

Chapter 1: Workers Trade Union Law General Provisions

Article 1^[1]

For the purpose of the application of this Law, the following terms and expressions shall have the meanings assigned against each :

Trade Unions: An organization that is established as per the articles of this law by a number of workers in a specific organization, specific sector or specific activity.

Trade Unions Federation: An organization that is established as per the articles of this law, comprising a number of trade unions.

A Trade Union Organization: An organization that is established to defend the rights of workers and look after them. This includes Trade Unions and Trade Unions Federations.

The Ministry: The Ministry that is responsible for work affairs in the private sector.

The Concerned Minister: The Minister that is responsible for the work affairs in the private sector.

Article 2

The provisions of this Law shall be applicable to:

- a) Workers who are subject to the Labour Law for the Private Sector;
- b) Workers who are subject to the provision of the Maritime Code; and
- c) Workers employed according to the civil service schemes.

Article 3^[2]

Membership of Trade Union Organisations and continuation thereof as well as withdrawal therefrom shall be guaranteed.

Trade union activities shall not be used as a means and justification for discrimination in employment or influencing workers in any manner whatsoever.

The judgment of the court must force the employer to compensate the worker with a minimum of two months' salary and a maximum of six months' salary once discrimination against the worker due to his activities in for the trade union was proven.

Article 4

The Trade Union Organisations provided for herein shall have an independent juristic entity as from the date of depositing the documents of their constitution with the Ministry.

Article 5^[3]

A Trade Union's Constitution shall in particular, include:

- a) name of the trade union;
- b) objectives for which the trade union is to be formed;
- c) membership and dismissal procedure, admission and subscription fees and cases of exemption therefrom;
- d) number of the members of the Board of Directors, manner of electing them, frequency of governing body meetings, by-elections and powers of the Board of Directors;
- e) disciplinary procedures of trade union members for misconduct and penalties that may be inflicted upon them and the committees responsible for investigation and taking disciplinary action;
- f) services and financial assistance that may be offered to members if required;
- g) terms and conditions under which trade union organization's staff are appointed and the procedure therefore and for the termination of their services,
- h) method of maintaining the organisation's fund, financial system and accounting books and records and;
- i) procedures for convening the organisation's Board of Directors and the general assembly for ordinary and extraordinary meetings.

^[1] Amended by Law No. (49) of the year 2006 with respect to amending some of the articles of the Trade Unions Law issued by Legislative Decree No. (33) of the year 2002.

^[2] Amended by Law No. (49) of the year 2006 with respect to amending some of the articles of the Trade Unions Law issued by Legislative Decree No. (33) of the year 2002.

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Chapter 2: Trade Union's Structure and Objectives

Article 6

The trade union structure shall consist of the trade unions and of the Trade Unions' Federations of Workers.

Article 7

The trade union organizations shall aim at protecting the lawful rights of their members, defending their interests and improving their working conditions. In particular, they shall endeavour to attain the following objectives:

- a) dissemination of trade union awareness among workers;
- b) improvement of the cultural standard of workers;
- c) promotion of professional and occupational standards of workers;
- d) improvement of the health, economic and social standards of workers and their families;
- e) participation in Arab and international labour forums and events and presenting the viewpoint of the Bahrain workers.

For the realisation of its objectives, a trade union organization may establish savings or fellowship funds and may form co-operative societies and social clubs.

PART ONE THE GENERAL FEDERATION OF WORKERS TRADE UNIONS OF BAHRAIN (GFWTUB)

Article 8^[1]

1. Each two trade unions or more can form a trade unions federation. Establishment and membership of this federation is subject to the acceptance of majority of the General Assembly of the trade union.
2. The trade union cannot be a member in more than one federation.
3. The workers of Bahrain are represented in international events and in collective bargaining with employers and their organizations by the federation that have the largest number of workers.
The concerned minister issues an order naming the federation that represents the workers of Bahrain.

Article 9^[2]

The Trade unions Federation shall be responsible for the following:

- a) To draw up the general policy and a trade union code of conduct for the workers of member trade unions.
- b) To enhance co-operation between the member trade unions, the Ministry and the employers and their organizations.
- c) To set up and manage workers' cultural and social centres.
- d) Participating with the concerned authorities in drawing up labour strategies in collective bargaining and in enhancing social dialogue with the concerned authorities.
- e) Authorising member trade unions to join Arab and international labour organisations and giving notice thereof to the Ministry.
- f) Permitting the representatives of the member trade unions to attend conferences outside the Kingdom of Bahrain.
- g) Determining the maximum fee for admission and for annual subscriptions of the member trade unions' membership.
- h) Considering the suspension of members of the member trade unions' Boards of Directors.
- i) Considering any matters referred thereto by the Board of Directors of the member trade unions.
- j) Approving the code of trade unions' responsibility for Board of Directors of the federation and the member trade unions.
- k) Approving the administrative and financial systems that organize the work of the federation.
- l) Formulation and approving of guide samples for all administrative and financial systems that organize the work of the member trade unions.

PART TWO TRADE UNION

SECTION ONE FORMATION OF A TRADE UNION

Article 10

Article 10

The workers of any establishment, of any particular sector, of any particular activity or of similar or associate industries or professions may establish their own trade union subject to the provisions of this Law.

No more than one trade union shall be set up for each establishment.

Article 11

The procedure for the formation of a trade union shall be by submitting to the Ministry its: Constitution and the names of the founding members, provided that the Constitution shall not conflict with the provisions of the applicable laws and regulations in the Kingdom.

SECTION TWO UNION'S BODIES

Article 12

The bodies of trade union shall consist of:

- a) General Assembly
- b) Board of Directors
- c) working committees according to each union's bylaws.

Article 13

The general assembly of a trade union shall have the power to:

- a) elect the Board of Directors;
- b) amend the constitution, by laws, and draw up administrative and financial regulations;
- c) suspend or dismiss members of the Board of Directors;
- d) appoint auditors of the union and determine their remuneration;
- e) approve the annual balance sheet, final accounts and the reports of the Board of Directors and the auditor;
- f) consider any matter referred thereto by the Board of Directors of the Trade Unions' Federation that the trade union is a member of.

SECTION THREE CONDITIONS OF MEMBERSHIP

Article 14

A member of the trade union shall fulfil the following conditions:

- a) He shall be a worker upon the provisions of this law are applicable.
- b) He shall not be an employer or an official responsible for formulating or deciding upon the establishment's policies.

^[1]-5 Amended by Law No. (49) of the year 2006 with respect to amending some of the articles of the Trade Unions Law issued by Legislative Decree No. (33) of the year 2002.

Chapter 3: Financial Sources of Trade Union Organizations and exemptions therefore

Article 15

The financial sources of trade union organizations shall consist of:

- a) Joining fees.
- b) Subscriptions payable by the members.
- c) Subsidies, gifts, donations and wills accepted by the Board of Directors with the approval of the Ministry.
- d) Proceeds from various functions and activities allocated for the trade union's benefit.
- e) Other sources which do not conflict with the provisions of this Law or the organisation's constitution.

Article 16

The trade union organization will be exempted from any charges prescribed for property owned or rented by such organisations and from customs duties on goods imported for the benefit of the trade union's activities.

Duty-free imported goods shall not be disposed of before the lapse of five years from the date of importation; otherwise such goods shall be subject to customs duties.

Chapter 4: Dissolution of Trade Union Organisations and their Boards of Directors

Article 17

A trade union organization and their Board of Directors shall be dissolved in accordance with the provisions of their Constitution or by a court judgement.

Article 18

The Board of Directors of the Federation will temporarily take over the powers of the trade union whose Board of Directors has been dissolved until a new Board of Directors is formed according to the union's Constitution.

Chapter 5: Miscellaneous Provisions

Article 19

A resolution of the Minister, in consultation with representative/s of employers and the Trade Unions' Federations, will be issued in respect of the members of the Board of Directors of the trade union organisations to carry out their duties on a full time basis. Such resolution shall specify the terms and conditions of this full time assignment, financial rights of a full time member and the rules of a full time assignment.

Article 20

The trade union organization shall not:

- a) engage in any activity beyond the union purpose provided for herein;
- b) invest any money in financial, real estate or other speculative activities;
- c) use force, violence, threat or unlawful measures to infringe or attempt to infringe upon the right of others to work or upon any other of their rights; or
- d) engage in political activities.

Article 21⁽¹⁾

1. The right to strike is a legitimate means for workers to defend their rights and interests and must be organized and announced only by the trade union organizations.

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2. To be considered legal, the strike is subject to the following restrictions:
 - a) the approval of the majority of the General Assembly of the Trade Union in an exceptional meeting to commence the strike.
 - b) the employer shall be provided with a notice period of not less than 15 days before the commencement of the strike.
 - c) strikes must not be conducted while issue is seen by the Committee of Conciliation and Arbitration.
 - d) strikes shall be prohibited in vital and important facilities that harm the national security and the life of individuals.
The Prime Minister shall issue a decree specifying the vital and important facilities where strikes are prohibited in.
 3. In the case of collective arguments in the vital and important facilities, it is mandatory to take the issue for conciliation and arbitration mentioned in the previous article, following the failure of resolving the issue between the workers the employer.

[1] Amended by Law No. (49) of the year 2006 with respect to amending some of the articles of the Trade Unions Law issued by Legislative Decree No. (33) of the year 2002.