

DETAILED REPORT

Eighth annual trade union forum

“Towards a Palestinian social movement”



Annual trade union forum official opening



Unionists' interventions during the forum's discussions



Women's empowerment working group



Table of contents

1. Description and objectives.....	3
2. Participants.....	3
3. Trade union forum's activities.....	4
3.1. Activities before the official opening of the forum.....	4
3.1.1. Advocacy training and planning with unionists.....	4
3.1.2. Working group: empowering women's role in trade unions.....	4
3.2. Trade Union Forum's Official Opening.....	5
3.3. Working groups discussions.....	6
3.3.1. Working groups discussions, recommendations and conclusions.....	7
3.4. Open discussion about law by decree no 17 of the year 2017 on early retirement for civilian public sector employees.....	16
3.5. Workshop about the implementation of the Social Security Law of the year 2016.....	17
3.6. Unions' meetings during the forum.....	17
4. Outputs.....	18



1. Description and objectives

On September 30th, 2017, the Democracy and Workers' Rights Center in Palestine (DWRC) concluded its eighth annual trade union forum "*towards a Palestinian social movement*", which was held in Jericho from 28/09/2017 to 30/09/2017. The forum's objective was to gather male and female union representatives from across the spectrum of the Palestinian trade union movement to strengthen ties among them, develop their understanding of common issues and concerns, enable them to discuss laws and issues that affect workers' rights and interests, and reflect on ways to unify the trade union movement and create a strong social movement.

2. Participants

119 union representatives; 31.9% of them women representing 52 trade unions and sectorial federations, including the following; Communication Workers' Union – Palestine (with the participation of a representative of CWU secretariat and its member unions: Hadara Technologies Company Employees' Union, Palestinian Postal Service Workers' Union, Jawwal Employees' Union), Palestinian Federation of University Professors and Employees' Trade Unions, Federation of Governmental Universities and Colleges' Employees (its secretariat and member unions: Al-Umma College Employees' Union, Palestine Technical College Employees' Union, Khadouri University Employees' Union, Al-Aroub College Employees' Union), General Union of Private Health Sector Employees (and its members unions: Al-Zaka hospital workers' union, Al-Ahli Hospital Workers' Union, Holy Family Hospital workers' union), Palestinian Federation of University Professors and Employees' Trade Unions (and its member unions from Birzeit University and Al Najah National University), Employees' unions in Qalqilia, Yatta, Hebron, Bani Na'em, Al-Thahariyeh, Idna, Tarqumia, Al-Bireh, and Al-Yaseriyeh municipalities), the Union of Social Workers and Psychologists (its branches in Bethlehem and Hebron), the Palestinian New Federation of Trade Unions, Kindergarten, Day-care and Private Schools Workers' Union (and 4 of its branches in Ramallah, Tulkarem, Bethlehem and Hebron), Palestinian Electrician's unions in Hebron, Jenin, Tulkarem, Jerusalem, Bethlehem, and Ramallah, Electricity Companies' Employees Unions (in Jerusalem, Tubas, South Hebron), Palestinian Nursing Association, Ibn Sina College Employees' Union (under establishment), Islamic Charitable Society Employees' Union, Ihsan Charitable Society Employees' Union, Hotels and Tourism Companies Workers' Union/ Jericho (under establishment), Restaurant and Tourism Companies Workers' Union/ Ramallah, Governmental Health Service Employees' Union, Banking and Insurance Companies Employees' Union, the General Union of Water Sector, Palestinian Red Crescent Society Employees' Union, Emergency Medical Service Union, Community Health Workers' Union, Palestinian Journalists' Syndicate, and Palestinian Accountants' Union.

3. Trade Union Forum's Activities

3.1. Activities before the official opening of the forum

3.1.1. Advocacy training and planning with unionists

In order to help mobilize trade union members for the adoption of a trade union law that respects international standards for freedom of association and the right to organize, we implemented an advocacy training and planning workshop with a group of 12 union representatives, 3 of them women, on the first day of the forum.

Through the training, participants acquired skills for planning an advocacy campaign, and improved their knowledge about the draft law on union organizing and required amendments to ensure compliance with international labor standards. They strengthened their knowledge of international, regional and national legislation, and developed their readiness to raise awareness in their unions about the draft law and discuss its dispositions with other stakeholders.



○ Recommendations and conclusions

- Unionists should implement awareness meetings addressing the draft law on union organizing in their unions to raise awareness among members.
- Determine activities related to the advocacy campaign and collect suggested comments and amendments on the law in order to prepare a position paper for unionists expressing their support for amendments.
- The need to submit a detailed action plan for an advocacy campaign regarding the draft law on union organizing.

3.1.2. Working group: empowering women's role in trade unions

Activating women's role and strengthening their position in the trade union movement is essential to advance women's rights in the world of work. Thus, we formed a working group with female union representatives to discuss the issues facing women in the labor market and the trade union

movement, and required interventions to foster their rights and demands. The working group met on the first day of the forum and pursued its work on the third day.

(Refer to **“3.3.1. Working groups discussions, recommendations and conclusions”** for further details)

3.2. Trade Union Forum's Official Opening

During the forum, DWRC presented a short overview video of DWRC's work and trade unions.

DWRC general director, Hasan Barghouthi, opened the forum by reviewing the current situation of the Palestinian trade union movement, calling for its unification and the issuance of a law that guarantees trade union rights, which social partners should take an active role in drafting. He addressed the situation of workers in the Palestinian and Israeli labor markets, and numerous violations of rights faced in the absence of an adequate role by trade unions. He also noted that appropriate attention must be given to unions that democratically elect their representatives in all sectors.



Mr. Bilal Thawaba, the general director of the labor relations department at the Palestinian Ministry of Labor, pointed out Ministry's role in supporting the trade union movement and workers, calling on all involved parties to separate between national, political factions and trade union action, and reiterating support for the principle of trade union pluralism. He also asked all trade unions to put their internal situations in order based on their constitutions.



Mr. Omar Al-Hroub, a representative of the popular organizations' department, called for the existence of active organizations that express the right and interests of workers and members through democratic systems that are the means of fair competition under the slogan "protect the system to protect the institutions". He also encouraged women and youth to become more involved in popular organizations.

3.3. Working groups discussions



Seven working groups were formed during the forum to discuss key issues that unionists were part in choosing their topics based on needs before holding the forum. These topics included the law by decree no 11 of the year 2017 on regulating the right to strike in public services, mechanisms to unify and democratize the trade union movement, the draft law on trade union organizing, and social movements.

Three of the working groups discussed specific topics: one of them addressed the situation and demands of governmental universities and colleges' employees, the second reviewed the status of municipal workers' unions in the Hebron governorate and mechanisms to form a federation, while a working group for women unionists discussed the main problems and challenges facing women in

the labor market and in unions, and proposed interventions. At the end of each discussion, each working group submitted recommendations that were adopted by participating unions as part of their programs and plans for the next phase.

3.3.1. Working groups discussions, recommendations and conclusions

1. **Working group (1)/ governmental sector employees/ health sector:** Law by decree no 11 of the year 2017 organizing the exercise of the right to strike in the public sector



In Palestine, modalities for exercising the right to strike were only addressed by the Palestinian labor law no 7 of the year 2000 that applies to private sector workers until 2008, when a law by decree stipulated that dispositions of the labor law foreseen for public enterprises apply to all governmental employees. The law by decree of 2008 was recently replaced by law by decree no 11 of the year 2017 organizing the exercise of the right to strike in the public sector. In addition to reaffirming the same modalities and conditions for exercising the right to strike as the former legislation, it prohibited 6 categories of employees from exercising this right: governmental health sector employees except administrators, presidency employees, cabinet employees, diplomatic sector employees, judges and prosecutors, and TV & radio employees.



Preventing some sectors from exercising their right to strike may constitute a violation of fundamental rights according to international law, as the right to strike is an integral part of the right to organize and is considered to be a legal means for demanding and claiming rights.

Participants in this working group discussed the law by decree no 11 of the year 2017 organizing the exercise of the right to strike in the public sector, and how it violates fundamental rights, domestic law, and international conventions. Public sector employees, who are affected by the law by decree, consider it as a discriminatory law.

○ Recommendations and conclusions

- Amend the civil service law in a way that allows employees to exercise the right to strike.
- Review modalities for exercising the right to strike
- Communicate with international and local relevant institutions (i.e. ILO, trade unions....etc.) and build an alliance to cancel the ban on striking.
- Examine the possibility to resort to the competent court to lodge an appeal against the law.
- The need to communicate with official bodies (i.e. cabinet, parliament...etc.).

2. **Working group (2):** mechanisms for unifying and democratizing the trade union movement



The Palestinian trade union movement faces many issues in terms of workers' representation, especially within some of the existing federations, where political parties continue to appoint and control the leadership, in contradiction with the principles of democracy, accountability and transparency. At the same time, the decision to unify two of the trade union federations under the umbrella of a confederation has re-launched the debate about the conditions needed for improving the situation of the trade union movement as a whole, and allowing for its unification.

Unionists, who participated in this working group, analyzed the trade union movement's situation with a focus on PGFTU, determining main problems including the intervention and control of political parties over the leadership of PGFTU while real trade unions are not represented in it, the imposition of non-elected leaders, and the absence of internal and external oversight bodies.

This working group also focused on analyzing challenges facing the trade union movement in Palestine, aiming to strengthen unionists' effective participation in unifying trade union action and building effective and democratic bodies that defend workers' rights.



○ Recommendations and conclusions

- The need to form a committee that consists of union representatives elected by their members to review the constitution of the general federation and propose amendments, prepare financial and administrative systems, check membership and advocate for holding a general conference on a democratic basis.

3. Working group (3): draft law on union organizing



In Palestine there is a lack of specific legislation protecting freedom of association and the right to organize in the West Bank and a conflicting legal framework in the Gaza Strip, where two laws regulate the formation of unions and both violate the rights guaranteed by international human rights conventions. Main issues have emerged due to lack of protective legislation, including preventing public employees from organizing, the lack of clear legislations that allows informal workers to organize, exposure of unionists to anti-union discrimination acts and interference,

and many other issues. Thus, the adoption of a draft law on union organizing in Palestine is necessity and should be prioritized on the legislative agenda, while the fact that it concerns a fundamental freedom calls for particular caution in its adoption process.

In order to guarantee the adoption of a law that adequately protects trade union rights, this working group focused on sharing views among unionists regarding the draft law's articles. 33 union representatives discussed main articles that in their opinion would impose restrictions on union organizing and articles that needs to be amended. Mr. Bilal Thawaba, the general director of the labor relations department at the Palestinian Ministry of Labor, participated in discussions of the working group and expressed the ministry's willingness to receive all amendments and proposals.



○ Recommendations and conclusions

- The need to adopt a fair and equitable law that takes into account international conventions and domestic law, as well as the situation of the trade union movement in Palestine.
- Maintain trade union autonomy and ensure protection against discriminatory acts and interference for trade union activists.
- Raise awareness among unionists regarding the draft law on union organizing.
- Activate dialogue on the draft law on union organizing, collect proposed amendments and submit these amendments to the Labor Ministry in the name of the union movement.
- Hold workshops with official bodies to discuss law articles in order to obtain the adoption of suggested amendments.
- Submit a position paper on the draft law, supported by at least a 1000 unionists, and hold an advocacy campaign for the adoption of a law on union organizing.

4. **Working group (4)**: Federation of Governmental Universities and Colleges' Employees: employees' situation and demands

During the past years, the Federation of Governmental Universities and Colleges' Employees have been holding series of wide advocacy campaigns, meetings with official and non-official parties and activities to achieve employees' demands. Based on governmental universities and colleges' employees demand, a specific working group was formed to address their situation and demands. Participants discussed main issues facing employees, including academic and administrative allowances, retirement and severance pay.



○ **Recommendations and conclusions**

- Linking the employees' classification scale with financial entitlements of employees, such as risk allowance, severance pay, and back-pay due by the government to the employees, and demanding an increase of the salaries of employees in governmental universities so that they reach the same level as employees in non-governmental universities.

5. **Working group (5)**: establishing committee for federation of municipal employees' unions in Hebron governorate

Due to legislations that fail to guarantee a number of rights for municipal workers, the diversity of laws that apply to them (i.e. the Palestinian labor law applies to contract workers and local authority's employees' regulation applies to non-contract workers), and the absence of a wide representative body, representatives of municipal workers' unions formed a working group to

discuss mechanisms for establishing a wide representative body for municipal employees' unions in the Hebron governorate that would be in a stronger position to defend their rights and represent them in from of official bodies. The establishment of this representative body will enable unions to struggle for guaranteeing more rights for municipal employees, starting with unifying the rights guaranteed by diverse laws that apply to them.



○ Recommendations and conclusions

- The need to modify the role of Ministry of Local Authorities and its relationship with municipalities (with regard to staff recruitment, budgets and structures)
- Develop a plan to reduce arbitrary dismissals of contract and day-wage employees.
- Amend the regulation for local authorities' employees number (7) of the year 2009 to guarantee more rights for employees such as salary scale, educational leaves, nature of work allowance, supervision and risk allowance.
- Transform all municipal workers' committees into trade unions (enabling them to acquire legal personality) and establish a federation of municipal employees' unions in the Hebron governorate.

6. Working group (6): social movement

Many challenges stand in the way of forming a successful social movement in Palestine regarding the political division, lack of democracy, pluralism & freedoms, weak citizenship status, lack of sustainability of social movements' activities, fragmentation of workers' movement, the absence of real representative bodies that represent unions, women and youth. This working group was formed

to enable participants to undertake a reflection on how to be part of a democratic, participatory, independent and civic social movement.



Participants improved their knowledge regarding social movements' concept and the need for an effective social movement in Palestine, which consists of workers' unions, professional unions, federations and organizations of women and youth. Participants also had the chance to discuss further steps towards establishing a Palestinian social movement through analyzing problems and challenges facing the Palestinian social movement.

○ Recommendations and conclusions

- Form a coordination framework for planning to build and establish a social movement through determining the organizational structure of this movement and determine its components (i.e. women, youth and unionists...etc.).
- Develop a strategic plan that includes vision, mission and strategic objective of building this social movement.

7. **Working group (7):** empower women's role in trade unions



Palestinian working women suffer from systemic violation of their labor rights, being denied basic rights to paid leaves (paid annual, maternity, weekly leaves), rest periods during work, minimum wage, severance pay and most other labor rights. There is no effective implementation of legislations and laws that protect women's rights, and discrimination is not addressed. In addition, there is a low participation rate among Palestinian women in trade union action due to the dominant societal culture, lack of awareness among women about their important role in the trade union movement, and lack of supportive measures in internal regulations and mode of functioning of representative bodies. The working group addressed main problems and challenges facing women in the labor market and in unions, and proposed interventions. An establishing committee for a women's union council was formed at the end of discussion to follow-up on establishing the council. The establishment of women's union council will foster a more effective participation of women in trade union action in order to improve and strengthen women's situation in the world of work and defend their rights.



○ Recommendations and conclusions

- The need to amend trade unions' internal regulations in a way that guarantees women's participation in administrative bodies within their unions.
- Building the capacities of women unionists and strengthening their knowledge and skills regarding union rights and laws, collective bargaining and advocacy campaigns.
- Raise awareness among working women in their workplaces in order to increase the number of women, who join trade unions.
- Submit an action plan for the women's union council after its formation based on democracy.

3.4. Open discussion about law by decree no 17 of the year 2017 on early retirement for civilian public sector employees

In an open discussion, a detailed explanation of the law by decree no 17 of the year 2017 on early retirement for civilian public sector employees was given by Dr. Majed Al-Hilo, the president of the Palestinian Pension Agency.

Unionists improved their knowledge regarding the law by decree and had the chance to ask questions and receive needed answers during the ensuing discussion.





3.5. Workshop about the implementation of the Social Security Law of the year 2016

During the forum, Mr. Bilal Thawaba, the general director of the labor relations department at the Palestinian Ministry of Labor, held a workshop addressing the implementation of the Social Security Law of the year 2016 for private sector workers.

Mr. Bilal Thawaba explained that the law by decree includes the following social insurances: old-age, disability and natural death insurance, work injury insurance, maternity insurance, sickness insurance, health insurance, unemployment insurance, family compensations insurance and elective complementary pension, but that implementation will start only for the first three insurances. He also explained employers and employees' contribution percentages, number of contribution payments to start benefiting from the funds and the differences between the social security's pension fund and the retirement fund for governmental employees.

Unionists were able to receive answers about their concerns regarding the law. The mandatory application of the law will begin in October 2018.

3.6. Unions' meetings during the forum

During the forum, unionists in several sectors seized the opportunity to meet and discuss specific issues as follows;

- Palestinian Electrician's Unions (in Hebron, Jenin, Tulkarem, Jerusalem Bethlehem and Ramallah) met to discuss the ability to establish a branch union in Yatta, amending the internal regulation of the general union and how to unify internal regulations among all branch unions, an action plan for their upcoming activities regarding actions in the field of occupational health and safety, the failure to adopt the results of the last conference of the Electrician's Union in Hebron by the Ministry of Labor, and preparations for the general union's upcoming conference and elections.
- Kindergarten and Private Schools Workers' Union and its branches discussed the need for capacity building among members, the issues of Kindergarten and Private Schools Workers' Union in Hebron, the withdrawal of the union in Nablus from the general union and mechanisms to correct the situation, and a plan to hold the upcoming conference of the general union.
- The General Union of Private Health Sector Employees representatives discussed mechanisms to hold its general conference and undertake new elections, correct the situation of branch unions, and preparations of financial and administrative reports.



4. Outputs

Several committees were formed by union representatives to follow-up on specific issues, including an establishing committee for women's union council, an advocacy committee to manage an advocacy campaign on the draft law of union organizing and a third committee to follow up on the process for unifying trade union federations. On the final day of the forum, the main outcomes and recommendations proposed by working groups were adopted by participating unions as part of their programs and plans for the next phase.