

Book - 2 Individual Labour Relationships

Part - I

Workers Recruitment

Article : 11

A higher committee shall be established under the concerned minister for planning and employing the manpower inland and abroad, comprising representatives of the concerned ministries, as well as representatives of the General Federation of Egyptian Trade Unions and of the Employers Organizations, to be elected by their organizations equally among them.

The jurisdiction of this committee shall comprise drawing the general policy for employing the Egyptian manpower in the Arab Republic of Egypt or abroad, and setting the systems, rules, and procedures required for that employment.

The formation of the committee and the system of work progress in it shall be issued by decree of the Prime Minister within a period of maximum six months from the date the present Law comes into effect.

Chapter : I Organizing The Recruitment Of Egyptians Inland And Abroad

Article : 12

Subject to the provisions of Law No. 39 of the year 1975 concerning the rehabilitation of the handicapped, all person capable of working and willing to work shall submit a request for recording his name with the concerned administrative quarter within the area of which lies his home address. The request shall comprise a statement of his age, profession, qualifications, and previous experiences, and this quarter shall record these

requests with serial numbers upon their receipt and give the applicant a certificate of recording the request free of charge.

The data to be comprised in the certificate referred to in the previous clause shall be determined by decree of the concerned minister.

Article : 13

If the would-be worker is a practitioner of one of the professions issued by a decree of the concerned minister as referred to in article (139) of the present law, he shall attach to his request for recording in the register a certificate determining the level of his skill and the license of exercising the profession according to article (140) of the present law. The degree of his skill shall be recorded in the registry certificate.

No worker may be employed unless he/she is holder of this certificate.

Article : 14

Subject to the provisions of Law No. 39 of the year 1975 concerning the rehabilitation of the handicapped, the employer shall have the right to appoint the one he chooses. If the nominee is not among those holding the registry certificate referred to in article (12) of the present law, he shall proceed with getting his name recorded in the registry within fifteen days from being employed.

The employer may fulfill his functional, professional, and vocational needs regarding the positions and works becoming vacant or established therewith, from among those the concerned administrative quarter within the circuit of which lies his place of work nominates among the job-seekers registered with it, along with observing the precedence of registration.

Article : 15

The employer in the establishments already existing at the time of applying the provisions of the present law, and those to be established in future, shall send to the concerned administrative quarter within the circuit of which lies the place of work, within fifteen days from the effective date

of the present law, or the date of beginning the work at the establishment – according to each case – a detailed statement of the number of workers, according to their qualifications, professions, age categories, nationalities, their sex, and the wages they receive.

He shall - within thirty days from the date of filling the position becoming vacant with him - return to the administrative quarter the worker's registry certificate issued by it, after fulfilling the data indicated therein. He shall also mark down the number and date of the registry certificate before the worker's name in the workers registry book at the establishment.

The employer in the establishments referred to in the first clause shall provide the same quarter during the month of January every year, with the following data:

- (A) The modifications introduced to the data indicated in the previous clause.
- (B) The number of positions becoming vacant because of replacement procedures and the new expansions.
- (C) A statement indicating an estimation of the expected needs, distributed according to the educational and professional condition within the next year.

Article : 16

The employer may announce about the vacant positions in the different means of information, and assign to one of the consultancy offices studying the applications submitted to him, and express its view, recommend, or assist in selecting the best candidates for these positions.

He may not employ workers through a Labour contractor or entrepreneur.

The concerned minister may issue a decree licensing the associations, institutions and trade union organizations – with regard to their members – to establish offices for recruiting the unemployed. In this case, these quarters shall observe the provisions prescribed in the present chapter and the said decree.

Article : 17

Subject to the international agreements on recruitment of workers, exercising the Egyptian workers recruitment operations for work inland or abroad, shall be through:

- (A) The concerned ministry;
- (B) The ministries and public authorities;
- (C) The General Federation of Egyptian Trade Unions;
- (D) The Egyptian public sector, public business sector, and private sector companies concerning the contracts concluded by them with the foreign quarters, within the limits of their works and the nature of their activities;
- (E) Joint stock companies, partnerships limited by shares, or limited liability companies, after obtaining a license therefor from the concerned ministry; and
- (F) Professional associations with regard to their members only.

Article : 18

The international organizations may exercise recruitment operations for employment of Egyptians to work outside the Arab Republic of Egypt, if the contract shall be concluded with Arab or foreign governmental quarters or general organizations.

Article : 19

The concerned ministry, in cooperation with the ministry of foreign affairs, shall assume the implementation of the international agreements and contracts connected with Egyptian Labour abroad, and study the settlement of litigations arising from the implementation of these agreements and contracts.

Article : 20

The quarters referred to in articles (17) and (18) of the present Law shall submit to the concerned ministry a copy of the request they receive from abroad concerning the provision of job opportunities and their conditions, duly authenticated by the concerned authorities. They shall also submit a copy of the concluded agreements and Labour contracts comprising a determination of the work and wage set for them, and the conditions and occasions of performing the work as well as the worker's obligations.

The ministry may, within at most ten days from the date of notifying to it the agreements, requests, and contracts duly fulfilled, object to them in case of inappropriateness of the wage, or their violation of public order or morals. If the said period lapses without objection from the ministry, the agreements, requests, and contracts shall be considered as approved.

Article : 21

The quarters referred to in article (17) of the present Law shall be forbidden to collect any charges from the worker in return for engaging him at work. However, charges may be collected for that from the employer.

In exception to the provisions of the previous clause, the companies referred to in item (E) of article (17) of the present Law may charge an amount not exceeding (2%) of the wage of the worker engaged at work, for the first year only, as administrative expenses. No other amounts may be collected from the worker under any title.

Article : 22

Subject to the conditions ordained by the Law on joint stock companies, partnerships limited by shares, and limited liability companies, obtaining the license prescribed in clause (E) of article (17) of the present Law shall be conditional upon the following:

- 1- The founders and board members as well as the directors concerned with the recruitment operations shall be Egyptians, and none of them shall have been judged with a criminal penalty, or a misdemeanor

penalty involving moral turpitude, breach of honesty or honor, unless he has been rehabilitated.

- 2- The company's capital shall not be less than one hundred thousand pounds, and shall be wholly owned by Egyptians.

With regard to companies exercising operations of recruiting Egyptians for work outside the Arab Republic of Egypt, their capital shall not be less than one hundred thousand pounds, and the absolute majority shall be for the founders and board members among the Egyptians holding at least (51%) of their capital.

- 3- The company shall submit an unconditional and irrevocable letter of guarantee issued from one of the banks operating in the Arab Republic of Egypt, for the amount of one hundred thousand pounds in favor of the concerned ministry. This letter of guarantee shall be valid for the whole period of the license validity. The amount of the letter of guarantee shall be completed with an amount equal to the deducted fines or the indemnifications payable according to the provisions of the present law, within a period of ten days from the date of notifying the licensed company by registered letter with acknowledgement of receipt.

The license shall be valid for a period of five renewable years according to the rules and procedures to be issued by decree of the concerned minister, against paying the fee the minister shall determine for granting or renewing the license, up to and not exceeding five thousand pounds.

However, the concerned minister may discontinue issuing new licenses or renewing the existing licenses, in light of the actual needs of the labour market.

Article : 23

The license shall be revoked by a decree of the concerned minister in case of establishing any of the following cases:

- 1- The company's loss of one of the license conditions.

- 2- Collection by the company of any amounts from the worker in return for recruiting him for work, in violation of the provisions of the present chapter.
- 3- The company's obtainment or renewal of the license, or the ministry's non-objection to a Labour agreement or contract on the basis of false data submitted by it.

The license may be revoked by virtue of a decree of the concerned minister in case of establishing the company's violation of any of the substantial provisions prescribed in the decrees issued for enforcement of the provisions of the present chapter.

The concerned minister may suspend the company's activity provisionally, if – on the ground of serious reasons – any of the cases prescribed in the present article is ascribed to the company, pending determination of the extent these cases are established, or removal of the violation in the case prescribed in the previous clause.

Revoking the license in any of the cases prescribed in the present article shall not violate the criminal, civil, or disciplinary responsibility.

Article : 24

The concerned minister shall issue the decrees necessary for enforcing the provisions of the present chapter, especially the decrees connected with the duties of the companies licensed for operating in the field of recruitment, the conditions to be fulfilled in the company's head office, the organization of work procedures in this activity, and the determination of the registers to be held and which are necessary for exercising its work, the rules of recording in them, and the control and inspection thereof, as well as the conditions to be fulfilled in the announcements that shall be published in the Arab Republic of Egypt on work opportunities, and the determination of the method and means of notifying the objection of the ministry to the quarters prescribed in articles (17) and (18) of the present law. This shall all be fulfilled within sixty days from the effective date of the present law.

Article : 25

The following shall be excepted from applying the provisions of the present chapter:

- (A) Casual works.
- (B) The key positions of which the incumbents are considered authorized delegates of the employers.

The concerned minister may issue a decree applying the provisions of the present chapter to all or part of the works, positions, and categories referred to in the previous two items.

Article : 26

The concerned ministry shall draw the policy of and follow up the recruitment of irregular Labour, particularly seasonal agricultural labourers, sea workers, mines and quarries workers, and contracting workers.

The concerned minister, in consultation with the concerned ministers and the General Federation of Egyptian Trade Unions, shall issue the decrees on determination of rules regulating the recruitment of these categories, and the safety, vocational health, transport and subsistence conditions to be taken in their respect, as well as the financial and administrative regulations organizing such recruitment.

Chapter - 2 Organizing the work of Aliens

Article : 27

Employing aliens (foreign workers) in all installations of the private sector, the public sector units, the public business sector, the public authorities, the local government and the administrative machinery of the state shall be governed by the provisions prescribed in the present chapter, subject to reciprocity conditions.

The concerned minister shall determine the cases of exempting the aliens from this condition.

Article : 28

Aliens shall not exercise a work except after obtaining a permit therefor from the concerned ministry, and shall be authorized to enter and reside in the country for the purpose of working.

'Work' in applying the provisions of this chapter shall mean all subordinate work, any profession or crafts, including work in domestic service.

Article : 29

The concerned minister shall issue a decree determining the conditions of obtaining the work permit referred to in the previous article, its procedures, the data it comprises, the procedures of its renewal, and the fees to be collected on it, which shall not be less than one thousand Egyptian pounds.

He shall also determine the cases of revoking the license before expiry of its period, and the cases of exempting the aliens from the condition set for its obtainment.

Any one employing an alien exempted from the condition set for obtaining the license shall notify the concerned administrative quarter of such employment within seven days from the alien's assumption of work, and also on termination of his service with him.

Article : 30

The concerned minister shall issue a decree determining the professions, works, and crafts the aliens are prohibited to work in them. He shall also determine the maximum rate of employing the aliens in the establishments and quarters indicated in article (27) of the present law.

Part - II

Individual Labour Contract

Article : 31

The provisions of the present part shall apply to the contract by virtue of which a worker undertakes to work with and under the management or supervision of an employer in return for a wage.

Article : 32

The employer shall draw up a labour contract in Arabic writing, in three copies, of which one copy shall be kept by the employer, one copy to be delivered to the worker, and the third copy shall be deposited with the concerned social insurance office.

The contract shall in particular comprise the following data:

- (A) Name of the employer and the address of the place of work.
- (B) The worker's name, qualifications, and profession or craft, his social insurance number and home address, and all that is necessary for his identification.
- (C) Nature and kind of work subject of the contract.
- (D) The wage agreed upon, and the method and time of its payment, as well as the rest of benefits in cash and in kind as agreed upon. If no written contract exists, the worker may alone establish his rights by all methods of evidence.

The employer shall deliver to the worker a receipt for the papers and certificates he has deposited with the employer.

Article : 33

The period of probation shall be determined in the Labour contract. The worker shall not be appointed under probation for a period exceeding three months; nor shall he be appointed under probation for more than once with the same employer.

Part - III

W a g e s

Article : 34

A national council for wages shall be established under the chairmanship of the Minister of Planning, to be concerned with setting the minimum wages at the national level, subject to the cost of living, and by providing the methods and measures guaranteeing the realization of balance between wages and prices.

The council shall also be concerned with setting the minimum periodical annual increments such that they shall not be less than (7%) of the basic salary on the ground of which the social insurance contributions are reckoned.

In case the establishment is exposed to economic conditions with which it becomes impossible to pay the said periodical increment, the matter shall then be submitted to the national council for wages, to decide whatever it deems suitable with its conditions, within thirty days from the date of submitting the matter to it.

The prime minister shall issue - within sixty days from the effective date of the present Law - a decree forming that council and comprising the following categories in its membership:

- 1- Members on the strength of their positions or experiences;
- 2- Members representing the employers organizations, to be elected by these organizations; and
- 3- Members representing the General Federation of Egyptian Trade Unions, to be elected by the Federation.

It shall be observed that the number of the first category's members shall be equal to the number of the second and third categories' members together, and the number of members of each of the second and third categories shall be equal.

The decree forming the council shall determine its other powers and the system of work in it.

Article : 35

Discrimination in wages because of the sex, origin, language, religion or creed shall be prohibited.

Article : 36

The wage shall be determined according to the individual labour contract, the collective labour agreement, or the statute of the establishment. If the wage is not determined in any of these methods, the worker shall be entitled to a wage of equivalent position if any; otherwise the wage shall be estimated according to the trade usage in the quarter where the work is performed. If no trade usage exists, the committee prescribed in article (71) of the present Law shall estimate the wage according to the exigencies of justice. This shall all be subject to the provisions of articles (34) and (35) of the present law.

Article : 37

If agreement is reached on determining the wage per production or commission, the wage to be obtained by the worker shall not be less than the minimum wages.

Article : 38

The wages and other amounts due to the worker shall be paid in the legally current money, on one of the working days and at the place of work, subject to the following provisions:

- (A) Workers appointed with a monthly pay: their wages shall be paid at least once per month.
- (B) If the wage is per production, and the work requires working for a period exceeding two weeks, the worker shall obtain each week a pay on account commensurate with the work he has performed, and the

balance of the wage shall be paid to him during the week following delivery of the work he has been charged with.

- (C) In other than the cases defined in the two previous items, the workers shall receive their wages once at most every week, unless otherwise agreed upon.
- (D) If the Labour relation ends, the employer shall pay to the worker his wage and all amounts due to him forthwith, unless the worker has quit work of his own accord, in which case the employer shall pay the worker's wage and all his dues within a period not exceeding seven days from the date the worker claims these dues.

Article : 39

Computing the average daily wage of the workers per production or the workers receiving fixed wages plus a commission or a percentage shall be on the basis of the average pay the worker has received for the actual days of work in the last year or for the period he has worked if less than that, divided by the number of the actual days of work for the same period.

Article : 40

The employer shall be prohibited to transfer a monthly paid worker to the category of day labourers or the workers appointed with a weekly wage, or paid per hour or per production, except with the written approval of the worker on transferring him. The worker shall in this case have all the rights he acquired during the period he spent with monthly pay.

Article : 41

If the worker attends at his place of work, at the time determined for work and is ready to exercise his work but is prevented to start his work for reasons due to the employer, he shall be considered as having actually fulfilled his work and accordingly deserves his wage in full.

However, if he attends and is barred from exercising his work by imperative reasons beyond the will of the employer, he shall be entitled to half his wage.

Article : 42

The employer shall not oblige the worker to buy foods, goods, or services from specific stores, or buy goods produced or services provided by the employer.

Article : 43

The employer shall not deduct more than (10%) from the worker's wage for payment of the money he has loaned to him during the validity of the contract; nor shall he charge the worker any interest on these loans. This provision shall apply to the prepaid wages.

Article : 44

Subject to the provisions of articles (75), (76), and (77), of the Law regulating certain conditions and procedures of prosecution in personal status affairs as promulgated by Law No. 1 of the year 2000. In all cases, no deduction, retention, or relinquishment of the wage due to the worker shall be made for settlement of a debt except within the limits of (25%) of that wage. The deduction percentage may be increased to (50%) in case of alimentary debt.

In case of jostling creditors, the alimentary debt shall be given precedence, followed by the debt owing to the employer in connection with the tools or materials damaged by the worker, or for refund of payments unrightfully made to the worker, or the sanctions imposed on the worker.

The validity of wage relinquishment within the limits of the percentage prescribed in this article shall be conditional upon issuing a written approval by the worker.

The percentage referred to in the first clause of the present article shall be computed after deducting the income tax on the wage, the amounts payable according to the Social Insurance Laws, and the loans the employer extended to the worker within the limits of the percentage prescribed in the previous article.

Article : 45

The employer's obligation for the wage shall not be discharged except after the worker signs for receiving the wage, in the register provided for the purpose, or in the payrolls, providing the data of these documents shall comprise the items of the wage.

Article : 46

Subject to the provision of the previous article, the employer shall deliver to his juvenile workers their wages, compensations, or other entitlements legally due to them. Such delivery shall discharge the employer's obligation.

Part - IV

Leaves

Article : 47

The period of the annual leave shall be 21 days with full pay for those spending one complete year in the service. The leave shall be increased to thirty days once the worker spends ten years in service with one or more employers. The leave shall be for a period of thirty days per year for those over the age of fifty years. The holidays, the official occasions days off, and the weekly days off shall not be counted as part of the leave days.

If the worker's service is less than one year, he shall be entitled to a leave in proportion to the period he has spent in work, providing he has spent six months in the service of the employer.

In all cases the period of the annual leave shall be increased by seven days for the workers engaged in hard, dangerous, and unwholesome works, or in the remote areas to be determined by virtue of a decree of the concerned minister after consulting the view of the concerned quarters.

Subject to the provision of clause-2 of article (48) of the present law, the worker shall not give up his leave.

Article : 48

The employer shall determine the dates of the annual leave according to work exigencies and conditions. He shall not interrupt the leave except for strong reasons necessitated by work interest.

The worker shall go on leave on the date and for the period determined by the employer. If the worker refuses in writing to go on leave he shall forfeit his right to collecting their equivalent in wage terms.

In all cases, the worker shall obtain an annual leave of fifteen days, including at least six continuous days, and the employer shall settle the balance of leaves or the wage computed against that balance at most every

three years. If the work relationship expires before the worker exhausts the balance of his annual leave, he shall be entitled to the wage computed against that balance.

The leave may not be divided, joined, or postponed with regard to the juveniles.

Article : 49

The worker shall have the right to determine the date of his annual leave if he is sitting for the exam in any of the educational stages, providing he shall notify the employer at least fifteen days before he goes on leave.

Article : 50

The employer shall have to deprive the worker from his wage for the leave period, or retrieve the wage he has paid for it, if it is established that the worker has worked during the leave with another employer, without prejudice to the disciplinary sanction.

Article : 51

The worker may abstain from work for a casual reason for a period not exceeding six days during the year, with a maximum limit of two days each time. The casual leave shall be counted as part of the annual leave determined for the worker.

Article : 52

The worker shall have the right to a leave with full pay on the holidays to be determined by a decree of the concerned minister, with a maximum limit of thirteen days per year.

The employer may require the worker to attend to work on these days if so necessitated by work conditions. In this case, the worker shall be entitled, in addition to his wage for that day, to double that wage.

Article : 53

The worker spending five continuous years in the service of the employer shall have the right to a leave of one month with full pay for performing the religious pilgrimage duty, or visiting Jerusalem. That leave shall be granted only once throughout his service period.

Article : 54

The worker whose sickness is established shall have the right to a sick leave to be determined by the concerned medical quarter. During that period, he shall be entitled to a compensation for the wage as shall be determined by the Social Insurance Law.

The worker whose sickness is established, in industrial installations to which are applicable the provisions of articles (1) and (8) of Law No. 21 for the year 1958 on reorganization and encouragement of industry, shall have the right to a sick leave every three years in service, on the basis of one month with full pay, then eight months with a wage equivalent to (75%) of his salary, then three months without pay, in case the concerned medical quarter decides the likelihood of his recovery.

The worker may benefit from his frozen annual leaves, besides the sick leave to which he is entitled. He may also request transferring the sick leave into an annual leave if he has a balance allowing for doing so.

Article : 55

Subject to the provisions prescribed in article (49) of the present law, the collective labour agreements or the labour regulations in the establishment shall determine the conditions and terms concerning the paid study leaves that are granted to the workers.

Part - V

Duties And Impeachment Of Workers

Chapter - 1 **Duties Of Workers**

Article : 56

The worker shall:

- (A) perform by himself the duties assigned to him, with accuracy and honesty as determined in the law, the Labour regulations, and the individual and collective Labour contracts, accomplish them at the determined time, and exert the care of a familiar person in fulfilling his duties;
- (B) carry out the employer's orders and instructions concerning the execution of the duties lying within the context of the work assigned to him, if nothing exists in these orders and instructions contradicting the contract, and violating the Law, the regulations, or public morals, and in their implementation nothing will expose to danger;
- (C) observe the times of work and follow the procedures determined in case of absence from work or contravention of its duty hours;
- (D) maintain the tools, equipment, documents or any other objects delivered to him by the employer, do all necessary works for keeping them in sound condition, and exert in doing so the care of a familiar person;
- (E) well treat the employer's customers;
- (F) respect his chiefs and colleagues at work, and cooperate with them toward realizing the best interests of the establishment at which he works;
- (G) maintain the prestige and dignity of business, and behave as befits the work;

- (H) observe the systems set for maintaining the safety and security of the establishment;
- (I) maintain the secrets of work, and divulge no information connected with the work once it is treated and reckoned as confidential by their nature or according to the written instructions issued by the employer;
- (J) notify the place of work with the true data connected with his home address, his social status, his military service situation and the other data required by the Laws and systems to be recorded in his proper register, as well as all variation introduced in any of the foregoing data at the dates determined for that; and
- (K) follow the systems set by the employer for enhancing and developing his skills and experiences, professionally and culturally, or qualifying him to carry out a work in keeping with the technical development in the establishment jointly with the concerned trade union organizations.

Article : 57

The worker shall be prohibited to do by himself, or through a third party, the following works:

- (A) Keep for himself the original copy of any paper or document concerning the work;
- (B) Work for a third party whether with or without pay, if in carrying out that work, the good performance of his work will be affected adversely, or such work does not agree with the dignity of his work, or it will enable or assist the third party in recognizing the secrets of the establishment or competing with the employer;
- (C) Exercise an activity similar to that being exercised by the employer, during the validity period of his contract, or participate in an activity of that sort, whether in his quality as partner or worker;
- (D) Borrow from the customers of the employer or those exercising an activity similar to that being exercised by the employer. This prohibition shall not apply to borrowing from banks;

- (E) Accept gifts, compensations, commissions, amounts or other objects in any quality whatsoever on the occasion of performing his duties, without the consent of the employer; and
- (F) Collect moneys or donations, distribute pamphlets, solicit signatures, or organize meetings within the place of work without the consent of the employer, subject to the provisions prescribed in the Laws reorganizing the trade unions.

Chapter - 2
Investigation with Workers and
Their impeachment

Article : 58

The employer shall set the statute regulating the work and disciplinary sanctions, and indicating the rules on regulation of work and the disciplinary sanctions, duly endorsed by the concerned administrative authority. This authority shall consult the view of the trade union organization to which are attached the workers of the establishment before endorsing the statute. If the administrative authority does not endorse or object to the statute within thirty days from the date of its submission, it shall then be considered as valid and enforced. The concerned minister may issue a decree indicating the model systems of the statutes and sanctions to be consulted by the employers.

The employer, in case of employing ten or more workers, shall put up this statute in a prominent place.

Article : 59

The act for which the worker may be impeached disciplinarily shall conditionally be related to the work.

The sanctions statute shall determine the violations and sanctions prescribed therefor, as provided in article (60) of the present law, in a way realizing the commensurability of sanctions with the violations.

No disciplinary sanction may be imposed on the worker after the lapse of more than thirty days from the date of completing the investigation in the violation.

Article : 60

The disciplinary sanctions that may be imposed on the worker according to the statutes regulating the work and disciplinary sanctions in each establishment shall be as follows:

- 1- Warning;
- 2- Deduction from the wage;
- 3- Deferring the due date of the annual increment for a period not exceeding three months;
- 4- Depriving from part of the annual increment not exceeding its half;
- 5- Postponing the promotion on its accrual for a period not exceeding one year;
- 6- Reducing the wage by at most the amount of one increment;
- 7- Demoting to a position in the lower grade directly, without prejudice to the wage he used to receive; and
- 8- Discharging from the service according to the provisions of the present law.

Article : 61

The employer shall not impose on the worker for the same infraction, a sanction of wage deduction exceeding the wage of five days. Nor shall he deduct from the worker's wage for settlement of the sanctions imposed by him, more than the wage of five days in the same month.

If the employer determines the deduction by a specified percentage of the wage, it shall be considered the daily basic wage of the worker.

Article : 62

The employer shall not impose more than one sanction for the same infraction. Nor shall he combine the deduction of part of the worker's wage, according to the provision of article (61) of the present law, and any financial sanction if the amount deductible accordingly shall exceed the wage of five days in the same month.

Article : 63

The sanction may be toughened if the worker recurs to perpetrating a new infraction of the type of the one he has previously been sanctioned for, in case the new infraction occurs within six months from the date the worker is notified of imposing the previous sanction on him.

Article : 64

No sanction shall be imposed on the worker except after notifying him in writing of the infraction ascribed to him, hearing his statements, actualizing his defense, and recording all that in a report to be deposited in his proper file, providing the investigation shall begin within at most seven days from the date of discovering the infraction. The trade union organization to which the worker is attached may delegate a representative for it to attend the investigation.

In the infractions for which a sanction of warning or wage deduction of not more than one-day pay, the investigation shall be conducted orally, providing its content shall be recorded in the decision to be issued imposing the sanction.

In all cases, the decision issued imposing the sanction shall conditionally be substantiated.

Article : 65

The employer may investigate with the worker, by himself, or he may entrust the investigation process to the legal department or any other person experienced in the subject of the infraction, or any worker in the

establishment providing the functional level of the investigator shall not be less than that of the worker he investigates with.

Article : 66

The employer may suspend the worker provisionally from his work for a period not exceeding sixty days along with paying his wage in full, if so necessary in the interest of investigation, or if the committee referred to in article (71) of the present Law is requested to discharge him.

Article : 67

If the worker is charged with committing a crime or a misdemeanor of moral turpitude, or breach of honor or honesty, or committing a misdemeanor within the circle of work, the employer may suspend him provisionally from work, and shall refer the matter to the committee referred to in article (71) of the present Law within three days from the date of his suspension.

The committee shall determine the case referred to it within seven days from the date of its referral. If it approves the suspension, the worker shall be paid half his wage, but in case of non-approving the suspension, the worker's wage shall be paid to him in full from the date of his suspension.

If the concerned authority decides not to bring the worker to criminal trial, or if he is brought to trial and has been acquitted, he shall be returned to work along with settling his full dues; otherwise refusing his return shall be considered an arbitrary discharge.

If it is established that the employer or his representative have concocted the charge against the worker, the rest of his wage shall be paid for the period of suspension.

Article : 68

The jurisdiction for imposing the sanction of discharge from the service shall lie with the committee referred to in article (71) of the present law.

Imposing the rest of disciplinary sanctions shall be within the power of the employer or the person he delegates for that.

The director of the establishment may inflict the sanction of warning and deduction from the wage for a period of not more than three days.

Article : 69

A worker shall not be discharged unless he commits a serious error. The following cases shall be considered as a serious error:

- 1- If it is established that the worker has assumed a false identity or submitted false documents.
- 2- If it is established that the worker has committed an error resulting in serious damages to the employer, providing the employer shall notify the event to the competent authorities within twenty four hours from the time he learns of its occurrence.
- 3- If, despite warning the worker in writing to observe the instructions necessary to be followed for the safety of workers and the establishment, he repeats non-observing them, providing they are issued in writing and put up at a prominent place.
- 4- If the worker absents himself without legitimate justification more than twenty intermittent days during the same year, or more than ten consecutive days, providing a written warning to the worker by registered letter with acknowledgement of receipt, ten days after his absence in the first case, and five days after his absence in the second case, shall precede his discharge.
- 5- If it is established that the worker has divulged the secrets of the establishment at which he works, leading to the occurrence of serious damages and harms to the establishment.
- 6- If the worker embarks on competing with the employer in the same activity.
- 7- If during the working hours the worker is found to be in a state of plain drunkenness, or affected by the intoxicating substance he used.

- 8- If it is established that the worker has aggressed against the employer or the general director, or also if he commits a serious aggression on any of his superiors during or because of the work.
- 9- If the worker does not observe the controls prescribed in articles (192) to (194) of Book - 4, of the present law.

Article : 70

If an individual dispute arises concerning the application of the provisions of the present law, each of the worker and the employer may request the concerned administrative quarter within seven days from the date of the dispute settling the dispute amicably. If such settlement is not reached within a period of ten days at most from the date of submitting the request, each of them may resort to the judicial committee referred to in article (71) of the present Law within a period of forty five days at most from the date of dispute, otherwise he shall forfeit his right to submitting the matter to the committee.

Article : 71

Committees with judicial powers shall be formed by decree of the Minister of Justice in agreement with the concerned authorities, as follows:

- Two judges, of whom the senior judge shall be chairman of the committee according to the rules prescribed by virtue of the Judicial Authority Law;
- The concerned director of the Manpower and Emigration Directorate, or his assigned delegate;
- A member of the Federation of Egyptian Trade Unions; and
- A member of the concerned Employers Organization.

Each committee shall exclusively be concerned with deciding the individual disputes arising from the application of the provisions of the present law. The committee shall decide the dispute submitted to it within sixty days from the date of submitting the dispute thereto.

The committee shall decide the request for discharging the worker within fifteen days from the date of the first session, and its decision shall be final. If it refuses the request it shall obligate the employer to return the worker to his work and pay him the entitlements that were not paid to him.

If the employer does not execute the committee's decision to return the worker at his work, it shall be considered an arbitrary discharge necessitating to compensate the worker according to article (122) of the present law.

The committee shall, in the merits, decide for provisional compensation if the worker requests doing that.

The committee's decision in this case shall be self-executed forthwith, even if an appeal is requested.

The amounts the worker has received in implementation of the committee's decision for suspending execution shall be deducted from the amount of compensation that may be ruled for him, or from any other amounts owing to him with the employer.

If the request for discharging the worker is because of his unionist activity, the committee shall rule returning him to his work, unless the employer establishes that the request for discharging the worker has not been due to his unionist activity.

For any dispute in respect of which no special text is prescribed in the provisions of the Procedure and Evidence Laws in civil and commercial matters shall be followed.

Article : 72

The committee's decision shall be issued with the majority of views and shall be substantiated. It shall be tantamount to a ruling passed by the Court of First Instance. This shall all be after setting the executive wording to it by the clerks office of the concerned Court of First Instance.

The decision issued by the committee may be challenged before the concerned Court of Appeal according to the provisions of the Civil and Commercial Procedure Law.

Article : 73

If by his error and on the occasion of his work, the worker occasions the loss or damage of equipment, machines, materials, or products owned by the employer, or kept in the worker's care, he shall pay the value of the lost or damaged object.

The employer, after carrying out the investigation and notifying the worker, may begin deducting the said amount from the worker's wage, providing the amount deducted for that purpose shall not exceed the wage of five days in the same month.

The worker may complain against the estimation made by the employer, before the committee referred to in article (71) of the present law, and according to the periods and procedures prescribed therein.

If the committee does not rule in favor of the employer for the amount estimated by him for the damage, or if it rules for a lesser amount, the employer shall refund the amount he deducted without legitimate right within seven days from the date of issuing the committee's decision.

The employer shall not collect his dues by deduction from the wage according to the provision of the present article, if the employer's total dues amount to the worker's wage for two months.

Article : 74

The provisions prescribed in the present Part shall not prejudice the guarantees prescribed in the Trade Unions Law for the members of Trade Union Organizations Boards.

Article : 75

The employer shall record the financial sanctions imposed on the workers in a special register, along with indicating the reason for imposing sanctions, the name of the worker and the amount of his wage. He shall also allocate a special account for the sanctions made, and disposition thereof shall be according to the concerned minister's decision as taken in agreement with the General Federation of Egyptian Trade Unions.

Part – VI

Organization Of Work

Article : 76

The employer shall not deviate from the conditions agreed upon in the individual Labour contract or the collective Labour agreement; nor shall he charge the worker with performing other than the work agreed upon, unless it is necessary to do that to prevent the occurrence of an accident or to repair its consequences, or in the case of a force majeure, providing this shall be a temporary procedure. He may also charge the worker with performing other than the work agreed upon if it does not substantially differ from it, providing the worker's rights shall not be prejudiced.

However, the employer may train the worker and qualify him to perform a different work in keeping with the technical development taking place at the establishment.

Article : 77

The employer shall establish a file for each worker in which he shall particularly indicate his name, profession, and skill level on joining the work, his home address, his social status, the date of starting his service, his wage, a statement of the developments made in his case, the sanctions imposed on him, an indication of the leaves he obtained, the date of his end of service and its reasons.

He shall keep in the file the investigation records and the reports of his chiefs on his work as prescribed in the statute of the establishment, and any other papers connected with the worker's service. Only those that are legally authorized to review these data shall have access to them.

The employer shall maintain the worker's file for at least one year starting from the date the work relation is terminated.

Article : 78

The employer shall transport the worker from the quarter at which the contract is signed with him to the place of work, and shall return him to the said quarter within three days from the date the work contract is terminated for any of the reasons indicated in the law, unless the worker refuses in writing to return during the said period.

If the employer fails to do that, the concerned administrative quarter shall – if the worker resorts to it at the end of the said period – return him, at its expense, to the quarter where the contract was signed with him, and may then recover the expenses spent by it, through administrative attachment.

Article : 79

If an employer entrusts another employer with carrying out one of his works or part thereof, in the same work area, the latter shall treat his own workers and the workers of the original employer equally in all rights, and shall be jointly liable with him in that.

Chapter – 1 Working Hours And Break Periods

Article : 80

Subject to the provisions of Law No. 133 of the year 1961 regulating the employment of workers at industrial establishments, the worker shall not be employed in actual Labour for more than eight hours a day, or forty eight hours a week, not including the appropriated meal and rest hours.

The maximum working hours may be reduced by decree of the concerned minister for certain Labour categories, or in certain industries or works to be determined by him.

Article : 81

The working hours shall include one or more break periods, totaling not less than one hour, for meals and rest. In determining this period, care

shall be observed that the worker shall not be made to stay at work more than five continuous hours.

The concerned minister may issue a decree determining the cases or works in which the work shall – for technical reasons or operating conditions – unavoidably continue without a break period. He may also determine the hard or exhausting works during which the worker shall be granted break periods which shall be counted as actual working hours.

Article : 82

The worker shall have a weekly period of rest of not less than twenty four complete hours after at most six continuous working days. The break period between the start and the end of working hours shall not be more than ten hours a day. The break period shall be counted as attendance hours if, the worker stays during it at the place of work.

Workers hired in works intermittent by nature, as determined by a decree of the concerned minister, shall be excepted from that provision, such that the period of their stay at the place of work shall not exceed twelve hours a day.

Article : 83

The work shall be reorganized at the establishment so that each worker shall have a weekly period of rest of not less than twenty four complete hours after at most six continuous working days. In all cases, the weekly period of rest shall be reckoned as a paid time.

Article : 84

In exception to the provision of the previous article, in areas lying away from urbanization centers, and at works which by nature or due to the conditions of labour therein, require running the work without interruption, the weekly times of rest entitled to the worker on a period not exceeding eight weeks may be added together, and the work organization and sanctions regulation shall determine the rules for obtaining the weekly days of rest as added together. The establishments where less than ten workers are employed shall set the rules regulating the weekly days of rest as added together in them, according to the decisions to be issued by the establishment.

In computing the account for the period of the weekly days of rest as added together, it shall be observed that the period begins from the hour of the workers' arrival at the nearest site where means of transport are provided and ends at the hour of their return to it.

Article : 85

The employer may not restrict himself by the provisions prescribed in articles (80, 81, 82, 83, and 84) of the present Law, if running the work continuously is for coping with unusual work exigencies or exceptional conditions, providing in these cases the concerned administrative quarter shall be notified with the justifications for overtime operation of work and the period required for completing the work, along with obtaining a written approval from it.

In this case, the worker shall in addition to his original wage be entitled to a wage for the overtime hours as shall be agreed upon in the individual or collective labour contract, providing such wage shall not be less than the wage the worker is entitled to plus (35%) for the day working hours, and (70%) for the night working hours.

If using the worker takes place on his day of rest, the worker shall be entitled to the equivalent of his wage for that day, and the employer shall grant him another day in lieu of that day of rest during the following week.

In all cases, the actual working hours shall not exceed ten hours per day.

Article : 86

The employer shall place on the main gates used by the workers for entry, and also on a prominent place in the establishment, a schedule for the weekly day of rest, the working hours, the break periods determined for each worker, and all changes to be introduced in that schedule.

Article : 87

The provisions of articles (80, 81, 82, and 84) of the present Law shall not apply to the following:

- 1- The authorized delegates of the employer.
- 2- Workers engaged in preparation and complementation tasks to be accomplished before or following the end of work.
- 3- Workers assigned for guarding and cleaning.

The maximum actual and overtime working hours for the works referred to in items (2 and 3) shall be determined by decree of the concerned minister. An additional wage shall be payable to the workers mentioned in these two items according to the text of article (85) of the present Law.

Chapter – 2 **Employment of Woman Workers**

Article : 88

Subject to the provisions of the following articles, all provisions regulating the employment of workers shall apply to woman workers, without discrimination among them, once their work conditions are analogous.

Article : 89

The concerned minister shall issue a decree determining the cases, works, and occasions for which women shall not be employed to work during the period between 7 pm and 7 am.

Article : 90

The concerned minister shall issue a decree determining the works that are unwholesome and morally harmful to women, as well as the works in which women may not be employed to work.

Article : 91

A female worker having spent ten months in the service of the employer or more shall have the right to a maternity leave of ninety days, with a compensation equal to her comprehensive wage, comprising the period before delivery and after parturition, providing she shall submit a medical certificate indicating the date on which delivery most likely took place.

A female worker shall not be required to work during the forty five days following childbirth.

The maternity leave shall not be entitled more than twice throughout the female worker's period of service.

Article : 92

The employer shall be prohibited to discharge the female worker or terminate her service during the maternity leave indicated in the previous article.

The employer may deprive her from the compensation for her comprehensive wage on the leave period, or recover the amount paid by him to her if it is proved that she has worked during the leave with another employer. This shall all be without prejudice to the disciplinary impeachment.

Article : 93

A female worker nursing her child shall – in addition to the determined rest period – have the right during the twenty four months following the date of childbirth to two other periods for breast-feeding, each of not less than a half hour. The female worker shall also have the right to add the two periods together.

These two additional periods shall be counted as working hours, and shall not result in any wage reduction.

Article : 94

Subject to the provision of the second clause of article (72) of the Child Law as promulgated by Law No. 12 of the year 1996, a female worker in the establishment where fifty workers or more are employed shall have the right to obtain a leave without pay for a period not exceeding two years, to care for her child. This leave shall not be entitled more than twice throughout her service period.

Article : 95

The employer, in case of employing five female workers or more, shall put up at the places of work or of workers gathering a copy of the women employment system.

Article : 96

An employer engaging a hundred female workers or more in the same place shall establish a nursery school or assign to a nursery school caring for the female workers' children, according to the conditions and terms to be determined by decree of the concerned minister.

Establishments employing less than a hundred female workers in the same area shall participate in implementing the obligation prescribed in the previous clause according to the conditions and terms to be set by a decree of the concerned minister.

Article : 97

Female workers engaged in sheer agricultural labour shall be excepted from applying the provisions of the present Chapter.

Chapter – 3
Employment of Infants/juveniles

Article : 98

In applying the provisions of the present Law, an infant/juvenile shall mean any person reaching fourteen years of age, or past the age of elementary education and not reaching eighteen complete years of age.

An employer appointing an infant/juvenile under sixteen years of age shall grant him a card proving that he works for him. A picture of the infant/juvenile shall be stuck on the card and approved by the concerned manpower office.

Article : 99

Employing female and male infants/juveniles not reaching the age of complete elementary education or fourteen years of age, whichever is older, shall be prohibited. However, they may be trained once they reach twelve years of age.

Article : 100

The concerned minister shall issue a decree determining the system of employing infants/juveniles, the conditions, terms and cases for their employment, and the jobs, occupations, and industries in which it is prohibited to appoint them, according to the different stages of age.

Article : 101

An infant/juvenile shall not be made to work for more than six hours a day, during which one or more break periods totaling not less than one hour shall be granted for meals and rest. Such period(s) shall be specified in a way by which the infant/juvenile shall not be made to work for more than four unbroken hours. An infant/juvenile shall not be made to work overtime hours or be required to come to work on the weekly days of rest and the official holidays.

In all cases, an infant/juvenile shall not be made to work between 7 p.m. and 7 a.m.

Article : 102

An employer appointing one or more infants/juveniles shall:

- (A) hang on a prominent place at the location of work a copy comprising the provisions prescribed in the present chapter.
- (B) draw up a statement indicating the working hours and the break periods duly approved by the concerned administrative authority.
- (C) provide the concerned administrative authority with the names of infants/juveniles working with him, the tasks assigned to them, and the names of the persons charged with controlling their work.

Article : 103

The provisions of the present chapter shall not apply to infants/juveniles working in sheer agricultural labour.

Part - VII

Termination Of Work Relationship

Article : 104

A labour contract concluded with a definite period shall terminate with the expiry of its period.

If the contract is concluded for a period of more than five years, the worker may terminate it without indemnity upon the lapse of five years, after notifying the employer three months before its termination.

The provisions of the previous clause shall apply to cases of terminating the contract by the worker following expiry of the said period.

Article : 105

Subject to the provisions of article (106) of the present Law, if the period of a labour contract concluded with a definite period expires and its two parties continue to execute it, it shall then be considered by them as renewal of the contract for an indefinite period.

This provision shall not apply to labour contracts with aliens.

Article : 106

If a labour contract concluded with a definite period terminated with the expiry of its period, it may be renewed by express agreement between its two parties for one or more other periods.

If the original and renewed periods of the contract exceed five years, the worker may terminate it according to the provisions of article (104) of the present Law.

Article : 107

If the labour contract is concluded for accomplishing a specific work, the contract shall terminate with accomplishing that work. If accomplishing that work lasts for a period exceeding five years, the worker shall not terminate the contract before accomplishing that work totally.

Article : 108

If a labour contract concluded for accomplishing a specific work expires and its two parties continue to execute the contract following accomplishment of the work, it shall be considered by them as renewal of the contract for an indefinite period.

Article : 109

If the labour contract concluded for a specific work terminates with accomplishing that work, it may be renewed by express agreement between its two parties for other similar work(s).

If the period for accomplishing the original work and the works for which the contract is renewed exceed five years, the worker may not terminate the contract before accomplishing these works totally.

Article : 110

Subject to the provision of article (198) of the present Law and the provisions of the following articles, if the labour contract is for an indefinite period, each of its two parties may terminate it on condition of notifying the other part in writing before such termination.

The employer may not terminate this contract except within the limits of the provisions prescribed in article (69) of the present Law, or in case the worker's inefficiency is established according to the provisions of the endorsed regulations.

The worker, in terminating the contract, shall base himself on a legitimate and adequate cause related to his health, social, or economic conditions.

In all cases, the termination shall be observed to take place at a time commensurate with the work conditions.

Article : 111

The notification shall be given two months before terminating the contract if the worker's uninterrupted period of service with the employer does not exceed ten years, and three months before the contract termination if that period exceeds ten years.

Article : 112

The notification terminating the contract shall not be made contingent on an abrogating or suspending condition.

The notification period shall begin from the date of its receipt. The worker's service period shall be counted from the date of receiving his work up to the date the notification period will end.

Article : 113

The notification shall not be addressed to the worker during his leaves, and the notification period shall not be counted except from the day following the end of his leave.

If the worker obtains a sick leave during the notification period, the validity of this period shall be suspended and shall not restart except from the day following the end of that leave.

Article : 114

The labour contract shall remain existing throughout the notification period and its parties shall execute all the obligations resulting from it. The contract shall terminate with the expiry of that period.

Article : 115

No agreement on exemption from the notification condition or reduction of its period shall be reached. However, agreement may be reached on increasing that period.

The employer may exempt the worker from observing the whole or part of the notification period in case the contract is terminated by the worker.

Article : 116

If the contract termination is notified by the employer, the worker shall have the right to absent himself a full day per week or eight hours during the week, to look for another work, and remain entitled to his wage for that day or the hours of absence.

The worker may determine the day or hours of absence, conditional upon notifying that to the employer at least on the day preceding his absence.

Article : 117

The employer may exempt the worker from his work during the notification period and count his service period as uninterrupted until the termination of the notification period, along with the results occurring particularly the worker's entitlement to his wage for the notification period.

Article : 118

If the employer terminates the labour contract without notification or before the end of the notification period, he shall pay to the worker an amount equivalent to his wage for that period or the part remaining of it.

In this case, the said period or part remaining of it shall be counted within the worker's service period, and the employer shall continue to bear the burdens and obligations ensuing therefrom.

However, if the contract termination is made by the worker, the contract shall terminate from the time he quits the work.

Article : 119

The worker's resignation shall not be reckoned with until it is submitted in writing. A resigning worker may withdraw his resignation, in writing, within a week from the date the employer notifies the worker of accepting the resignation. In this case, the resignation shall be considered as null and nonexistent.

Article : 120

The following reasons shall not be considered as legitimate and adequate justifications for termination:

- (A) Color, sex, social status, family obligations, pregnancy, religion, or political view.
- (B) The worker's affiliation to a union organization, or his participation in a union activity within the context of the limits set by the laws.
- (C) Exercising the quality of workers' representative, former exercise of that quality, or seeking to represent the workers.
- (D) Submitting a complaint, filing an action against the employer, or joining in that, in protest against violating the laws, regulations, or labour contracts.
- (E) Laying garnishment with the employer on the worker's dues.
- (F) The worker's use of his rights to the leaves.

Article : 121

The worker may terminate the contract if the employer defaults on any of substantial obligations ensuing from the Law, the individual or collective labour contract, or the articles of association of the establishment, or if the employer or his representative commits a hostile act against the worker or a member of his family.

Terminating the contract, in these cases, shall be tantamount to terminating it by the employer without lawful justification.

Article : 122

If either party to the contract terminates it without legitimate and adequate justification, he shall compensate the other party for the harm occasioned to him in consequence of such termination.

If such unjustified termination is by the employer, the worker shall have the right to resort to the committee referred to in article (71) of the present Law requesting a compensation. Such compensation as shall be determined by the committee shall not be less than the wage of two months of the comprehensive wage for each of the years of service.

This shall not prejudice the worker's right to the rest of his legally prescribed dues.

Article : 123

The labour contract shall terminate with the actual or presumptive decease of the employer according to the prescribed legal rules.

The labour contract shall not terminate with the decease of the employer, unless it was concluded for considerations connected with the person of the employer or his activity, which shall be disrupted with his decease.

If the worker dies when being in the service the employer shall pay to his family the equivalent of two complete months' wage to face the funeral expenses, with a minimum of two hundred and fifty pounds. He shall also pay a grant equivalent to the worker's full wage for the month in which he dies and the two following months according to the rules of the Social Insurance Laws.

The employer shall bear the costs of preparing and transporting the dead body to the place from which he had been brought to work, or the place his family requests transporting him to it.

Article : 124

The labour contract terminates with the worker's total incapacity to perform his work, whatever the cause of that incapacity.

If his incapacity is partial, the work relation shall not terminate with that incapacity until no other work that the worker can perform satisfactorily is established to be available with the employer. The existence or non-existence of that other work shall be established according to the provisions of the Social Insurance Law.

If it is established that there exist that other work, the employer shall transfer the worker to that work upon the worker's request and without prejudice to the provisions of the Social Insurance Law.

Article : 125

No age less than sixty years shall be determined for retirement.

The employer may terminate the worker's contract if he reaches sixty years of age, unless the contract is for a definite period and its period extends to beyond reaching that age, in which case the contract shall not terminate except with completing its period.

In all cases, the provisions of the Social Insurance Law shall not be violated with regard to the pension entitlement age, and the worker's right to continue working past that age, in order to complete the period required for entitlement to the pension.

Article : 126

The worker shall be entitled for his work period past the age of sixty to an indemnity at the rate of a half-month's wage for each of the first five years, and one month for each following year, if he is entitled to no rights for that period according to the old age, incapacity, and death insurance provisions prescribed in the Social Insurance Law.

The indemnity prescribed in the previous clause shall be payable for the years of service before the age of eighteen years, to the trainee and the

worker on reaching that age. The indemnity shall be computed on the basis of the last wage paid to him.

Article : 127

The employer shall not terminate the labour contract due to the worker's sickness, unless the worker has exhausted his sick leaves as determined by the Social Insurance Law, in addition to his frozen annual leaves due to him.

The employer shall notify the worker of his wish to terminate the contract before the lapse of fifteen years from the date the worker has exhausted his leaves.

If the worker recovers before the notification is made, the employer shall be disallowed to terminate the contract due to the worker's sickness.

Article : 128

A female worker may terminate the labour contract, whether concluded for a definite or an indefinite period, because of her marriage, pregnancy or child-bearing, without affecting her rights as prescribed according to the provisions of the present Law or the Social Insurance Law provisions.

The female worker desiring to terminate the contract for the reasons prescribed in the previous clause shall notify the employer in writing of her wish within three months from the date of contracting the marriage, her established pregnancy, or the date of childbirth, according to each case.

Article : 129

The employer may terminate the labour contract, even if it is for a definite period, or concluded for accomplishing a specific work, if the worker is finally sentenced to a criminal or custodial penalty in an offense involving moral turpitude, or breach of honor, honesty or public morals, unless the court rules for staying the execution of the penalty.

Article : 130

The employer shall give the worker on terminating his contract and upon his request a free certificate indicating the date he joined the employer's service, the end of service date, the kind of work he performed and the benefits he obtained.

The worker may obtain from the employer a free certificate determining his experience and professional efficiency, during the validity and at the end of the contract.

The certificate may, upon the worker's request, indicate as well the amount of the wage he received and the reasons for terminating the work relationship.

The employer shall return to the worker, on terminating the contract, the papers, certificates, or articles the worker had deposited with him immediately upon his request.