

# Labour Inspection Country Profile: LEBANON

## Labour Inspection Structure and Organization

### Name of institution that manager work issues

The Ministry of Labour (MoL) is responsible for labour and employment issues.

### Department(s) responsible for Labour Inspection

Labour inspection is the responsibility of the Department of Labour Inspection, Prevention and Safety (DLIPS) under the Labour Relations Authority of the MoL.

The National Social Security Fund (NSSF) carries out inspection services to verify social security contributions.

### Law that covers organization and functional composition

Lebanese Labour Law of 1946 and its amendments in particular 1962

Decree No. 3273 of 26 June 2000 on labour inspection

Decree No. 112 of 12 June 1959 regarding status of public officials

Order No. 161/1 of 18 February 1999 concerning the re-evaluation of transport indemnities

Decree No. 128/ 2 of 17 February 2001 relating to the elaboration of inspection programmes

### Scope of labour inspection

The Lebanese Labour Law is applicable to all workers and employers except domestic workers, agricultural workers, enterprises limited to family members and public servants. The DLIPS supervises the implementation of all laws, regulations, decrees and rules pertaining to the terms and conditions of employment, and the protection of workers in the workplace, including the provisions of international labour Conventions ratified. Labour inspectors ensure the supervision of compliance with regulations regarding conditions of employment and protection of workers including occupational safety and health. In addition, they monitor if trade unions and occupational associations comply with relevant laws, monitor compliance with protection and safety measures in family enterprises and the work of private employment agencies. Under their functions they also investigate collective labour disputes. They are also involved in conciliation and the control of work permits for foreign workers.

Among the labour inspectors, some of the are generic who are in charge of inspecting conditions and others are occupational safety and health inspectors.

### Local divisions

The DLIPS is the central authority of labour inspection, but from the legal and practical points of view, all labour inspection activities are decentralized in the 7 provinces. The DLIPS acts as a regional department in charge of labour inspection activities within the capital and the other regional departments independent of it. Programming and communication

The inspection activities in the country do not follow any clear policy or strategy and there is an absence of collaboration among the different concerned institutions. The regional inspection activities are not under the supervision or control of a central authority of labour inspection. Inspection visits are carried out according to an annual labour inspection programme, and monthly work report with results on labour inspection activities have to be prepared. However, the labour inspection activities are not planned at the national level.

There is no coordination between the NSSF and the MoL.

### Current reforms

The objectives of the MoL is to reform of the labour law to comply with the international standards and conventions, including the provisions related to labour inspection and to expand the labour and occupational safety and health inspection and services to ensure the compliance of the enterprises in the private sector with the labour legislations. There is currently an ILO inter-regional technical cooperation project "Enhancing Labour Inspection Effectiveness" to strengthen the labour inspection services.

## Human Resources and career development

### Permanency of inspectors

The labour inspectors are civil servants. Labour inspectors do not undergo any type of appraisal or evaluation of their activities and performance.

### Selection process

Labour inspectors are recruited according to the civil service system. The MoL usually reports the vacancies to the Civil Service Council, which advertises them through the media. The applicants undergo written, oral or a written and oral exam, but such an examination is almost the same for all applicants to civil service

vacancies, regardless of the type of the job or the concerned institution. After the examination, the candidates are selected for the available positions.

### **Background required**

As a minimum, the candidates must have the following qualifications in order to be recruited as labour inspectors: for general labour inspectors: Bachelors Degree in Law, or equivalent; for health inspectors: Bachelors Degree in Medicine and membership in the Lebanese Medical Association; for safety inspectors: Bachelors Degree in Engineering, and membership in the Lebanese Engineers Association; for assistant inspectors: Intermediate Diploma.

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

## **Visits and functions**

### **Types of visits**

There are two types of inspection visits: periodic inspections and urgent inspections, which are mainly complaint-based.

### **Role of preventive measures**

Amongst the function of labour inspectors is providing employers and employees with technical information and advice on labour legislation, matters of hygiene and safety, aimed at the adoption of the most effective means of complying with the legal provisions. The enormous numbers of complaints accumulated in the MoL exceed the capacities of the MoL. They consume most of the inspectors' time and keep the labour inspection confined in a reactive role and prevent it from engaging in the proactive and preventive role.

### **Programming**

Each inspector is assigned a certain geographical area, which he is required to cover for a period of 6 months. Inspectors rotate randomly every 6 months. Inspection visits are carried out according to an annual labour inspection programme. The labour inspectors prepare their inspection plans by themselves on weekly, monthly and yearly bases and they do not receive any guidance or instructions from their supervisors on this matter.

## **Registries and reporting of accidents/diseases at work**

Industrial accidents and occupational diseases are to be notified to the Labour Arbitration Council in the region, within 3 days of their occurrence. The MoL does not have any system for notifying, investigating or documenting occupational injuries and disease. The NSSF is legally obliged to keep records of occupational injuries and diseases of the insured, but this provision is not in force. No other governmental institution keeps such records or statistics.

The MoL does not have registries or databases of existing enterprises or a documentation system for the information collected on them. All inspection activities are manual.

## **Sanction and administrative processes**

In cases where the inspectors find violations in the enterprises being inspected, the following measures may be taken: warning letter may be issued for the removal of the violation within the specified notice period; if the employer fails to remove the violation a penalty is issued and a fine is imposed. However, they may not immediately impose executory measures or alterations to installations or plants themselves; they have to go through the competent authority within the Ministry of Labour.

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

## **Social dialogue and labour inspection**

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

### **ILO Conventions ratified**

Convention No. 81 was ratified in 1962 and Convention No. 129 has not been ratified.