
With regard to use of the Internet, 55% of workers did not use the Internet and 45% said they did. These results are consistent with national rates in the West Bank and the Gaza Strip where 46% of adults use the Internet. The results demonstrate that workers in the West Bank and Jerusalem use the Internet and young workers (20-35 years old) and the males among them make the most use of the Internet.

Graph (5):



Workers were asked about smoking, which has psychological, health and economic repercussions in light of the difficult living conditions of workers. The results reveal that around half of the workers surveyed were smokers compared to national rates of 23%. National rates rise to 38% among males (compared to 65% among male workers) and drop to 3% among females (compared to 7% among female workers). This demonstrates that smoking rates among workers in general, and specifically those working in the settlements and in Israel, are alarming and require measures to be introduced to address the risks of this phenomenon.

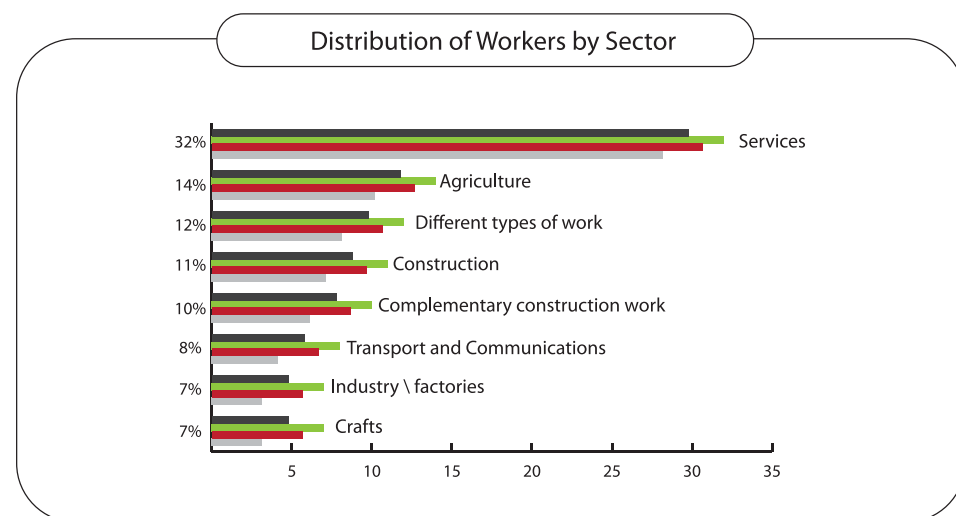
Graph (6):



2. Nature of Work

2.1 Work sector: The study targeted workers in all work sectors to reflect data provided by the PCBS Labor Force Survey for the third quarter of 2012. The services sector employed the greatest number of workers with 32%, followed by agriculture with 14%, construction with 11%, supplementary construction activities with 10%, while 12% of workers were employed in different temporary jobs. The results show lower rates in other sectors, as illustrated in the following graph.

Graph (7):



2.2 Distribution of workers by location and by sector: The number of workers in different sectors varies according to their location:

Services sector: The majority of workers in the Gaza Strip work in the services sector (43%) compared to 35% of West Bank workers and 18% in Jerusalem. The percentage of workers in the services sector drops to 5% in Israel and to 2% in the settlements.

Construction and supplementary construction sector: Workers in the construction sector in Israel made up 36% of the total. In addition, 37% work in supplementary construction (i.e., 73% of Palestinian workers in Israel worked in different forms of construction). In Jerusalem, construction workers made up 28% and supplementary construction workers 12% (a total of 40% of Jerusalem workers). Among workers in settlements, those working in construction totaled 12% and 18% in supplementary construction (a total of 30%). The percentage of workers in various construction activities in the West Bank fell to 12% and to 11% in the Gaza Strip.

Agricultural sector: In the settlements, 32% of workers worked in agriculture compared to 15% of West Bank workers, 13% of workers in Israel, 12% of workers in the Gaza Strip, and only 2% in Jerusalem.

Industrial sector: In the settlements, 24% of workers worked in industrial activities compared to 8% of workers in the West Bank, 6% of workers in Israel, and 5% of workers in the Gaza Strip.

Transportation sector: Among workers in the Gaza Strip, 11% worked in transportation compared to 8% in Jerusalem and 7% in the West Bank.

Professions and occupations: 10% of West Bank workers and a similar percentage of Jerusalem workers were employed in various professions and occupations. The rates were 4% among workers in the Gaza Strip and in Israel, falling to 3% among workers in

settlements.

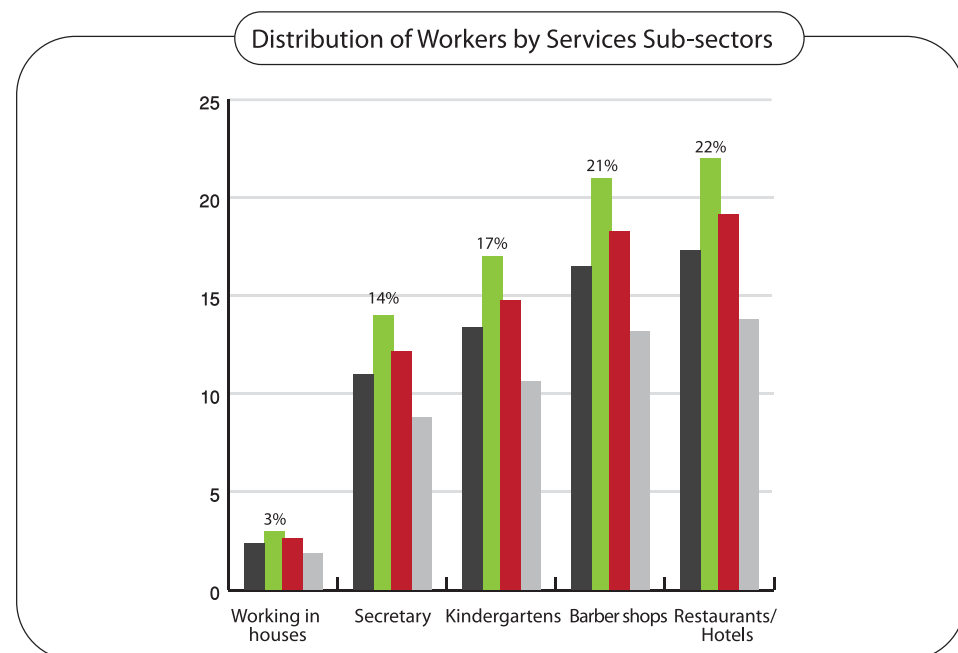
Miscellaneous work: Around 24% of workers in Jerusalem did not specify any of the aforementioned sectors as they evidently worked sporadically in unstable jobs on daily wages: 14% of workers in the Gaza Strip stated that they worked in a variety of jobs compared to 13% of workers in the West Bank, 5% of settlement workers, and only 1% of those working in Israel.

2.3 Distribution of workers by gender: 49% of female workers were employed in services and 21% in agriculture in comparison to 25% of male workers employed in the services sector and 12% in agriculture. In addition, 10% of female workers were employed in the industrial sector versus 7% of male workers and 6% of female workers worked in professions and occupations versus 7% of male workers. Male workers dominated in transportation and 10% were employed in this sector. The same applied to construction and the supplementary construction sectors where 27% of male workers were employed versus minimal rates for women.

Male workers constituted about 100% of workers in construction and supplementary construction and transportation sectors. Males also made up 61% of agricultural workers compared to 39% for females. In the industrial sector, male workers constituted 65% and female workers 35%. Male workers accounted for 60% of workers in the services sector versus 40% for female workers.

2.4 Distribution of workers in the services sector: According to the data, 22% of workers in the services sector were employed in restaurants and hotels, 21% worked in hairdressing salons, 17% in kindergartens, 14% in administrative and secretarial work, 10% in cleaning, 8% as office caretakers, 5% as janitors, and less than 3% in domestic services. These rates vary by gender: female workers in the services sector were employed as follows: 40% worked in kindergartens, 23% in secretarial jobs, and 16% in hairdressing. Male workers predominated in restaurants and hotels with 36%, then 24% in hairdressing, and 11% in cleaning services.

Graph (8):

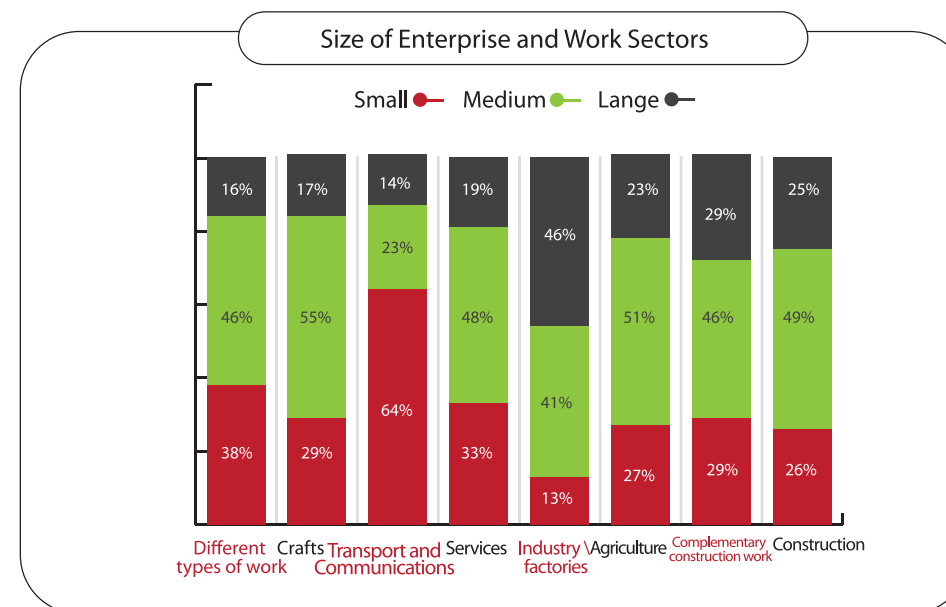


Workers in the services sector in settlements were distributed between domestic work (25%) and cleaning (75%). Workers in the services sector in Israel were concentrated equally (50%) in restaurants and hotels or cleaning services. Workers in cleaning services constituted the majority of those working in the services sector in Jerusalem (56%), while the rest were distributed in other services. In the Gaza Strip, hairdressing (25%), kindergartens (23%), and restaurants and hotels (20%) were the most important sub-sectors of services. Workers in services in the West Bank were distributed throughout all sub-sectors but were primarily employed in restaurants and hotels (26%), hairdressing (18%), secretarial work (16%), kindergartens (12%), and office caretakers (10%).

2.5 Size of enterprise: 46% of workers were employed in medium sized enterprises, 32% in small enterprises and 22% in large enterprises.⁴ The size of the enterprise varies by work sector: the majority of workers in medium sized enterprises were in the services, construction, agricultural, and vocational sectors. Those working in the industrial sector described their employers as a large enterprise while the majority of workers in transportation described this as a small enterprise.

⁴ The size of an enterprise is defined according to the PCBS.

Graph (9):



The size of the enterprise often reflects the collective or individual living conditions of workers in terms of their rights and with regard to wages, holidays and safety measures, as will be illustrated below in the report.

3. Working Days and Hours

3.1 Working days: Data revealed that 17% of workers worked 7 days a week. Half of these workers (50%) were employed in the West Bank and 40% in the Gaza Strip. Of the workers who worked 7 days a week, 29% were employed in the services sector, particularly in restaurants or as janitors and cleaners, while 21% worked in transportation, and 15% in agriculture. The percentage of male workers who worked every day of the week was 20% compared to 9% of female workers. In addition, 56% stated that they worked 6 days a week and 19% worked 5 days a week. The study shows that the proportion of women working 6 days a week was 64% versus 54% of male workers. Around 8% of all workers worked for two to four days a week, which is further evidence of the instability of their employment.

Table (2): Distribution of Working Days by Work Sector

	West Bank	Inside the Green Line	Jerusalem	Gaza Strip	Israeli settlements in the West Bank
Less than 5 hours	3%	----	2%	9%	----
5-7 hours	22%	15%	20%	28%	27%
8 hours	36%	50%	41%	18%	47%
More than 8 hours	40%	35%	37%	46%	26%

3.2 Working hours: Many workers were subjected to exploitation as they were required to work longer hours than those agreed upon and in excess of 8 hours a day: 40% of workers stated that they worked for more than 8 hours a day, 10% said they worked 12 hours a day, and 3% for 14-15 hours a day. Less than a third of workers (32%) stated that they worked 8 hours a day, 24% said they worked for 5-7 hours a day, and another 4% for less than 5 hours a day.

Working hours varied according to the location of the workplace. Half of the workers in Israel stated that they were committed to 8 working hours a day. The same applied to workers in the settlements (47%). Data demonstrate that working hours for Gaza Strip workers conformed the least to an 8-hour day: only 18% stated that they worked for 8 hours, 46% worked for 9-12 hours a day, and 37% said they worked 7 hours or less. In the West Bank, 36% of workers worked for 8 hours a day, 40% worked for more than 8 hours, and 25% working 7 hours or less.

Workers in small and medium sized enterprises suffered more than other workers in terms of working hours. Also, male workers performed longer hours than female workers. For example, 49% of male workers worked more than 8 hours a day compared to 17% of female workers.

3.3 Breaks: The majority of workers stated that they had a break during the working day but 14% said they did not get any time to rest. The proportion of workers who had a break during working hours was 79% in the Gaza Strip and 86% in the West Bank, compared to 98% of those who work in Israel and 100% of the workers in settlements.

Among those workers who took a daily break, 44% reported that they had a break for half an hour, while 25% said that they had a break for one hour. Notably, 2% of workers stated that they had less than 10 minutes for a daily break: most of these workers were in the construction and supplementary construction sectors.

Box (1): Working Hours

“Employers do not abide by the terms of the contract with respect to working hours. For instance, workers in the construction sector work all day from 7 am to 6 pm.” (A worker from the Gaza Strip)

“Workers in our factories work from 8 am and maybe up to 3 in the morning. This is unfair in comparison to the wages but those workers have no other choice and cannot quit.” (A female worker from Hebron)

4. Access to the Workplace and Transportation

Travel to the workplace, especially in Israel, is problematic and a source of concern for workers. In general, 25% of workers reported that they spend 10 minutes or less to reach their workplace, 48% said that it took between 11 to 30 minutes, and 27% said it took them 31 to 60 minutes. For about 10% of workers it took over an hour. This is a major problem for workers in Israel as 79% of them reported that it took them more than 3 hours to travel to work.

4.1 Staying overnight in Israel: Although the majority of workers (95%) travelled daily from their place of residence to work, 5% of workers stated that they stay overnight at their workplace either on an occasional or a daily basis: 35% of those working in Israel, 16% of those working in Jerusalem, and 5% of workers in the settlements.

4.2 Transportation costs: The cost of transportation to work is a financial burden for Palestinian workers and can total as much as NIS120 per trip in some cases. Workers in Israel suffered the most from transportation costs and more than half of them stated that the costs ranged between NIS75-120 per day, with 7% spending NIS90-120 a day. In Jerusalem, 40% of workers estimated transportation costs to be between NIS25-50 a day and 27% said transportation cost them NIS55-90. For workers in settlements, 29% stated that their daily transportation costs were NIS20. The cost of transportation is less of a burden for workers in the West Bank and the Gaza Strip and 37% of workers in the West Bank and 47% in the Gaza Strip reported that they had no significant transportation costs. This is because these workers go to work either on foot or as groups in private cars. Transportation costs appeared to be less significant in the Gaza Strip, where 48% of workers did not spend more than NIS10, whereas 41% of West Bank workers spent over NIS10 daily.

Box (2): Suffering and Oppression at the Checkpoint

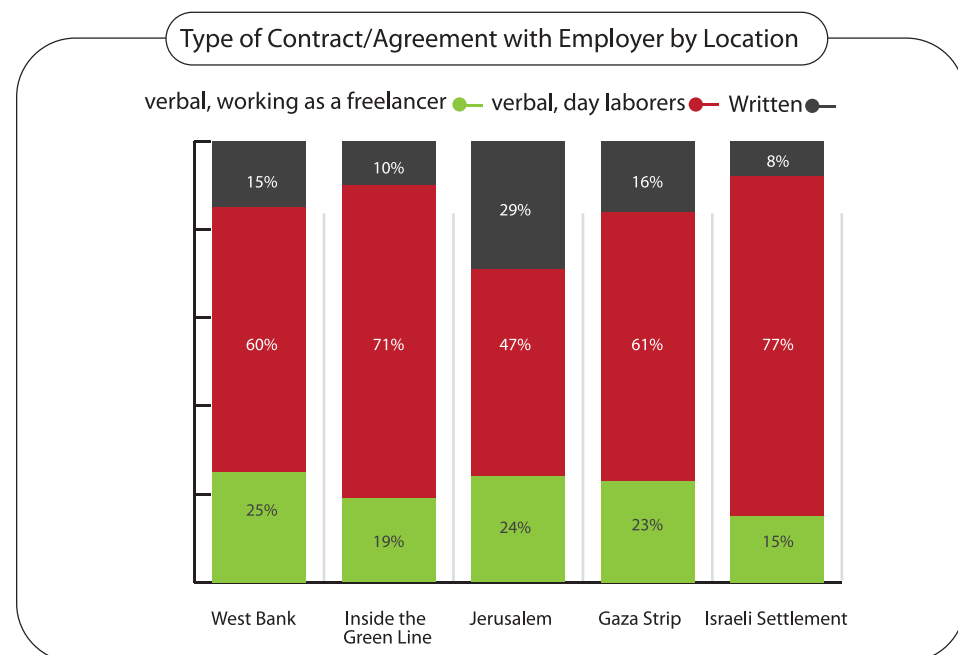
“This is the life of the Palestinian worker: workers aged between 25 to 70 years of age waiting from 2am, lying on the ground at the Israeli check point in summer or winter, in rain or storms. They face various types of humiliation, racial discrimination and provocation from female security personnel who can decide what the day ahead holds for any one on the basis of his appearance, size and color, or even according to whether the guard is in a good or bad mood.”

4.3 Means of transportation: The study found that 47% of workers travelled to work using public transportation, 31% went on foot, 10% travelled to work as a group by bus, and 12% travelled as a group in a private car. Collective transportation is characteristic of those working in Israel, in the settlements and Jerusalem: 69% of those working in settlements, 65% working in Israel and 58% of workers in Jerusalem travel to work in shared transportation (by bus or a private car). It is of note that 44% of these workers are employed through a broker or contractor and the costs of their transportation are relatively high.

5. Work Contracts

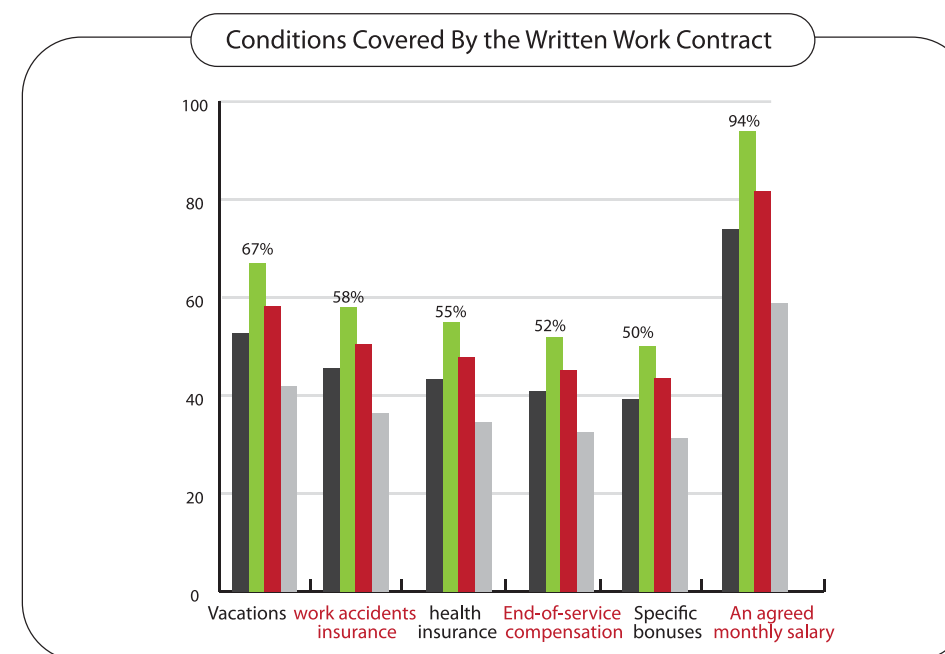
A work contract is the main guarantee for a worker to ensure his rights. It is alarming to know that the majority of workers (85%) reported that they did not have a written contract and that they work on a daily basis or by piece work with only an oral agreement with the employer. Just 15% of workers had a written work contract. The existence of a work contract varies by area: 29% in Jerusalem and around 15% in the West Bank and the Gaza Strip. The use of work contracts decreases significantly to 8% in the settlements and 9% in Israel. According to the data, 77% of workers in settlements are employed on a daily basis, 71% of workers in Israel, 61% of workers in the Gaza Strip, 60% in the West Bank, and 47% in Jerusalem. The number of workers employed on a piece-wage basis is higher in the West Bank, the Gaza Strip and Jerusalem than in the settlements and Israel.

Graph (10):



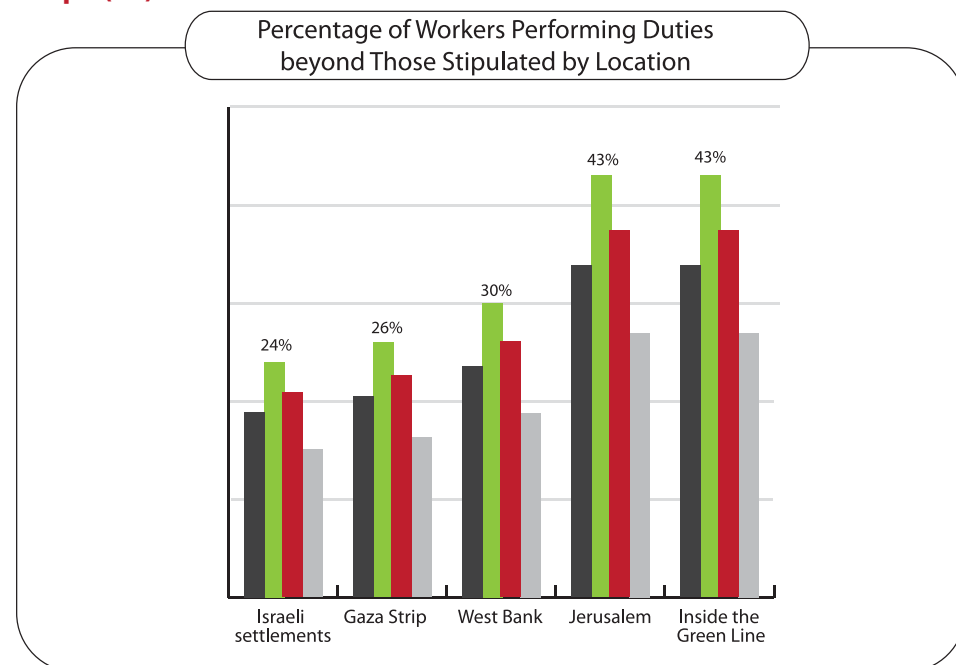
Of workers who had a written contract, 55% stated that the duration of the contract was for one year and 21% had a contract lasting for 6 to 10 months. In addition, 7% of workers had contracts for 2 or 3 years. With respect to the content of the contract, 94% of workers stated that it included the agreed wages. The subject of wages is covered less frequently in work contracts for workers in the construction and industrial sectors. Only half of workers with a written contract had clauses that covered specific allowances or severance compensation. While 55% reported that their contract covered health insurance, 44% stated that it did not. In addition, 67% reported that their contract covered statutory leave entitlements, while 33% said it did not.

Graph (11):



The majority of workers (70%) stated that they did not perform duties beyond those agreed upon, but 30% indicated that they did. Among workers with only an oral agreement, 80% performed duties beyond what had been agreed compared to 20% among workers with a written contract. The study illustrates that a greater proportion of those working in Israel (45%) and Jerusalem (45%) performed duties beyond those agreed upon versus 30% of those working in the West Bank and 26% in the Gaza Strip.

Graph (12):



In most cases, no wages were paid for overtime work: 61% of workers reported that they were not paid for overtime work although 39% were paid. Workers for Palestinian employers in the West Bank and the Gaza Strip were the least likely to obtain compensation for overtime work (23% in the Gaza Strip and 40% in the West Bank), while 80% of workers in Jerusalem and 60% in the settlements and Israel were paid for overtime.

6. Wages and Health Insurance

6.1 Wages: In general Palestinian workers receive low wages, although a minimum wage was recently stipulated in Palestine to come into effect at the beginning of 2013. The average monthly wage for all workers totaled NIS1,770 (about USD480).

Minimum wages have been set at NIS1,450 monthly. This resolution has not yet been put into practice as many trade unions and institutions are opposed to it.

The study reveals that 27% of workers worked for wages of less than NIS750 a month (less than USD200); 32% of workers were paid between NIS750 and 1500; 20% were paid between NIS1500 and 2500 monthly; and the remainder (20%) were paid over NIS2,500. Wages varied considerably by location.

The Gaza Strip: Workers in the Gaza Strip received very low wages compared to other areas and 59% of workers who participated in the survey were paid less than NIS750

monthly. Those who received wages of between NIS750 and 1,500 totaled 38%. This means that 97% of workers in the Gaza Strip received less than NIS1,500 and have the lowest wages on average of all Palestinian workers.

The West Bank: The West Bank comes second in terms of the lowest wages: 12% of workers received wages of less than NIS750, 41% received between NIS750 and 1,500, and the wages of the rest (47%) exceeded NIS1,500.

The settlements: Half (50%) of workers in the settlements received more than NIS2,500; 43% of them received between NIS1,500 and 2,500 monthly, and around 7% received between NIS750 and 1,500. No worker was paid less than NIS750.

The Green Line: 76% of workers in Israel received wages of over NIS2,500; 21% of them received between NIS1,500 and 2,500 monthly; 3% received between NIS750 and 1,500, and no worker received a wage of less than NIS750.

Jerusalem: 78% of workers received more than NIS2,500; 10% received between NIS1,500 and 2,500; 12% received between NIS750 and 1,500, and no worker was paid less than NIS750.

Wages varied significantly by gender and women were paid much less than men:

- The average wage for working women was NIS1,000, less than half that of a male worker (NIS2,040).
- The proportion of female workers who received less than NIS750 totaled 48% compared to 20% of male workers.
- The proportion of female workers who received wages of between NIS750 and 1,500 totaled 35% compared to 31% of male workers.
- Thus, 83% of women were paid less than NIS1,500 compared to 51% of men.
- The proportion of women whose wages ranged from NIS1,500 and 2,500 was 12% compared to 23% of men.
- The proportion of women who received over NIS2,500 was just 5% in contrast with 26% for men.

The fact that workers' wages are insufficient to cover their family expenses is a manifestation of the financial hardships they face: only 12% of them received wages that covered their expenses fully; 60% of workers reported that their wages covered 50% of their family expenses; and 28% stated that their wages covered 60-99% of their family expenses.

The majority of workers (89%) stated that they were paid periodically and regularly, while 11% said they did not receive regular wages. The results showed that workers in the Gaza Strip suffered the most from irregular and sporadic payment compared to other workers.

Of workers who received regular wages, 54% received a monthly payment, 24% received weekly payments, 17% received daily payments, and 6% received bi-weekly payments.

The majority of workers (85%) stated that they received payment in cash, 8% were paid

by check, and 5% by bank transfer. This provides evidence that the majority of workers do not receive severance compensation.

The majority of workers did not receive food and transportation allowances (81% and 77% respectively) while 23% stated that they were given a food allowance and 19% said they received a transportation allowance. Workers in Jerusalem received more financial benefits than workers in other areas: over half of them declared that they received transportation and food allowances and 80% of them said that they were compensated for overtime.

Box (3): Fraud and Violations of Workers' Rights

- "The salary slip has become a significant tool to minimize workers' rights since it is subject to fraud by reducing the number of children, working days and even the salary itself, which can lead to a loss of benefits at a later stage"

Box (4): Impact of Low Wages

"A female teacher who works in a kindergarten earns NIS300. I know someone who has been working for 13 years in a kindergarten and who was sacked recently because she does not have a university degree. They did not take her experience into account. Also, wages for male and female workers in factories are very low. I met someone who has been working for 19 years and earns only NIS900 while shop assistants earn NIS300 for working from 8 am until 9 pm." (A female worker from Hebron)

A number of workers are vulnerable to the activities of job brokers and contractors, especially those working in the settlements and in Israel. This study shows that 9% of workers in the settlements obtain employment via a broker, although the majority (91%) did not work via brokers. The highest rates of those working via brokers were workers in the settlements, Israel, and Jerusalem (about one third of them) compared to less than 4% in the West Bank and the Gaza Strip.

Those who work via a broker or contractor bear the financial costs: 70% of those working through brokers paid a fee in order to obtain work and remain in it, while 30% stated that they did not need to pay a broker.

The rate paid to the broker may be as much as 70% of the workers' earnings, according to 3% of those who obtained work via a broker. The study also ascertained that 36% of these workers paid 10% or less of their earnings to the broker, 46% between 11 to 40% of their earnings, and 15% paid between 41 to 65% to brokers.

Workers in Israel indicated that they faced a major problem related to forged salary slips that leave them vulnerable to exploitation by their employers.

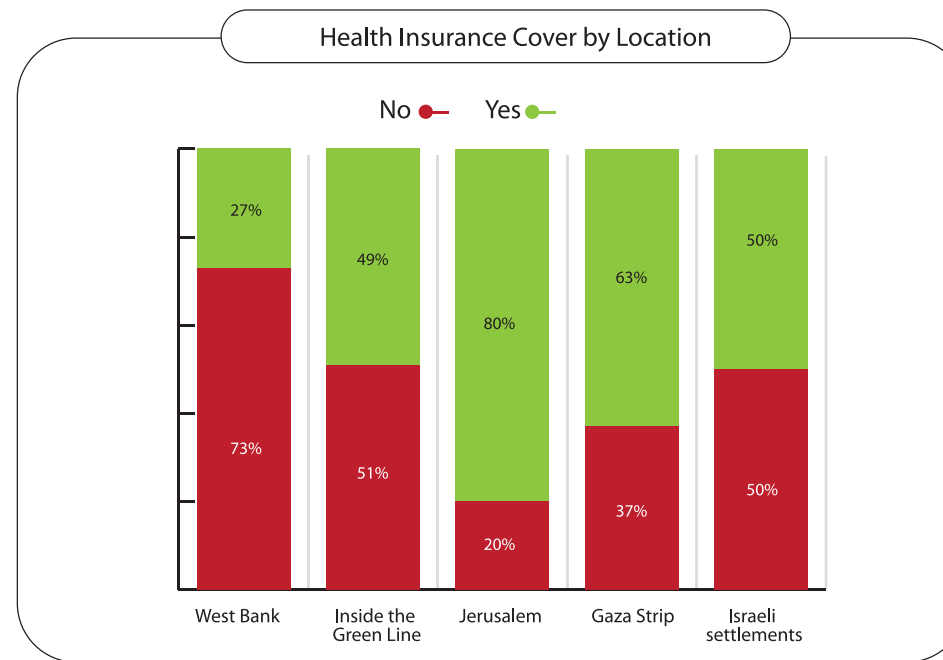
Some workers faced discrimination as regards equal pay and 40% of workers stated that they were not paid equally compared to colleagues with the same experience and performing the same type of work, although 60% of workers indicated that they did receive equal pay. This was particularly prevalent among West Bank workers and 50% of them stated that they did not receive equal pay with colleagues performing the same work and with similar experience.

6.2 Leave: The majority of workers in all locations (64%) were denied their right to annual leave. This varied by work sector, with those working in the construction sector and vocational workshops the least likely to be given annual leave, as reported by 75% of them compared to 59% of those working in the services sector.

The results also showed that 22% of workers were given unpaid annual leave and only 15% were given paid annual leave. In Jerusalem, 50% of workers received paid annual leave compared to less than 15% of those working in the West Bank, the Gaza Strip, and Israel and the settlements.

6.3 Health insurance: Overall, 47% of workers stated that they had health insurance, while 53% said they did not. The majority (73%) of workers in the West Bank had no health insurance and only 27% of them had insurance. In the Gaza Strip, 63% of workers had health insurance and 37% do not. In Jerusalem, 80% of workers had health insurance.

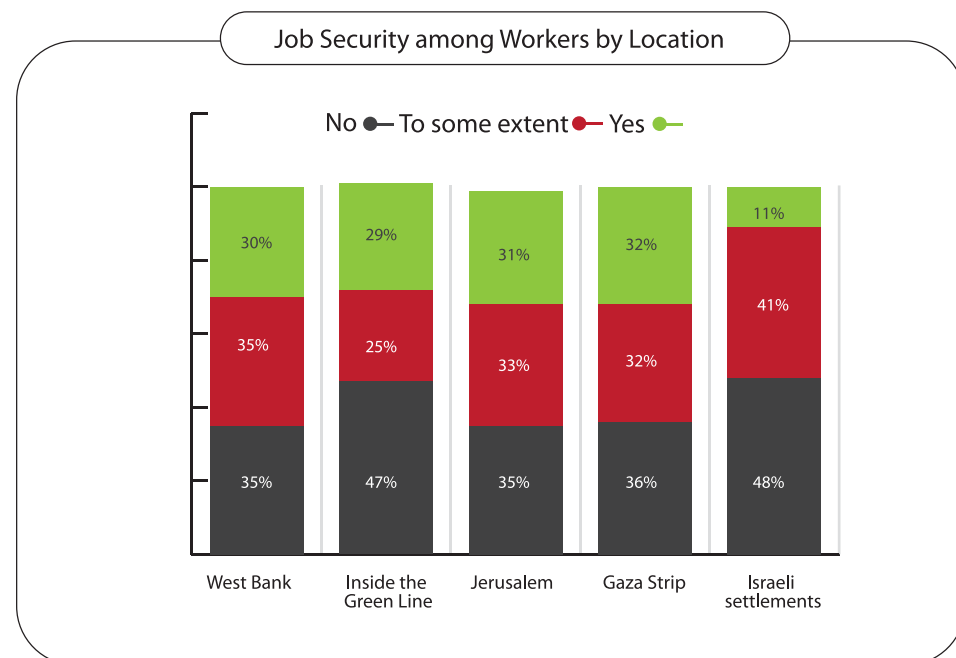
Graph (13):



7. Working Conditions and Discrimination

7.1 Job security: Feelings with regard to job security and stability varied among workers: about one third of them (29%) said they had job security; 33% stated that they had limited job security; and 37% reported that they did not feel that they had job security. The lack of job security and stability was more prominent among workers in Israel and the settlements and totaled 47%, despite their wages being higher.

Graph (14):



In addition, although 80% of workers reported that they were not subjected to coercion in their jobs, 20% of workers said that they were exposed to coercion. Reports of coercion were higher among workers in settlements and Israel compared to workers in other areas. The results also indicated that coercion mainly arose from the employer, followed by work colleagues, the Israeli occupation forces and settlers, and job brokers and contractors.

7.2 Risks faced by workers: The results indicated that 19% of workers were subjected to humiliation, harassment and verbal insults; although 81% stated that they were not subjected to any abuse. Workers in Jerusalem were the most vulnerable to harassment, even though they are entitled to a number of other work benefits as mentioned above. Workers in the West Bank and then those in the Gaza Strip followed in being most prone to insults.

Statements of physical violence and sexual harassment were limited and affected only 1% of workers. It is notable that the rates varied by location. Workers in the Jerusalem area were more vulnerable to sexual harassment and physical violence. Many workers, especially females, did not disclose that they had been subjected to sexual harassment or physical violence for social reasons and also for fear of losing their livelihood. In many cases, workers reported incidents to relevant institutions or to trade unions representatives in their area. The problem of workers subjected to sexual abuse committed by employers and brokers is described in Box (?) below.

Box (5): Abuse of Female Workers in Settlements

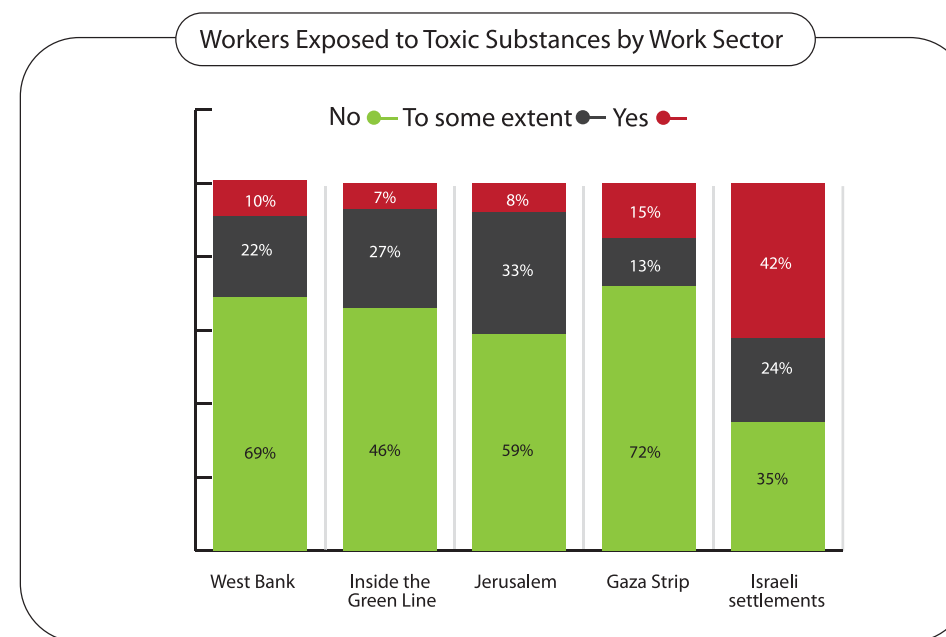
In the Jordan Valley, working women suffer from abuse by brokers and are subjected to beatings, verbal abuse and humiliation.

The role of trade unions and the government towards brokers is unclear or possibly non-existent. In many cases, women are subjected to coercion and cannot change jobs without the permission and clearance of the broker. This is happening in Jenin!

In many areas, conditions are imposed on working women indirectly and the woman's need for work is exploited by brokers to demand illegitimate sexual relations. Women may not be able to complain for reasons related to their need for a job to earn money.

In addition to the harassments described above, 34% of workers indicated that they were exposed to unhealthy substances that negatively affected their health, while 66% stated that they are not exposed to such substances. Workers in the settlements complained the most (65%) about being exposed to such substances, while 35% of them said they were not exposed to such substances.

Graph (15):



This study indicates that workers in the agricultural sector (52%) and those in supplementary construction (56%) were most affected by these substances.

Box(6): Hazards at Work

"There are several hazards that may be found in the workplace. For instance, there are machines that are not equipped with adequate safety precautions in the Palestinian Territories. Sewing workers are not provided with an appropriate working space and most workshops are located in basements or store rooms that lack ventilation and are not equipped with adequate toilets. Workers in quarries suffer from many respiratory diseases." (A female worker from Nablus)

A majority of workers (58%) responded that they were susceptible to physical hazards such as slipping, falling or being hit by objects dropping on them, while 42% said they are not. Workers in Israel and the settlements were the most vulnerable to such physical hazards, as well as those working in the construction and supplementary construction sectors and in crafts and vocational workshops.

8. Work Injuries and Disputes

8.1 Work injuries: Some of the risks to which workers were susceptible relate to safety measures and occupational health provisions that should be provided by employers under government supervision. According to the study, 15% of workers had suffered a work accident during the previous year, while 85% had no accidents. The accident rate among workers in the Jerusalem area was 33%: 41% of these accidents caused moderate injuries, 35% caused minor injuries, while 24% of workers suffered serious injuries that caused disability that prevented the worker from returning to work. Some accidents were fatal: both workers and reports by professionals attributed this to the failure by workers to abide by safety and occupational health regulations.

Box (7): Work Accidents

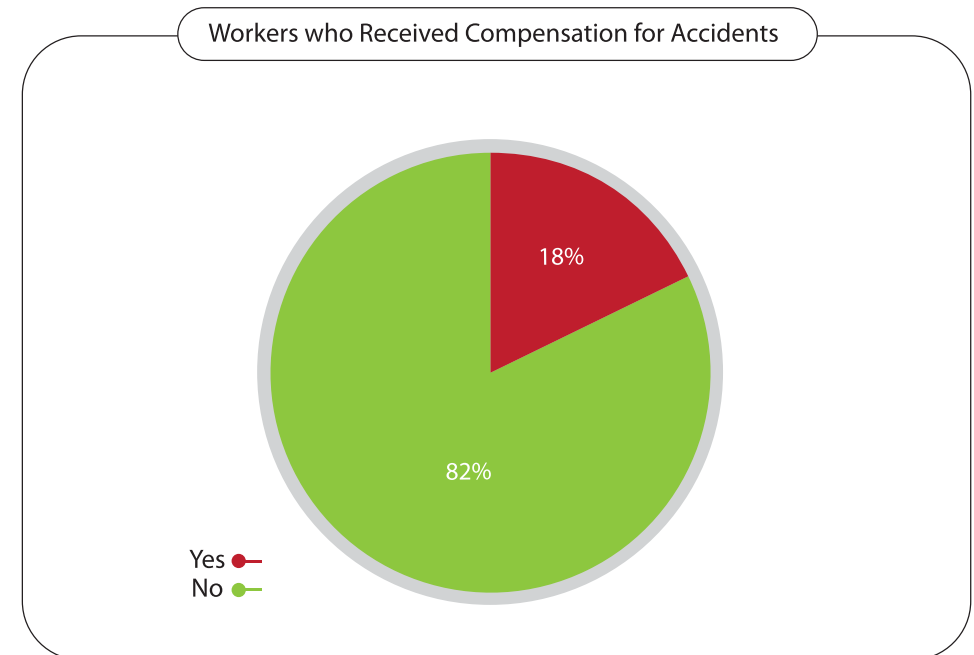
"Fourteen female workers were burned to death in a lighter factory in Hebron when a fire broke out. The factory had only one door and no other exit. The women started shouting and ran back inside the factory and up into an attic. When the municipality fire truck got there and tried to put out the fire, they discovered that the hoses were torn so they called a fire truck from a nearby Israeli settlement. By the time it arrived, the 14 women had died." (Expert/Labor Studies)

"Unfortunately, we have work accidents occurring every year and some are fatal. This year we had a high rate of injuries and deaths. For example, a 16 year old boy died as a result of negligence and disregard for safety and occupational health provisions. He was wearing a sports suit with ties hanging from it instead of the special and appropriate work uniform. The ties caught in the machine and he was strangled to death." (A trade union worker)

Of the workers who had suffered an accident, 90% said that they had received appropriate treatment. Of the 10% who said that they did not receive appropriate treatment for their injuries, most were workers in the West Bank and the Gaza Strip. Under the Labor Law, a worker is entitled to accident insurance compensation in the workplace but 82% of

workers who had suffered an accident did not receive compensation, and only 18% of them were compensated. Most compensation for accidents was given to workers in Jerusalem (50%) compared to workers in other areas.

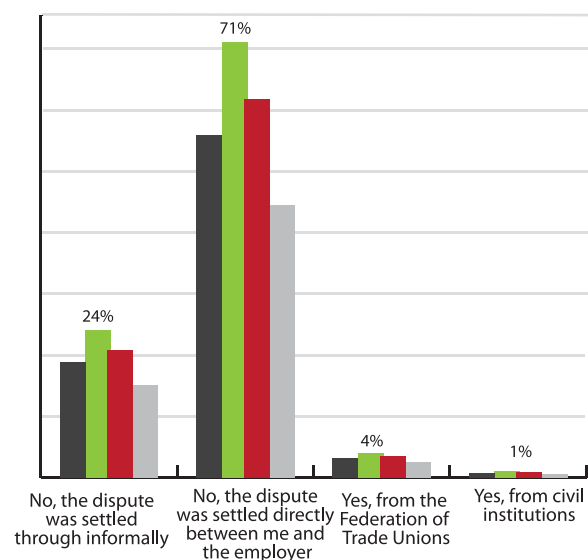
Graph (16):



8.2 Disputes with employers: 21% of workers reported a dispute with their employer, while the majority (79%) said they had no work disputes. Notably, most of these disputes (71%) were settled directly between the worker and employer without any legal assistance. Unofficial social frameworks such as families and mediators from among acquaintances provided assistance for 24% of workers. Less than 5% reported that they had received legal assistance either from the General Federation of Trade Unions (PGFTU) (4%) or from civil organizations (1%).

Graph (17):

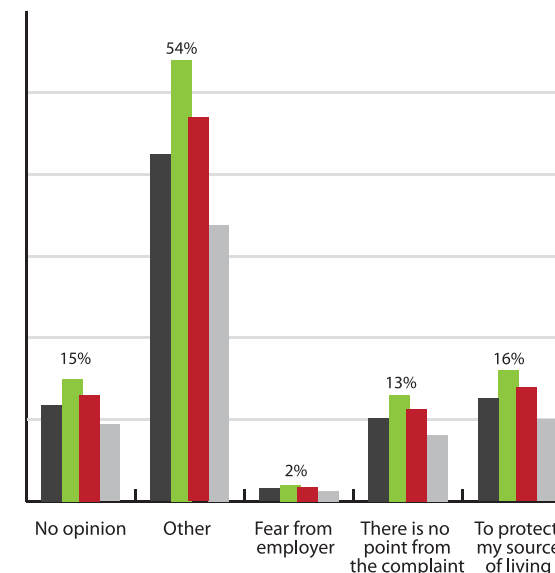
Legal Assistance in Dispute Resolution with Employers



In the same context, 3% of workers had submitted an official complaint during the previous year. Most complaints had been filed by workers against an Israeli employer (10% of workers in the settlements and 5% in Israel). Of the workers who had a work dispute, 54% refused to disclose the reasons that prevented them from submitting an official complaint as they were afraid to do so, while 16% reported that they did not submit a complaint because they wanted to keep their jobs. Also, 13% believed that it would be pointless to make an official complaint and 15% said that they did not file an official complaint for more than one reason.

Graph (18):

Reasons for not Filing Complaint



Among the minority who submitted an official complaint, 27% said they filed their complaint to governmental and judicial entities. A similar percentage said they filed a complaint with a trade union or civil organization, 20% filed complaints with Israeli bodies, and 13% to the employer himself, although this was limited to workers in the West Bank and the Gaza Strip. In addition, 7% complained to various other unofficial parties. Of the complaints filed, the party to whom the complaint was submitted resolved the problem for 73% of workers and 13% said that their case was under investigation but not yet resolved. In contrast, 13% of workers reported that their case had been accepted but no attempt had been made to resolve it.

Table (3): Parties to whom Complaints were Filed by Work Sector

	West Bank	Inside the Green Line	Jerusalem	Gaza Strip	Israeli settlements in the West Bank
Governmental and judicial parties	25%	50%		25%	25%
Trade Unions and civil parties	25%		100%	25%	25%
The Mukhtar or important figures	25%				
The employer	25%			25%	
Parties within the Green Line		50%			50%
Other parties				25%	

8.3 Dismissal from work: 11% of workers reported that their jobs were terminated before the date specified in the contract. Workers with an oral contract or working on a daily basis and those in the agricultural, construction and industrial sectors were the most susceptible to arbitrary dismissal. The majority of workers who were sacked (92%) did not receive compensation. Only 8% of the dismissed workers reported the opposite. Workers in the settlements reported that 23% of them obtained compensation for dismissal from work, followed by workers in Jerusalem and Israel (20% each), in comparison with 4% of workers in the West Bank and the Gaza Strip.

9. Awareness of Labor Rights

9.1 Awareness of rights: 46% of Palestinian workers indicated that they were not aware of their rights, while 54% said they were. The Palestinian Labor Act stipulates a number of rights for workers, such as working hours, rights in the event of a work injury, annual leave, religious and national holidays, end of service benefits, and arbitrary termination of employment. The Law also provides for the rights of working women taking into account some of their special conditions.⁵ Awareness of the rights of

⁵ Legal pamphlet on workers' rights. The Palestinian General Federation of Trade Unions (PGFTU). <http://www.pgftu.ps/publishes-action-showpub-id-16.htm>

workers was highest among workers in the industrial sector (64%), followed by workers in the services sector (58%), in supplementary construction (56%), in transportation (51%), and dropping among workers in the agricultural and construction sectors to 48% and 46% respectively. Both the quantitative and qualitative results of the study concur that the larger the size of the enterprise, the greater the awareness by workers of their rights. For example, the majority of those working in large enterprises (66%) indicated that they were aware of their rights compared to 57% of workers in medium sized enterprises and 42% in small enterprises.

Box (8): On Awareness of Rights

"Some workers find out about their rights through workshops, symposiums, and seminars. We have reached out to 15% of workers who know what their rights are, but 85% of workers did not yet receive the trade union message and have lack knowledge of the law." (ShaherSaad, PGFTU)

"The weakness of the PGFTU is a detrimental factor since only a few workshops are held annually to raise awareness among workers with regard to various issues such as the Labor Law, unemployment, child employment, and guidance in safety and occupational health matters. Only 4 to 5 workshops are organized every year." (Haidar Ibrahim, PGFW)

"Workers' awareness of their rights varies in relation to their workplace, its size and whether they are active trade union members. Also, awareness is linked to the size of the enterprise where they work and whether it permits a trade union to be formed since this enhances the knowledge and awareness of the worker of his rights." (Mahmoud Ziadeh, Head of the Federation of Independent Trade Unions)

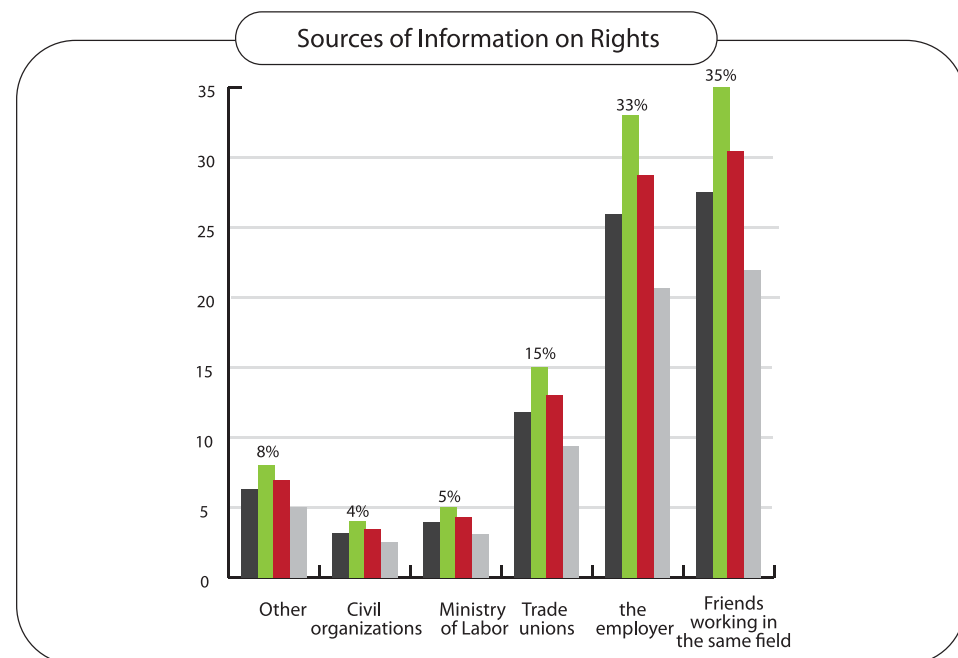
"Awareness by women workers of their rights is minimal due to an absence of confidence in the application of the Labor Law." (Basma AlBatat, PGFTU)

9.2 Sources of information on rights: At a time when the number of workers in the West Bank and the Gaza Strip totaled 1,094,500,⁶ the results of the survey show that workers' institutions were unable to reach out to workers to raise awareness with regard to their rights. The following graph illustrates that the primary source of information about rights was friends and colleagues at work, then the employers themselves, trade unions as the third source of information, followed by the Ministry of Labor and finally, civil organizations.

⁶ PCBS, Labor Force Survey, first quarter, 2012.

http://www.wafainfo.ps/pdf/%D985%D8%B3%D8%AD_%D8%A7%D984%D982%D988%D989_%D8%A7%D984%D8%B9%D8%A7%D985%D984%D8%A9_%D8%A7%D984%D8%B1%D8%A8%D8%B9_%D8%A7%D984%D8%A7%D988%D92012_84.pdf

Graph (19):



A worker who participated in a workshop in Nablus explained that workers lack understanding of their rights and either know nothing or have very limited knowledge because the Ministry of Labor and trade unions are not fulfilling their role of guidance and training. He also pointed out that most employers are not aware of workers' rights either and those among them who do know the law either evade it or use their knowledge to mislead workers.

In the Gaza Strip, the role of trade unions deteriorated after the political split. Mohammad Helles, a trade union worker, explained:

Prior to the coup, the trade unions played a significant role in raising the awareness of workers with regard to their rights and duties as we used to go to workplaces, form workers' committees and sign individual and collective work contracts. The employers were responsive and workers used to participate enthusiastically. The Ministry of Labor used to support us in this role. Now, awareness by workers of their rights has drastically declined because of the lack of communication with the trade union for over 6 years.

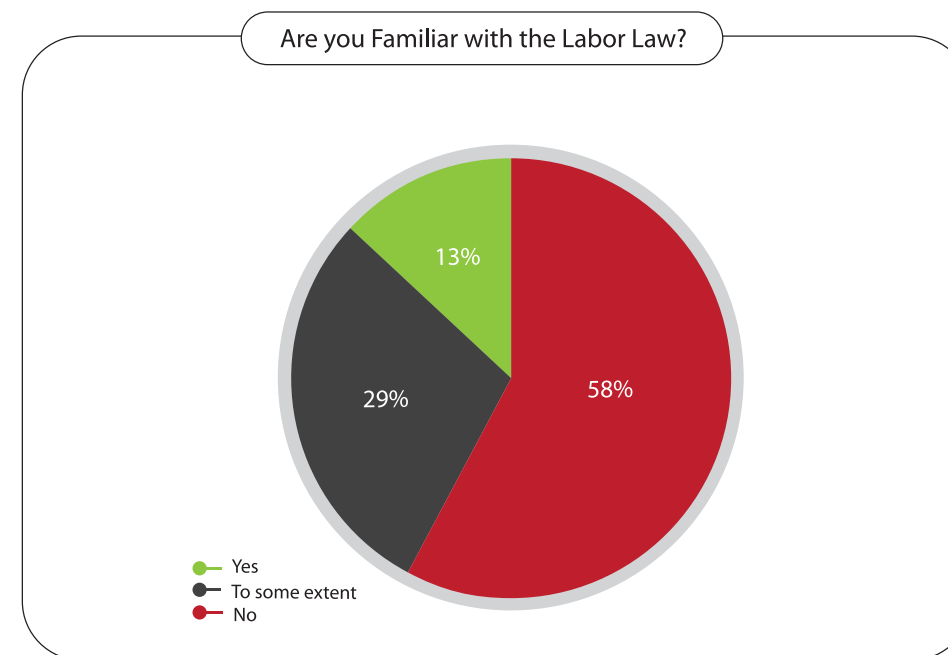
10. Palestinian Labor Law

The Palestinian Labor Law aims to prevent the exploitation of workers by providing them with an appropriate work environment that safeguards a reasonable degree of dignity, justice, and equity for workers. The Law was enacted to organize work relationships between parties, determining rights as well as duties, and as a guarantee of the rights of workers in different sectors and those of employers. The Palestinian

Labor Law applies to Palestinians and foreigners, with the exception of those working in the government sector who are subject to the provisions of the Civil Service Law, workers in local councils, and domestic workers such as private drivers or bodyguards, and some close family members of the employer.⁷

10.1 Acquaintance with the Labor Law: 54% of Palestinian workers were not aware of the Palestinian Labor Law while 13% said that they were aware of it, and 29% were aware of the Law to a limited extent.

Graph (20):



Familiarity with Labor Law varied by geographic location, sex and education as follows:

- **West Bank workers were more aware of the Law:** The results demonstrated that workers in the West Bank were more aware of the Labor Law than their colleagues in the Gaza Strip: 46% of West Bank workers stated that they were aware of or aware to a limited extent with the Law versus 35% in the Gaza Strip.
- **A positive correlation between education and familiarity with the Law:** Knowledge of the Law increased with the workers' level of education and vice versa: ignorance of the Law was greater among the least educated (76%) in contrast with 36% of those who held a university degree.

⁷ Palestinian Labor Law, The Ministry of Labor. <http://www.mol.pna.ps/pdf/low2.pdf>

Table (4): Are you Familiar with the Labor Law?

	6 years of education or less	7-12 years of education	High school	Diploma- years without completion	Diploma	University degree
Yes	7.2%	8.8%	13.1%	22.4%	18.3%	29.0%
To some extent	25.6%	26.8%	27.7%	27.6%	36.6%	35.5%
No	67.2%	64.3%	59.2%	50.0%	45.1%	35.5%

- **Female workers were less aware of the Labor Law:** Female workers were less aware of the Labor Law with 34% of them indicating that they were aware of it or aware to a limited extent in contrast with 45% of male workers.
- **Workers in cities, towns and villages were more aware of the Law:** 45% of workers residing in cities and the same proportion residing in towns and villages said that they were aware of or aware to a limited extent of the Labor Law compared to 34% of workers from refugee camps.

10.2 Application of Labor Law: The Labor Law incites controversy among workers and trade unions since it has been ratified and announced but is not applied in practice since no actual punishment is imposed on those who breach the Law, especially employers. One participant stated: "The Labor Law is bypassed by employers as a result of their influence in the government."⁸ Mahmoud Ziadeh, Head of the Federation of Independent Trade Unions, said that "the reason for not putting the Law into effect is the greed of employers, plus the lack of determination on the part of workers and their representatives." This is reflected in the results of the survey: 51% of workers believed that the Palestinian Labor Law is never applied, 31% think it is applied to a limited extent, and 17% think that the Law is applied. They perceived the reasons for failing to apply the Law as follows:

- **The government is not serious in this regard:** 40% believed that the government is not serious in seeking to apply the Law. A worker who participated in a workshop held in Nablus expressed his feelings by saying, "The resolutions and provisions of the Labor Law are not applied or implemented in reality. There is indifference on the part of the government with regard to enforcing the Law, as is evident in the absence of inspectors in a large number of enterprises and their limited numbers."
- **Lack of awareness by workers:** 23% of workers blamed the lack of awareness by workers. One participant in a workshop held in Ramallah stated: "A large proportion of workers know nothing about the Labor Law and if they get into a dispute with their employer they would not know how to safeguard their rights."
- **Indifference on the part of workers' institutions:** 20% of workers blamed the indifference of trade unions and workers' institutions with regard to the application

⁸ A participant in a workshop in Ramallah.

of the Law. Mohammad Helles, a trade unionist in the Gaza Strip, stated: "Civil society organizations working in this field are not playing their role properly and do not put any pressure on the government to put the Law into effect. Also, there is nothing to enforce the application of the Law on the part of employers."

- **Role of employers:** 15% believed that employers are responsible for thwarting the application of the Law. A participant in a workshop held in Nablus said: "Employers are largely aware of the Law and they also realize that, if put into effect, this Law would take a long time to go through the courts. Knowing that workers would not be able to wait for so long to obtain their rights, employers simply and easily breach the Law."

Box (9): Labor Law and the Role of Trade Unions (Statements by Professionals)

"Trade unions should be ashamed when the Law is not being applied to 75% of workers in general and to 52% of workers in the private sector. Also, there are no special courts or judiciary for workers." (Mahmoud Ziadeh, Independent Trade Unions)

"There is no full commitment to the Labor Law, such as abiding by working hours or the implementation of safety and occupational health measures or social insurance; there are many breaches of the Law." (Haidar Ibrahim, PGFW)

"We have no laws to deter those who violate the Labor Law." (A participant in a workshop in Ramallah)

"Women know very little about their working rights as they have no confidence in the application of the Labor Law." (Basma AlBatat, PGFTU)

"The increase in the number of unemployed is a reason that prevents workers from thinking about the Labor Law; what is important for a worker is to find a job, not to apply relevant laws." (A participant in a workshop in Ramallah)

The results revealed that 51% of workers in the Gaza Strip did not believe that the government is serious about enforcing the Law compared to 31% of workers in the West Bank. Also 22% of workers in the Gaza Strip believed that trade unions and workers' bodies are not vigilant regarding the application of the Law versus 18% of workers in the West Bank.

Box(10): Who Safeguards Workers' Rights in the Gaza Strip?

"There are many violations of the Labor Law in the Gaza Strip compared to the West Bank because the government there is not committed to anything. Some workers work for 16 hours a day and the government there encourages illegalities in the workplace. Tens of workers died without being noticed as there is no one to enforce the Law and there is no interest in doing so." (ShaherSaad, PGFTU)

"We have tried to put the Palestinian Labor Law into effect but unfortunately there is no cooperation from the government in the Gaza Strip." (A participant in the trade union workshop held in Gaza)

"The current government offers nothing in relation to workers' rights and also discriminates between workers by political affiliation and nepotism." (A worker in Rafah)

Workers in the West Bank laid the responsibility for the failure to apply the Law on themselves: 30% of them believed that lack of awareness on the part of workers is the reason why the Law is not enforced versus 15% of workers in the Gaza Strip. In addition, 19% of workers in the West Bank blamed the employer compared to 10% of workers in the Gaza Strip.

Box(11): Weak Enforcement of Labor Law

“The employer himself is the one capable of improving work conditions considering the weaknesses of the government, trade unions and workers.” (A participant in the trade union workshop in Ramallah)

“There is a lack of oversight of contracts between the worker and the employer. There is no interest at an official level and no one hears our voice. The lack of awareness by workers of the Law is a major obstacle to its application. Employers are not interested in applying the Law because it costs them money to pay benefits to workers while they care most about making a profit. Civil society organizations working in this field are not playing an effective role in putting pressure on the government to put the Law into effect, plus there is no one to force employers to abide by the Law.” (A participant in the trade union workshop in Gaza)

10.3 Breaches of Labor Law-the worker is the victim: Article 23 of the Universal Declaration of Human Rights provides: “Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment.” Yet, there is indifference and apathy in the Palestinian Territories with regard to the application of the Labor Law due to the lack of genuine deterrents to compel all to abide by it. This is the responsibility of the government, workers’ institutions, and relevant civil society organizations.⁹ In the workshops and interviews held by AWRAD with workers and trade unionists, blatant violations of everyday workers’ rights and breaches of the Labor Law were evident, as illustrated in the following examples from the field work for this study:

- **Delays in disbursement of wages:** The Palestinian Labor Law provides that wages should be paid “at the end of each month for workers paid monthly.”¹⁰ However, delays in payment are extremely common. For instance, in one private health center the arrears in wages due to employees totaled 1 million shekels. Trade unions cannot intervene in such cases unless they are collectively authorized to do so by the workers. The old Jordanian Labor Law that was previously in effect in the Palestinian Territories comprised a wage court called the ‘wage authority’¹¹ to rule in such cases within two weeks, but the Palestinian Labor Law does not make provision for this type of court.
- **Work on-call for long hours:** The Palestinian Labor Law provides that weekly working hours should not exceed 45 hours.¹² However, in one enterprise the employer compels the worker to work whenever the employer wants him to in return for providing the

⁹ According to trade unionists in the West Bank and the Gaza Strip.

¹⁰ Palestinian legislation, Labor Law, Article 82.

¹¹ Jordanian legislation: Jordanian Labor Law, Article 54.

¹² Palestinian legislation: Palestinian Labor Law, Article 68.

worker with sleeping facilities. This effectively means that the employee is on-call around the clock and must be ready to work anytime that the employer requests. In a similar case in a hotel, 8 workers worked around the clock in return for sleeping in the hotel kitchen as their wages were insufficient for them to return home on a daily basis. They are on-call and may be awoken after midnight to perform services.

- **Signing end of service form prior to start of work:** The Palestinian Labor Law stipulates the basic conditions of a work contract such as wages, type of work, place of work, duration, to which both parties “duly sign and the worker is given a copy to enforce his rights with legal proof.”¹³ Yet in one company, a worker has to sign an undated end of service form prior to taking his job. The form is a statement by the worker comprising his full name and identity number and stating that he has received all his dues and severance allowances. This could be made official at anytime by filling in the date and would appear to be a proper legal document.
- **Evading workers’ health insurance:** The Palestinian Labor Law stipulates that ‘the employer should insure all his laborers against occupational injuries with licensed insurers in Palestine.’¹⁴ There is often evasion of the Law and failure to abide by its conditions in many other instances.

11. Confidence in Institutions

11.1 Enjoyment of workers’ rights: 11% of workers felt that their rights were safeguarded to a considerable extent; 38% believed that to a limited extent; 21% felt that their rights were not protected to a large extent; and 30% believed that their rights were not safeguarded at all.

11.2 Confidence in workers’ institutions: The prevailing discontent with regard to workers’ rights partially explains the division of opinion on the role of workers’ institutions. It is strange that the results revealed the same level of mistrust by workers in both Palestinian and Israeli workers’ institutions. For example, 45% of all workers reported that they did not trust the Palestinian Ministry of Labor to “safeguard and protect their rights” while 46% stated that they did not trust the Israeli Ministry of Labor. In addition, 43% of all workers reported that they did not trust Palestinian trade unions to maintain and defend their rights and 46% disclosed that they did not trust Israeli trade unions in this regard.

The results also demonstrated that workers in the Gaza Strip have less confidence in Palestinian workers’ institutions compared to workers in the West Bank as follows:

- 56% of workers in the Gaza Strip disclosed that they had no confidence in the Palestinian Ministry of Labor to uphold their rights while 38% of workers in the West Bank shared these feelings.
- 56% of workers in the Gaza Strip disclosed that they did not believe that Palestinian trade unions are capable of upholding their rights versus 35% of workers in the West Bank.

¹³ Palestinian legislation: Palestinian Labor Law, Article 28.

¹⁴ Palestinian legislation: Palestinian Labor Law, Article 116.

Workers in the West Bank demonstrated less confidence in Israeli workers' institutions than workers in the Gaza Strip as follows:

- 49% of workers in the West Bank stated that they did not trust the Israeli Ministry of Labor to uphold their rights versus 42% of workers in the Gaza Strip.
- 48% of workers in the West Bank disclosed that they had no confidence in Israeli trade unions to uphold their rights compared to 42% of workers in the Gaza Strip.

Table (5): Confidence in Workers' Institutions

		I trust them	I trust them somewhat	I don't trust them	Don't know
The Palestinian Ministry of Labor	West Bank	22.2%	33.6%	37.6%	6.6%
	Gaza Strip	19.4%	18.9%	55.9%	5.9%
General Federation of Trade Unions - Palestine	West Bank	24.8%	33.2%	35.1%	6.9%
	Gaza Strip	17%	19.9%	56.4%	6.6%
CSOs that deal with workers	West Bank	20%	31.6%	38.7%	9.7%
	Gaza Strip	16%	19.7%	56.6%	7.7%
The Israeli Ministry of Labor	West Bank	21.7%	15.5%	48.6%	14.2%
	Gaza Strip	13.6%	4.5%	41.8%	40.2%
Israeli labor unions - the Histadrut	West Bank	21.6%	15%	48.4%	15%
	Gaza Strip	11.7%	4%	41.8%	42.6%

11.3 Educational and guidance activities: Data show that the proportion of workers who participated in educational and awareness-raising activities organized by workers' institutions during the previous year was only 12%. The percentage of those who did not participate in these activities reached 88%. Also, 81% of workers stated that they had not received any information on workers' rights from any source: 19% had received such information. Of those who had received information, 73% described it as 'useful', 24% as 'somewhat useful' and 3% described it as 'not useful'.

12. Trade Unions

12.1 Attitudes to trade union membership: The Palestinian Labor Law permits the freedom to establish workers' institutions of different types and with the goal of familiarizing workers with their rights by disseminating information as provided by the code of conduct devised by civil society organizations, who explicitly commit themselves to the rules of transparency and good governance which necessarily means respect and application of the rights and freedoms stipulated by the Palestinian Labor Law.¹⁵ However, it appears that in spite of the large number and diversity of these

¹⁵ Guide for Palestinian Labor Law, NDC, 2008
<http://www.ndc.ps/uploads/File/Resource%20Kit/labor%20law-GUIDELINE%20-A5.pdf>

workers' institutions, their performance has not convinced workers of the benefits of membership: 33% of workers described joining a trade union as 'useful', 22% as 'somewhat useful', and 45% described it as 'not useful'.

Attitudes to trade union membership are connected to other variables such as gender, governorate, and the use of the Internet:

- **Women are more convinced than men of the usefulness of trade union membership:** 60% of female workers stated that it is useful or useful to a limited extent to join a trade union versus 53% of male workers. A female worker who participated in a workshop in Jericho explained: "Women are more interested in joining trade unions than men, especially in villages; they are also more interested in attending workshops held to enhance awareness and guidance on the rights of working women."
- **Workers in Ramallah, Al-Bireh and Jericho governorates are more convinced that it is useful to join a trade union while workers in Jabalia and Hebron are the least convinced:** 85% of workers in Ramallah and Al-Bireh governorates and 81% of workers in Jericho governorates stated that it is useful to join a trade union but the percentage dropped to 32% in Jabalia and 40% in Hebron governorates.
- **Workers who use the Internet are more convinced of the benefits of trade union membership:** 57% of workers who used the Internet stated that they believe it to be useful or useful to a limited extent to join a trade union versus 54% of those who did not use the Internet.

Those who were unconvinced of the benefits of trade union membership stated their reasons as follows:

- "We used to have confidence in workers' institutions before but now we do not because the committees that they form in the workplace are made up of failures and cowards and all their members are frightened." (A worker who participated in a workshop in Gaza)
- "Trade unions support workers' cases in order to obtain a proportion of the worker's compensation when the case is won in courts." (An interview with the owner of a sewing workshop in Nablus)

12.2 Trade union membership: 82% of workers were not trade union members and 18% of workers were trade union members: of these, 19% worked in the services sector, 17% in the construction sector, 15% in supplementary construction, 17% in agriculture, 11% in transportation, 10% in miscellaneous jobs, 9% in industry, and 4% in craft and vocational workshops.

The following reasons were given by workshop participants for low membership in trade unions:

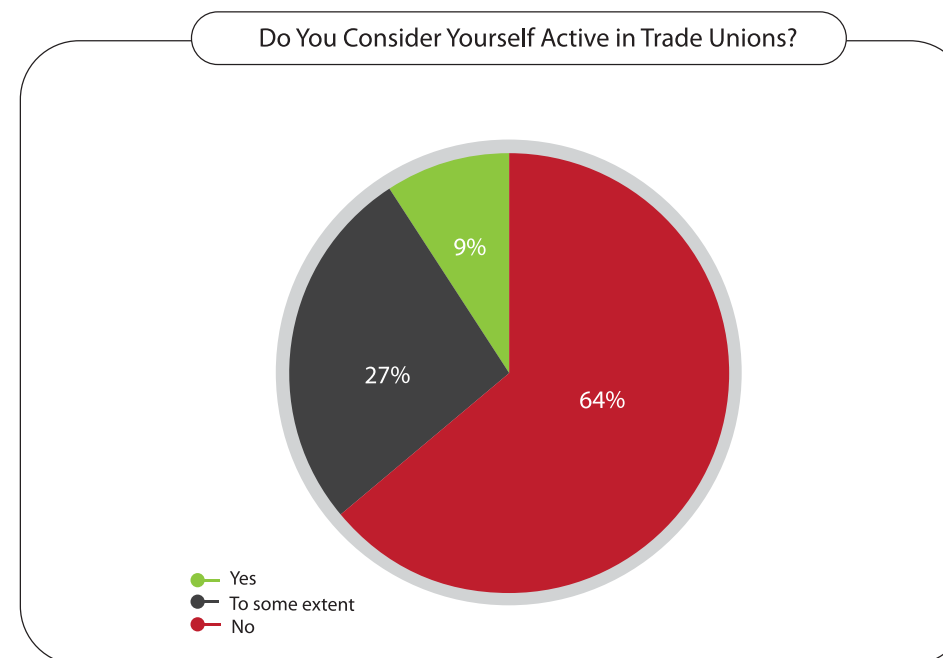
- **Trade unions follow government policies:** "Trade unionists are employees who receive their salaries from the government and implement its policies instead of defending the rights of workers." (A worker who participated in the workers' workshop in Gaza)

- **Workers only resort to trade unions in extreme cases:** “The worker turns to a trade union only when he encounters a problem with the employer or the company where he works due to arbitrary dismissal from work, injury at work or with regard to the clearance for end of service benefits.” (Trade union workshop in Ramallah)
- **Defects in the structure of trade unions:** “The reason for poor membership in trade unions is due to the ineffectiveness of the structure of trade union organizations.” (ShaherSaad, PGFTU)
- **Workers are not convinced about the activities of trade unions:** “The activities of trade unions are ineffective and workers are therefore not convinced to become members.” (Owner of a sewing workshop in Nablus)
- **Lack of confidence in trade unions:** “The workers’ lack of confidence in employers and the inability of trade unions to protect workers are some of the important reasons that discourage membership in trade unions.” (Mohammad Helles, trade unionist)

Among trade union members (i.e. 18% of all workers), 9% reported that they were active in the trade union, 27% were somewhat active, and 64% said that they were not active. The ratio of workers who were active in a trade union was less in the Gaza Strip than among workers in the West Bank:

- 2% of workers in the Gaza Strip stated that they were active members of trade unions versus 13% in the West Bank.
- 16% of workers in the Gaza Strip stated that they were active in a trade union to a limited extent versus 32% in the West Bank.
- 83% of workers in the Gaza Strip said that they were not active in a trade union versus 56% in the West Bank.

Graph (21):



13. Special Conditions by Location and Group of Workers

The study examined the perspective of workers with regard to working conditions in their area and how they viewed workers from other locations. In line with “the grass is greener on the other side”, 34% of all workers (40% in the Gaza Strip and 35% in the West Bank) considered that the conditions of workers in settlements were good. However, just 18% of workers in settlements viewed their working conditions positively, (a difference of 16 percent with the opinion of other workers). The same pattern is apparent in the West Bank, where 20% of all workers viewed conditions there as positive but just 6% of West Bank workers shared this opinion (a gap of 14 points below the opinion of other workers). Opinions regarding the Gaza Strip were consistent with less than 2% having a positive assessment of working conditions in the Gaza Strip, whether by Gaza Strip workers themselves or workers from all other groups.

- **West Bank workers:** Overall, 77% of West Bank workers described their conditions as poor. Their working conditions varied by workplace: 70% of them worked in the West Bank itself, 16% in Israel, 3% in Jerusalem, and 12% in the settlements. Around 28% of West Bank workers reported that they had to cross a checkpoint to reach their workplace, mainly workers in Israel, the settlements and Jerusalem, and 28% of those who crossed checkpoints stated that they were constantly exposed to harassment, 51% faced harassment occasionally, and 22% reported no harassment. The percentage of those who were always or occasionally exposed to harassment

was 86% among workers in Israel; 80% among workers in settlements and a similar percentage among workers in Jerusalem; and 50% of West Bank workers. 53% of workers in Israel, Jerusalem and the settlements stated that they always felt that their life was threatened on their way to work, 18% felt threatened occasionally, and 30% did not have that feeling. 27% of workers in Jerusalem reported that they were beaten or injured on their way to work in Israeli areas compared to 16% of workers in Israel and 20% of workers in settlements. Exposure to humiliation was high among workers in settlements: 58% of them reported that they were humiliated versus 56% of workers in Jerusalem, and 47% of workers in Israel.

Box (12): Preference to work in Israel, despite the suffering and abuse

- «Those who work in the Israeli market have better financial situation than other workers» (Member of the Federation of Trade Unions of Palestine / Male)
- «Almost all the workers prefer to work within the Green Line because of the high pay» (worker at the settlement Alia Zahav / Male)

Box (13): Difficulties at Checkpoints:

“The difficulties we face on checkpoints are huge. There are a large numbers of workers waiting to cross the checkpoint, controlled by a private Israeli security firm. They usually appoint young women who work according to their mood. They humiliate any Arab worker. They work slowly and indifferently with no consideration for hot or cold weather or for people who are tired or fasting. They care for nothing. Of course, it all depends on a worker’s appearance. If the guard does not like how a worker looks, she will transfer him for an identity check even though he may have undergone several checks of the identity card, fingerprints, etc. One time the fingerprint is accepted, another time it is not and then you go back to the end of the queue. Another time, what are you carrying in your bag? She stops the queue of 8 thousand workers to ask indifferently about the most trivial things.” (A worker who participated in a workshop in Qalqilia)

“We have to stop for a long time at the many checkpoints on our way to work, whether Israeli or Palestinian. If we are delayed on the checkpoints, our wages are deducted by an hour. Also, the transportation vehicle is inadequate or unsafe but we take the risk. We leave our homes very early at 4:45 am and this affects our families and children badly.” (A female worker in a settlement who participated in a workshop in Jericho)

“Workers without permits are exposed to assault and murder by Israeli soldiers. Abu Akram was a 46 year old worker who was killed on the Zaim checkpoint in front of many other workers. Four other workers received minor to medium injuries following a brutal shooting by the occupation forces, in addition to the stress that they were exposed to.” (A trade union member who participated in a workshop in Ramallah)

In addition to harassment at checkpoints, workers require a work permit from the Israeli authorities to work in Israel, Jerusalem and the settlements. 30% of West Bank workers depend on these permits: 70% of them work in Israel with a permit but 30% work without a permit. This percentage increases to 35% among workers in the settlements. Working without a permit may save workers from paying commission charges to the broker, but it exposes them to exploitation and they can easily be fired from their job since workers without a permit have no legal rights. In 73% of cases, the permit is valid for over 3 months, but 8% of workers obtain a permit of less than a month and 20% of between 13- months. The majority of workers with a permit (58%) stated that they obtained the permit through their employer, just 15% obtained it themselves and 27% obtained it by themselves but via the employer. The 33% of workers with permits reported that the employer or person who applied for the permit had changed once or more during the previous year but the majority (67%) said there had been no change.

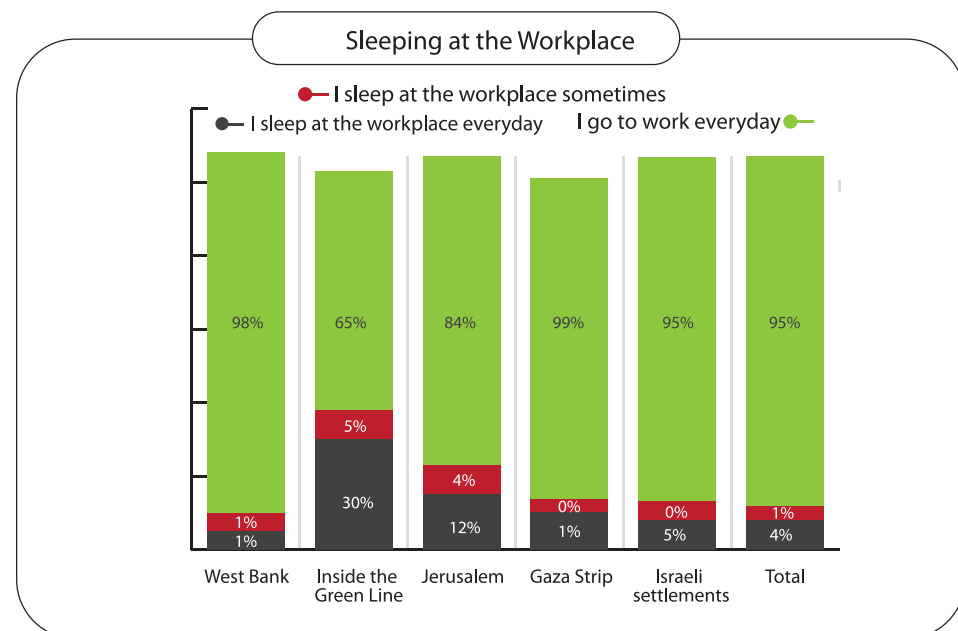
West Bank workers may also be exploited by drivers: 29% of workers felt they were considerably exploited by drivers and 27% felt they were exploited to a certain extent, although 49% did not believe that they were exploited by drivers at all. The sentiment that drivers considerably or somewhat exploited workers was 77% among those working in Israel, followed by 73% of workers in Jerusalem, and 54% of workers in settlements.

Box (14): Burden on workers who work in Israel

- “Drivers impose an additional burden on workers who have no permit to work in Israel by asking for large sums of money to drive them to their workplace. This sum may range between NIS200-450- for each worker. This is an abhorrent practice against workers.” (A worker who participated in a workshop in Nablus)

- **Workers who stay overnight in Israel:** Overall, 3% of workers reported that they slept daily at the workplace and 1% said they did sometimes. This practice was particularly common among workers in Israel and 35% of them stated that they slept at the workplace daily or sometimes compared to 5% of workers in settlements and 16% of workers in Jerusalem.

Graph (22):



Of the workers who stayed overnight in Israel, 81% felt threatened, 14% felt threatened to a limited extent, and only 5% did not have these feelings. The threats perceived by workers were related to fears of being detained by the police, of Israeli extremists, civilian attacks, and fear of being handed over to the police by the employer himself, as illustrated in the table below:

Table (6): Threats Perceived by Workers who Stay Overnight in Israel

Fear of being arrested by the police	83%
Fear of Israeli extremist organizations	61%
Fear of attacks by Israeli civilians	59%
Fear of being delivered to the police by the employer	44%

Of workers who stayed overnight in Israel, 58% described their living conditions there as bad and 27% reported that they were not provided with clean water to take a bath daily.

Graph (23):



Box (15): Sleeping in Israel

- "Some workers are smuggled into Israel to work and have to sleep there for a period of two weeks to one month due to the difficulty in crossing the Green Line. They stay under very poor conditions as some sleep under trees and others in ditches on the road." (A 54 year old worker in Zehav settlement)
- "Some of the workers who sleep in Israel try to imitate the Israelis and speak their language due to the difference in standards of living and technology." (A trade union activist who participated in a workshop in Ramallah)

- **Workers in Jerusalem:** 55% of Jerusalem workers described their situation as reasonable, 35% described it as good, and only 8% described it as bad. Also, 53% of workers worked for a Palestinian employer versus 47% who worked for an Israeli employer. Feelings of discrimination prevailed among Jerusalem workers in many aspects. For example, 66% of workers felt that they were discriminated against in obtaining employment in the Israeli labor market; 50% felt that there was discrimination with respect to wages and other rights; 46% of Jerusalem workers felt they had been humiliated and discriminated against.

Table (7): Discrimination against Jerusalem Workers

Getting a job in the Israeli market	66%
Discrimination in salaries	50%
Discrimination in other benefits	50%
Inhuman treatment and humiliation	46%

Box (16): Discrimination against Jerusalem Workers

“There is racial discrimination against a Palestinian worker. Their wages, benefits, holidays, incentives, transportation, and well-being are not compatible with those of an Israeli worker just because he is an Arab and a Palestinian. The daily wages of an Israeli worker are NIS400450-, while the wages of a Palestinian worker are no more than NIS280.” (Trade unionist who participated in a workshop in Ramallah)

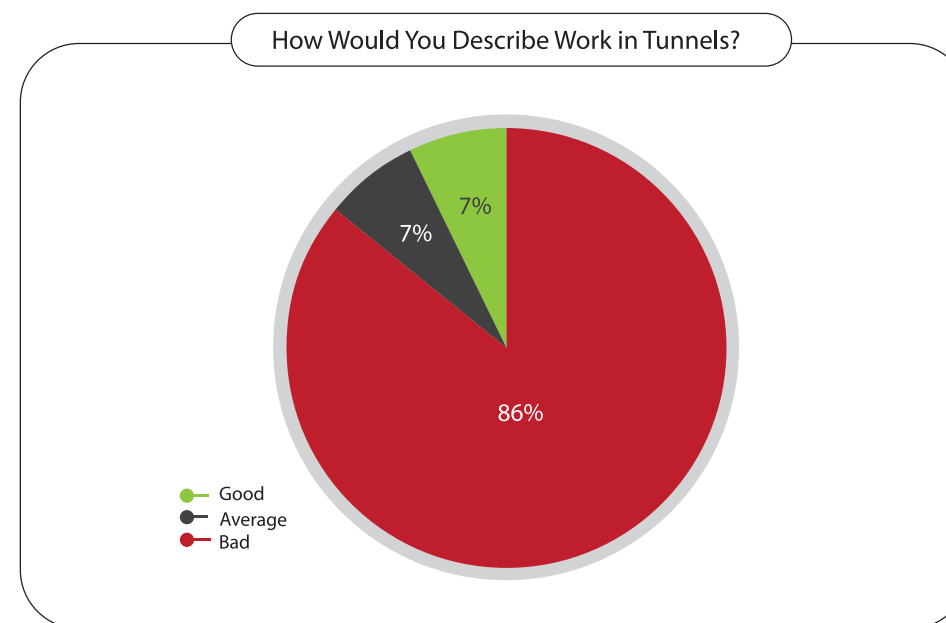
- **Gaza Strip Workers:** Gaza Strip workers believed that working conditions in all other areas were better than theirs: 83% of them described their conditions as bad and only 2% described them as good. Gaza Strip workers are not allowed to work in any other location examined in this study, including the West Bank, and also face special challenges. The study revealed that 26% of Gaza Strip workers had previously worked in Israeli areas, 17% of them in Israel and 9% in settlements. 18% of workers stated that Israeli employers still owed them unpaid compensation.

Box (17): Dues owed to Gaza Strip Workers

“There are unpaid dues owed to Gaza Strip workers, especially in the Eretz border area. Some lawyers are pursuing these but the problem is that employers exploit workers and try to keep about 3540%- of the worker’s dues. Even if workers succeed in obtaining these dues, the money cannot enter into the Gaza Strip as a hostile entity and the money stays in Israel”. (Focus group in the Gaza Strip)

Work in tunnels is one of the special work conditions in the Gaza Strip: 8% of workers had worked in tunnels and 87% of these workers described working conditions there as extremely bad while 7% described them as reasonable and 7% described them as good.

Graph (24):



Box (18): Victims of Tunnels

A total of 232 persons, including 9 children and also 20 people who were killed in Israeli shelling, have died in tunnels. In addition, 597 workers have been injured since 2006.

The following statements highlight the situation:¹⁶

- “There is a serious lack of safety and protection in tunnels. Hammashas taken no action to address this matter other than covering it up by paying so-called ‘Muhammadiyah blood money’ equivalent to \$10,000 for each victim. Furthermore, a worker in the tunnels is ready to work for 24 hours because they rely on Tramal narcotic pills.” (Focus group in the Gaza Strip)
- “There are many serious violations in tunnels that lead to deaths and injuries. We are informed sometimes, but more often not.” (A member of PGFTU)

- **Working women:** According to the PCBS Labor Force Survey of 2011, the female participation rate in the labor force was 18%. Around 38% of working women stated that they had been exposed to discrimination of some type, while 62% did not say so. Reports of discrimination against working women were higher among those

¹⁶ Al Mezan Center for Human Rights, January, 2013. http://www.mezan.org/ar/details.php?id=16103&ddname=tunnel&id2=9&id_dept=9&p=center

working in Israel and settlements (44%), the West Bank (43%), Jerusalem (40%), and 31% in the Gaza Strip.

Box (19): Women - Work without Rights

- "The situation of working women is a sensitive issue in Palestine. Women work in low wage professions and are mostly found in services, kindergartens and also in agriculture, where they work for no wages or no agricultural ownership. 80% of women working in agriculture work on land owned by the family and therefore they work for nothing. In the public sector, women occupy lower grade positions and the more you proceed up the organizational structure, the fewer women there are. This is connected to a number of social factors as well as the prevailing mentality." (A female member of the PGFTU executive committee)
- "In the Jordan Valley area such as the Jiftlek, female workers really suffer from the lack of health services, in addition to the risks from poisonous flies, insects and snakes. Working women face indifference and they lose their job if their maternity leave exceeds 14 days. This compels those mothers to return to work early." (A female member of the PGFTU executive committee)
- "In kindergartens, wages range between NIS300-400 a month and they work long hours under difficult conditions. A worker is given only 14 days maternity leave and is fired if she takes longer. If a worker was late for work or absent, she will not be paid. One worker was late for 5 minutes and they deducted one NIS from her daily wages. Any day they take off is on their account. The three-month summer holiday is unpaid too." (PGFTU activists who participated in a workshop in Ramallah)
- "In many cases, certain conditions are imposed on female workers to exploit their need for work. Women are exposed to sexual harassment and are exploited in illegitimate relationships with brokers. Women may not reveal this for reasons related to the need for the job and money." (A female member of the PGFTU executive committee)

23% of all working women reported that they had faced or had some experience of inhumane treatment at work. Also, 4% of working women said that they had been dismissed from a previous job due to pregnancy or childbirth. However, 98% of working women stated that they had not been subjected to sexual harassment from their employers or colleagues at work. The low rates of sexual harassment stated are due to women's fear and reticence of this subject, as revealed in the in-depth interviews.

With respect to dealing with their income, 18% of working women stated that they had no control whatsoever over their wages, 36% had limited control, and 45% said that they did have control over their income.

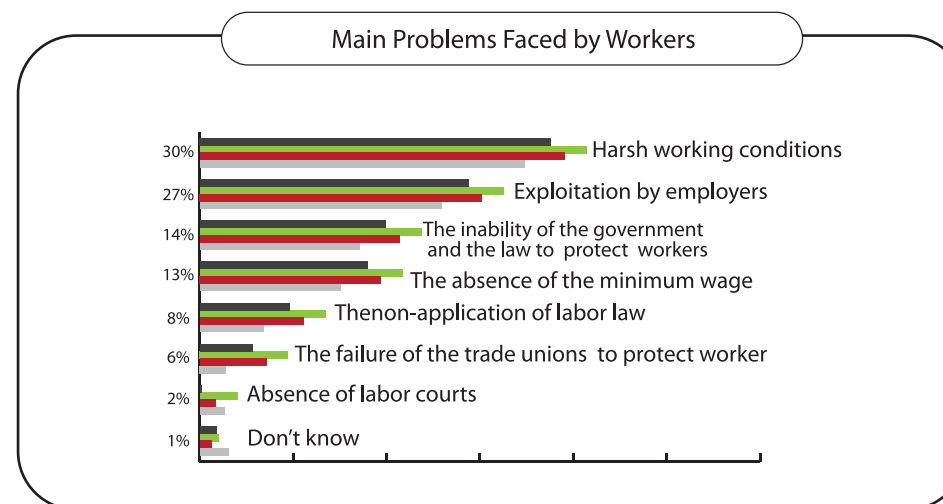
Box (20): Women and Brokers

- "Women workers suffer ill treatment from brokers and may be subjected to beatings and humiliation. Brokers are found in the West Bank, not only in Israel. Women work in domestic cleaning in the West Bank and most of them work covertly because their parents, brothers or husbands are ashamed of such work. There are brokers who take part of their wages and leave them a little as there is no legal protection of their rights. For example, a broker in Ramallah gets NIS120 for cleaning a house for one day but he gives the worker NIS70 or maybe less. I heard that some cleaning companies are licensed by the Palestinian Authority." (A female member of the PGFTU executive committee)

14. Priorities and Recommendations

14.1 Priorities of workers: Workers face many challenges and problems related to their working conditions and environment. The most important of these according to 30% of workers are the harsh working conditions, followed by exploitation by employers (27%), the inability of the government to protect workers legally (14%), and the lack of implementation of minimum wages (13%). Other priorities included the failure to apply the terms of the Labor Law, the failure of trade unions to play an effective role, and the lack of courts to deal with labor issues.

Graph (25):



On a macro level, the graph above illustrates the most important priorities that require long term measures and the combined efforts of all parties to create an appropriate environment for realization of these goals. In light of these priorities and the data provided in this study, the following recommendations are presented:

1. Enhancement of safety and occupational health conditions is the most important issue stated by 97% of workers. This is a particularly important issue for workers in construction, industry, vocational workshops and in tunnels in the West Bank and the Gaza Strip as well as for workers in factories in settlements and in Israel. Pressure must be put on the Ministry of Labor in the West Bank and the Gaza Strip to systematically improve its oversight of health and safety regulations and enhance cooperation with relevant international institutions to ensure health and safety in settlements and Israel.

2. Health insurance is considered to be a very important issue by 95% of workers. This requires the consolidation of efforts to work on the policy of official contracts with employers for workers in the informal sector and for those who work on a daily basis or by piece work. Also, work contracts should include a provision for health insurance for regular workers.

3. Pension system is considered an important priority by 93% of workers. This requires coordination between all relevant parties and is an intrinsic part of the development of a social security system. It also requires better official structuring of work through official and organized work contracts.

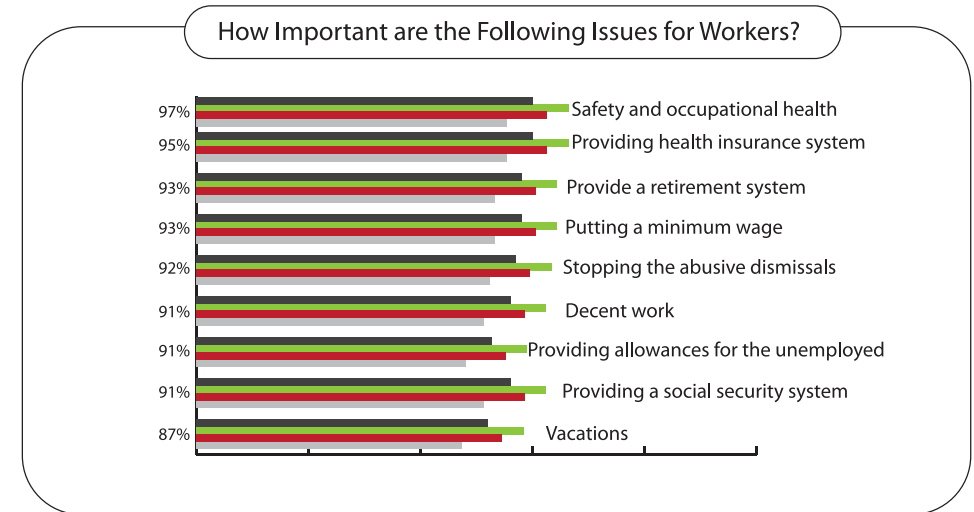
4. The enforcement of minimum wages was an important priority for 93% of workers. This requires coordination with the Ministry of Labor and relevant parties to improve the terms of the declared minimum wage. Yet most important is to ensure its application through mechanisms that are enforced by the law and pursued by the Ministry and trade unions. Awareness also needs to be raised of the importance of adhering to the determined minimum wage.

5. End to arbitrary dismissal was considered an important priority for 92% of workers. This requires improvements to procedures by which workers can file complaints to the relevant parties and strengthening the credibility of these complaints. It also requires the establishment of active labor courts with legal status capable of implementing the Labor Law through judicial parties (prosecutors and police) and also through executive parties (the Ministry).

6. Efforts to provide workers with a **social security system and unemployment allowances** were cited as priorities by 91% of workers. This is connected to the development of a comprehensive social security system, or its implementation in stages, and the establishment of financial and human resources that will enable this system to be created.

7. Providing workers with **decent work** was a priority for 91% of workers and is connected to all other working conditions. The study has revealed that improvements are needed to working conditions in general in terms of contracts, wages and allowances, holidays, exposure to hazards, accidents and to toxic materials, and arbitrary dismissal. 78% of workers emphasized the importance of enforcing their right to paid holidays as stipulated by law. Although there are variations in the extent to which workers are granted their rights or face oppression, the provision of decent work for Palestinian workers remains a necessity in all areas.

Graph (26):



14.2 Priorities perceived by professionals: Correlating closely with the priorities cited by workers, the following additional priorities were highlighted by professionals in the field who were surveyed during workshops and interviews:

- The importance of scrutinizing the high rates of unemployment and implementing a series of work creation mechanisms.
- The importance of ratifying of the Protection of Rights and Freedoms Law which will assist in the voices of workers being heard, will exert an impact on safety and occupational health conditions, and raise wages to assist with the high cost of living.
- The importance of devising regulations to ensure the implementation of laws. For instance, the adoption of a minimum wage is inadequate without being enforced by clear regulations and strong mechanisms.
- Serious steps to create labor courts under Palestinian law.
- Provide favorable conditions to improve the situation of working women and enable their participation in the labor market, such as kindergartens, safe transportation, and legal access.
- Devise a list of priorities related to the legal changes required and work in coordination and in joint committees with all trade unions and civil society organizations to bring into effect these changes, amendments and legal enforcements in accordance with international standards for decent work.
- Put pressure on the government to move beyond general commitment to actual practice and from decision making to application. For example, the Pension Law has been approved but the government is not committed to its application, nor does it force employers to implement it.

- Enhance the work of trade unions to protect and guarantee the rights of workers through the following mechanisms:
 - Merging and consolidating labor movements to end the existing fragmentation. This means defusing political and partisan differences and above all, neutralizing personal interests to achieve unity and coordination.
 - Enhance the effectiveness of workers' bodies by ensuring independence from the government, employers, political parties, donors and all external parties.
 - Enhance the self-determination of trade unions by incorporating the working classes and ensuring the democratic selection by workers of their representatives through free, transparent and periodical elections, as well as the adoption of democracy and decentralization in decision making.
 - Enhance the effectiveness of trade unions by providing a strategic plan and a work plan approved by all trade unions and relevant civil society organizations. They should all participate in the planning process in order to achieve integration and harmony based on their specialization and capacity to deliver.

14.3 Recommendations relevant to the Palestinian General Federation of Trade Unions (PGFTU):

- Assume the initiative to enhance a culture of participation among all relevant parties, including the government, employers, trade unions, and civil society organizations in order to improve the conditions of Palestinian workers.
- In light of the role of PGFTU in campaigning for better conditions for workers, it is important that the Union work in partnership with the following relevant parties to accomplish the following:
 - Contribute to calls for job creation programs for the unemployed.
 - Exert pressure in the field of safety and occupational health and encourage the Ministry of Labor to conduct inspections through its offices in the governorates.
 - Work towards providing decent work, along with a level of social security and a commitment to the application of the Labor Law.
 - It is extremely important for PGFTU to devise work plans, specific interventions and follow up mechanisms for each category of worker, taking into consideration the special conditions faced by workers in different sectors of work.
- Develop the work of PGFTU in the following fields:
 - Build confidence by workers in the Union through raising their awareness of the important role of trade unions and through actual accomplishments that incite the interest of workers.
 - Develop and expand educational and awareness programs, especially those related to safety and occupational health, for both workers and employers.
- Enhance coordination and rationalize relations between PGFTU branches in order to work in greater harmony. Also to explore the potential regeneration of the Union's role in the Gaza Strip by lightening the burdens on PGFTU members in the Gaza Strip and supporting them to conduct activities for the benefit of workers in the Gaza Strip.
- Clarify and enhance the accountability and the financial and administrative transparency of the PGFTU and its branches.
- Devise a comprehensive plan for membership of PGFTU to strengthen the Union's role and activities and expand the representation of women in the work of the Union.

