

# Labour Inspection Country Profile: SYRIA

## Labour Inspection Structure and Organization

### Name of institution that manager work issues

The Ministry of Social Affairs and Labour (MOSAL) is the main authority administrating labour affairs and social matters, including labour inspection.

### Department(s) responsible for Labour Inspection

The labour inspection responsibilities are distributed among several institutions and departments. There are two different inspection systems within the MOSAL, one labour inspection in industrial and commercial sectors and two labour inspections in agriculture. The labour inspection in industrial and commercial sectors is under the Central Directorate of Labour. Labour inspection in agriculture operates out of the Central Directorate of Agricultural Relations.

The General Organization for Social Insurance (GOSI) also under the MOSAL, is responsible for social insurance and occupational safety and health services, including inspection, in all workplaces in all sectors. Such responsibilities overlap with that of the Directorate of Agricultural Relations of the MOSAL.

### Law that covers organization and functional composition

Labour Law No. 91 of 1959 and its amendments,

Agricultural Relations Law No. 56 of 2004

Social Insurance Law No. 92 of 1959,

Ministerial Decree No. 465 of 4/7/1965 "Regulations on Labour Inspection"

Presidential Decree No. 275 of 1958

### Scope of labour inspection

The Labour Law and Social Insurance law apply to all workers except domestic workers, employers' family members and agricultural workers who are covered by the Agricultural Relations Law. Labour inspectors ensure the enforcement of the provision of the law, supply technical information and advice to employers and workers concerning the most effective means of complying with the legal provisions and cooperating with the employers, workers and their organizations to ensure the implementation of the provisions of the law.

The agricultural labour inspectors monitor the implementation of the provisions of law, and in particular working hours, wages, medical care, leaves, child labour, women's work and individual and collective work contracts; monitor technical measures and precautions concerning work on agricultural equipment and machinery, monitor the health conditions of the farmers' and workers' dormitories which are provided by the employers, and investigate serious occupational injuries and diseases and working on ensuring the protection of workers against work related hazards.

Inspectors under the GOSI investigate work injuries, carry out occupational safety and health inspection, raise awareness among employers and ensure that workers are registered and contributions duly paid.

### Local divisions

The MOSAL is decentralized in its main structure and is represented in of the 14 regional departments by a regional Directorate of Social Affairs, which has social, employment and inspection functions.

### Programming and communication

Inspection activities, both central and regional, are carried out according to the plans approved by the Minister. Inspection plans of the regional departments of labour inspection are submitted to the MOM on monthly basis for approval of the central authority, without which implementation of those plans may not be started.

Inspection visits at the central and regional OSH departments of the GOSI are planned on monthly basis, and procedures followed by the inspectors are the same as those in the labour inspection departments at the MOSAL.

### Current reforms

A tripartite committee started, several years ago, working on reforming the existing law and a draft new labour law was prepared, but it is still being processed for approval. 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

All inspectors in the MOSAL and in the GOSI are civil servants. There is no system for monitoring and evaluating the performance of labour inspectors.

### Selection process

The labour law does not permit the recruitment of staff under the title of “Labour inspector”. The recruitment procedures for the labour inspectors are the same as those for all civil servants. There may be general interviews, but there are no specific exams for such appointments. All general staff of the MOSAL could at any time, be selected by their directors and delegated labour inspection activities, beside their other tasks, regardless of their background, experience or training. The regional directors usually select labour inspectors. Upon assuming their inspection responsibilities, the inspectors are trained shortly by accompanying other colleague inspectors during inspection visits, sometimes followed by an assessment, based either on a verbal test or on the general impression of the direct supervisor.

### Background required

Labour inspection staff are either “labour inspectors” with bachelor degrees or “labour controllers”, whose academic qualification is less that. Inspectors and controllers have exactly the same functions and responsibilities.

Social insurance inspectors in the GOSI all have degrees in Law, OSH inspectors in engineering or science degrees.

## Visits and functions

### Types of visits

Almost all inspections are conducted in teams or committees of two or more inspectors and are joint with other institutions, mainly the GOSI and the trade unions, as all labour and OSH inspectors are instructed not to conduct any inspection visit unless accompanied by a representative of the General Federation of Syrian Trade Unions. Most of the inspection visits, including the planned ones, are based on complaints and rarely routine.

OSH inspection visits at the national level are very few and cover very small percentages of the existing enterprises and workers in the country. This is partly due to the quite long time that a single inspection visit may take. According to OSH inspectors and directors in the GOSI, a single OSH inspection visit for one large enterprise makes take as long as 2 months, or even more.

### Role of preventive measures

Among the duties of labour inspectors is provide employers and workers with guidance to comply with labour and OSH law.

### Programming

The labour inspectors carry out inspections based on programmes established per district. Inspection plans are prepared on geographical or sectoral basis and each inspector, or a group of inspectors, are required to draft a monthly work plan in which they should indicate either the sectors or the areas they are going to inspect every working day, or week, without specifying any enterprise’s name. The labour inspectors in agriculture prepare their monthly plans in the same way and get them approved by the Minister before they can start implementing them. Labour inspection planning is mainly based on the accessibility of the enterprises by public transports, or on foot, which is not the case for the majority of the large industrial enterprises and not based on the enterprises’ level of risk.

## Registries and reporting of accidents/diseases at work

The law requires employers to notify the MOSAL of occupational injuries and diseases affecting their employees within three days of their occurrence.

All enterprises employing 5, or more workers, including those in the agricultural sector register at the GOSI, as contributions to social security are compulsory. In the MOSAL, there is no database, or any form of registry, of existing enterprises in the private sector, except manual files of the already inspected enterprises, kept in each regional labour inspection department.

### **Sanction and administrative processes**

Labour inspectors provide technical information and advice, and do not proceed farther if employers are cooperative and responsive. If employers do not react, they issue verbal warnings and take the employer's signed commitment to remove the violation within a specified period of time agreed. If the employer does not implement requested measures, labour inspectors, issue written warnings, to be officially sent through the directorate of labour. Labour inspectors have judicial authority while conducting labour inspection in accordance with their superiors' instructions and the penalties they issue against violators are referred to the courts.

The Labour law authorizes labour inspectors to order suspension of work in case of work in mines, but it is not so in relation to the other sectors. Such authority of the agricultural labour inspectors, in case of serious OSH violations, is limited by the requirement of the governors' approval.

Sanctions are very low and ineffective in preventing employers from violating the law.

### **Social dialogue and labour inspection**

The social partners are represented at a national level in different labour and employment committees but are less involved in labour inspection process.

### **ILO Conventions ratified**

Convention No. 81 was ratified in 1960 and Convention No. 129 in 1972.