

CHAPTER X

LABOUR INSPECTION

Article 166

Labour inspection shall be carried out by special inspectors affiliated to the Ministry of Labour and Social Affairs, who shall have the powers and authority specified in this Law.

Labour inspectors shall carry identity cards to be issued to them by the Ministry of Labour and Social Affairs.

Article 167

Each labour inspector shall:

- (a) (a) Ensure proper compliance with the provisions of this Law, particularly those related to employment terms, wage, and protection of workers during the performance of their work, and matters related to the health and safety of workers and the employment of juveniles and women.
- (b) (b) Extend to employers and workers such technical information and advice that would enable them to apply the provisions of the law in the best possible manner.
- (c) (c) Alert the competent authorities to any shortcomings not adequately addressed by the existing provisions and make appropriate recommendations in this respect.
- (d) (d) Record violations of this Law or its executive regulations and orders.

Article 168

Before assuming their duties, labour inspectors shall take oath before the Minister of Labour and Social Affairs that they will respect the law, perform their duties honestly and faithfully and, even after leaving the service, not reveal any industrial secret, patent right or other secrets that come to their knowledge in the course of their duties. They shall treat any complaints that they receive as absolutely confidential and shall give no intimation to the employer or his representatives of the source of such complaints.

Article 169

Employers and their representatives shall provide inspectors authorized to carry out labour inspection with the facilities and information necessary for the performance of their duties and shall respond to any summons by appearing personally or sending representatives, if requested to do so.

Article 170

A labour inspector shall have the following powers:

- 1- 1- To enter any firm subject to the provisions of this Law without previous notice at any hour of the day or night, but within the working hours.
- 2- 2- To carry out any examination or inquiry necessary to verify due compliance with the Law. More particularly, he may-
 - (a) (a) Interrogate the employer or the workers, either privately or in the presence of witnesses, about any matters related to compliance with the provisions of the law.
 - (b) (b) Examine, and obtain copies and extracts of, all documents required to be kept in accordance with this Law and its executive orders.
 - (c) (c) Take sample(s) of materials used in connection with industrial or other operations that are subject to inspection, where such materials are suspected to have a harmful effect on the health or safety of the workers, for the purpose of having them analysed in authorised laboratories and ascertaining the degree of danger. He shall then notify the employer or his representatives of the result, and take appropriate measures in this connection.
 - (d) (d) Ensure that notices and announcements are posted at the workplace as required by this Law.

Article 171

The Minister of Labour and Social Affairs shall issue the regulations necessary for organising the inspection operations stipulated in the preceding article.

Article 172

Without prejudice to the provisions of article 169, any person carrying out an inspection shall notify the employer or the employer's representative of his arrival, unless he considers that the inspection mission requires otherwise.

Article 173

To ensure compliance with the provisions regarding health and safety of workers, a labour inspector may require employers or their representatives to make alterations to the installations or plant used in their facilities, within such time limits as he may define. In addition, he may, in the event of an imminent threat to the health or safety of the workers, require the adoption of such measures, as he deems necessary to avert such threat forthwith.

Article 174

Where, in the course of inspection, an inspector discovers any violation of this Law or its executive regulations or orders, he shall draw up a report documenting the violation and submit it to the competent labour department to enable it to take the necessary action against the offender.

Article 175

A labour inspector may, when necessary, request the competent administrative authorities and the police to provide any necessary assistance.

Where an inspection is made in connection with health aspects of work, the inspector shall, subject to the consent of the head of the competent labour department, be accompanied by a specialised medical practitioner from the Ministry of Health or a medical practitioner appointed for the purpose.

Article 176

The chief labour inspector in the area shall prepare a monthly report on labour inspection activities, inspection aspects, facilities inspected, and number and types of violations committed. He shall also prepare an annual report on inspection in the locality, containing the results and effects of inspection and his comments and proposals. Copies of the monthly and annual reports shall be sent to the labour department.

Article 177

The Ministry of Labour and Social Affairs shall draw up an annual report on inspection activities in the State, containing all matters related to the Ministry's supervision of the implementation of the labour law and, in particular, the following matters:

- 1- 1- The provisions governing inspection;
- 2- 2- The officials in charge of inspection;
- 3- 3- Statistics of the firms that were subject to inspection, the number of workers employed therein, the number of inspection visits and tours made by the inspectors, the violations committed and penalties imposed, and the work-related injuries and occupational diseases.

Article 178

The Ministry of Labour and Social Affairs shall design special forms for violation reports, inspection records, reminders and warnings. It shall define the necessary rules for the maintenance and use of such forms, and shall circulate them to the labour departments in various localities.

Article 179

Subject to Nationals' priority right to employment and in addition to the general requirements in connection with the appointment of employees, labour inspectors shall-

- 1- 1- Be fairly impartial.
- 2- 2- Have no direct interest in the establishments they inspect.
- 3- 3- Pass a special test of professional ethics after completing a period of training of at least three months.

Article 180

The Ministry of Labour and Social Affairs shall organise special courses for training labour inspectors particularly in the following basics and principles:

- 1- 1- Organizing inspection visits and making contacts with employers and workers.
- 2- 2- Auditing of records and books.
- 3- 3- Showing employers how to interpret legal texts and the advantages of applying such texts and assisting them in doing so.
- 4- industrial technology and means of protection against work-related injuries and occupational diseases.
- 5- production efficiency and its connection with the provision of favourable conditions for performance of work.

