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Amended by:

- Law No. (49) of 2006,
The term “the Minister concerned with Labour Affairs in the Private Sector” was substituted by “Minister of Labour and Social Affairs” under Article (4).
- Legislative Decree No. (35) of 2011.

**LAW NO. (33) OF 2002
WITH RESPECT TO PROMULGATING THE WORKERS TRADE
UNION LAW**

**We, Hamad bin Isa Al Khalifa,
Bahrain,**

King of the Kingdom of

Having reviewed the Constitution,
And the Labour Law for the Private Sector promulgated by Legislative Decree No.23 of 1976, as amended,
And the Maritime Code promulgated by Legislative Decree No.23 of 1982,
And upon the submission of the Minister of Labour and Social Affairs,
And with the approval of the Council of Ministers, We hereby decree the following Law:

Article One

The provisions of the attached Law shall be applicable with respect to workers trade unions.

* This copy is translated by Bahrain Economic Development Board (EDB) as per the provisions in force up to January 2019.

**This is an unofficial translation and in the event of any conflict or discrepancy between the English text and the Arabic text, the Arabic text shall prevail.

Article Two

Chapter 17 of the Labour Law for the Private Sector promulgated by Legislative Decree No.23 of 1976 concerning Labour Organisation and Joint Committees and Councils with respect shall be revoked and every provision that conflicts with the terms of this Law shall be revoked.

Article Three

The existing labour organisations on the date this Law comes into effect shall continue to carry out their duties until the formation of the new workers trade unions.

Article Four

The concerned Minister shall issue the necessary Orders for implementing the provisions of this Law.

Article Five

The Prime Minister and the ministers, each in his respective capacity, shall implement this Law which shall come into effect from the date of its publication in the Official Gazette.

**Hamad bin Isa Al Khalifa,
King of the Kingdom of Bahrain**

**Khalifa bin Salman Al Khalifa,
Prime Minister**

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Issued at Rifa'a Palace

On 17th Rajab 1423 Hijri

Corresponding 24th September 2002

WORKERS TRADE UNIONS LAW

Chapter 1

General Provisions

Article (1)

"As amended by Law No. (49) of 2006"

For the purpose of the application of this Law, the following terms and expressions shall have the meanings assigned against each:

Trade Unions: An organization that is established as per the articles of this law by a number of workers in a specific organization, sector or activity.

Trade Unions Federation: An organization that is established as per the articles of this law, comprising a number of trade unions.

A Trade Union Organization: An organization that is established to defend the rights of workers and look after them. This include Trade Unions and Trade Unions Federations.

The Ministry: The Ministry that is responsible for work affairs in the private sector.

The Concerned Minister: The Minister that is responsible for the work affairs in the private sector.

Article (2)

The provisions of this Law shall be applicable to:

- a) Workers who are subject to the Labour Law for the Private Sector;
- b) Workers who are subject to the provision of the Maritime Code; and
- c) Workers employed according to the civil service schemes.

Article (3)

"As amended by Law No. (49) of 2006"

Membership of Trade Union Organisations and continuation thereof as well as withdrawal therefrom shall be guaranteed.

Trade union activities shall not be used as a means and justification for discrimination in employment or influencing workers in any manner whatsoever. The judgment of the court must force the employer to compensate the worker with a minimum of two months' salary and a maximum of six months' salary once discrimination against the worker due to his activities in the trade union were proven.

Article (4)

The Trade Union Organisations provided for herein shall have an independent juristic entity as from the date of depositing the documents of their Articles of Association with the Ministry.

Article (5)

"As amended by Law No. (49) of 2006"

A Trade Union's Articles of Association shall in particular, include:

- a) name of the trade union;
- b) objectives for which the trade union is to be formed;
- c) membership and dismissal procedure, admission and subscription fees and cases of exemption therefrom;
- d) number of the members of the Board of Directors, manner of electing them, frequency of governing body meetings, by-elections and powers of the Board of Directors;
- e) disciplinary procedures of trade union members for misconduct and penalties that may be inflicted upon them and the committees responsible for investigation and taking disciplinary action;
- f) services and financial assistance that may be offered to members if required;

- g) terms and conditions under which trade union organization's staff are appointed and the procedure therefore and for the termination of their services,
- h) method of maintaining the organization's fund, financial system and accounting books and records and;
- i) procedures for convening the organization's Board of Directors and the general assembly for ordinary and extraordinary meetings.

Chapter 2

Trade Union's Structure and Objectives

Article (6)

"As amended by Law No. (49) of 2006"

The trade union structure shall consist of the trade unions and of the Trade Unions' Federations of Workers.

Article (7)

The trade union organizations shall aim at protecting the lawful rights of their members, defending their interests and improving their working conditions. In particular, they shall endeavour to attain the following objectives:

- a) Dissemination of trade union awareness among workers;
- b) Improvement of the cultural standard of workers;
- c) Promotion of professional and occupational standards of workers;
- d) Improvement of the health, economic and social standards of workers and their families; and
- e) Participation in Arab and international labour forums and events and presenting the viewpoint of the Bahrain workers.

For the realisation of its objectives, a trade union organization may establish savings or fellowship funds and may form co-operative societies and social clubs.

PART ONE
TRADE UNIONS FEDERATIONS

Article (8)

"As amended by Law No. (49) of 2006 and Legislative Decree No. (35) of 2011"

- 1) Any two similar unions or more can set up amongst themselves a union federation, and the establishment of the federation and joining it shall be after the approval of the majority of the members of the General Assembly of Trade Union.
- 2) The trade union cannot be a member in more than one federation.
- 3) The workers of the Kingdom of Bahrain shall be represented at the international forums and collective bargaining with employers and their organizations at the national level by the trade union, which shall be named in an order issued by the competent Minister.

Article (9)

"As amended by Law No. (49) of 2006"

The Trade Unions Federation shall be responsible for the following:

- a) To draw up the general policy and a trade union code of conduct for the workers of member trade unions.
- b) To enhance co-operation between the member trade unions, the Ministry and the employers and their organizations.
- c) To set up and manage workers' cultural and social centers.
- d) Participating with the concerned authorities in drawing up labour strategies in collective bargaining and in enhancing social dialogue with the concerned authorities.
- e) Authorizing member trade unions to join Arab and international labour organizations and giving notice thereof to the Ministry.
- f) Permitting the representatives of the member trade unions to attend conferences outside the Kingdom of Bahrain.

- g) Determining the maximum fee for admission and for annual subscriptions of the member trade unions' membership.
- h) Considering the suspension of members of the member trade unions' Boards of Directors.
- i) Considering any matters referred thereto by the Board of Directors of the member trade unions.
- j) Approving the code of trade unions' responsibility for Board of Directors of the federation and the member trade unions.
- k) Approving the administrative and financial systems that organize the work of the federation.
- l) Formulation and approving of guide samples for all administrative and financial systems that organize the work of the member trade unions.

PART TWO

TRADE UNION

Section 1

Formation Of A Trade Union

Article (10)

“As amended by Legislative Decree No. (35) of 2011”

Workers in any firm or certain business sector or activity, industries or similar trades which are linked to each other, shall have the right to form their trade union in accordance with the provisions of this Law, provided that the establishment of the trade union shall not be based on sectarian, religious or ethnic basis and workers who are governed by the civil service systems shall have the right to join such trade union.

Article (11)

The procedure for the formation of a trade union shall be by submitting to the Ministry its:

Articles of Association and the names of the founding members, provided that the Articles of Association shall not conflict with the provisions of the applicable laws and regulations in the Kingdom.

Section 2

Union's Bodies

Article (12)

The bodies of trade union shall consist of:

- a) General Assembly
- b) Board of Directors
- c) Working committees according to each union's bylaws.

Article (13)

"As amended by Law No. (49) of 2006"

The general assembly of a trade union shall have the power to:

- a) Elect the Board of Directors;
- b) Amend the Articles of Association, by laws, and draw up administrative and financial regulations;
- c) Suspend or dismiss members of the Board of Directors;
- d) Appoint auditors of the union and determine their remuneration;
- e) Approve the annual balance sheet, final accounts and the reports of the Board of Directors and the auditor;
- f) Consider any matter referred thereto by the Board of Directors or the Trade Unions' Federation that the trade union is a member of.

Section 3
Conditions Of Membership

Article (14)

A member of the trade union shall fulfill the following conditions:

- a) He shall be a worker upon the provisions of this law are applicable.
- b) He shall not be an employer or an official responsible for formulating or deciding upon the establishment's policies.

Chapter 3
Financial Sources of Trade Union Organizations
And Exemptions Therefor

Article (15)

The financial sources of trade union organizations shall consist of:

- a) Joining fees.
- b) Subscriptions payable by the members.
- c) Subsidies, gifts, donations and wills accepted by the Board of Directors with the approval of the Ministry.
- d) Proceeds from various functions and activities allocated for the trade union's benefit.
- e) Other sources which do not conflict with the provisions of this Law or the organization's Articles of Association.

Article (16)

The trade union organization will be exempted from any charges prescribed for property owned or rented by such organisations and from customs duties on goods imported for the benefit of the trade union's activities.

Duty-free imported goods shall not be disposed of before the lapse of five years from the date of importation; otherwise such goods shall be subject to customs duties.

Chapter 4
Dissolution of Trade Union Organisations
and their Boards of Directors

Article (17)

“As amended by Legislative Decree No.(35) of 2011”

A trade union organization and their Board of Directors shall be dissolved in accordance with the provisions of their Articles of Association or by a court judgment.

Those who are proved to be responsible for any violations that required the dissolution of the trade union organization or its board shall be banned from running the elections for board membership of any trade union organization for five years from the issuance of the dissolution order or final court judgment.

Article (18)

"As amended by Law No. (49) of 2006"

The Board of Directors of the Trade Unions' Federation that the trade union is a member of will temporarily take over the powers of the trade union whose Board of Directors has been dissolved until a new Board of Directors is formed according to the union's Articles of Association.

Chapter 5
Miscellaneous Provisions

Article (19)

"As amended by Law No. (49) of 2006"

A resolution of the Minister, in consultation with representatives of employers and the Trade Unions' Federations, will be issued in respect of the members of the Board of Directors of the trade union organisations to carry out their duties on a full time basis. Such resolution shall specify the terms and conditions of this

full time assignment, financial rights of a full time member and the rules of a full time assignment.

Article (20)

The trade union organization shall not:

- a) Engage in any activity beyond the union purpose provided for herein;
- b) invest any money in financial, real estate or other speculative activities;
- c) Use force, violence, threat or unlawful measures to infringe or attempt to infringe upon the right of others to work or upon any other of their rights; or
- d) Engage in political activities.

Article (21)

"As amended by Law No. (49) of 2006"

- 1) The right to strike is a legitimate means for workers to defend their rights and interests and must be organized and announced only by the trade union organizations.
- 2) To be considered legal, the strike is subject to the following restrictions:
 - a) The approval of the majority of the General Assembly of the Trade Union in an exceptional meeting to commence the strike.
 - b) The employer shall be provided with a notice period of not less than 15 days before the commencement of the strike.
 - c) Strikes must not be conducted while issue is seen by the Committee of Conciliation and Arbitration.
 - d) Strikes shall be prohibited in vital and important facilities that harm the national security and the life of individuals.
The Prime Minister shall issue a decree specifying the vital and important facilities where strikes are prohibited in.
- 3) In the case of collective arguments in the vital and important facilities, it is mandatory to take the issue for conciliation and arbitration mentioned in the

previous article, following the failure of resolving the issue between the workers and the employer.