

# Labour Policy and Practice

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Although Lebanon classifies as a middle income country, about one million Lebanese (28.5% of the population) continue to live in conditions of poverty and around 300,000 individuals (8% of the population) live in extreme poverty and are unable to meet their most basic food and non-food needs. The North and Mount Lebanon governorates account for around 65% of the total poor in Lebanon<sup>(1)</sup>. Today, Syrian refugees are concentrated in the poorest Lebanese regions, and the intersections between the geographic distribution of refugees and poverty pockets in Lebanon are noticeable, particularly in North Lebanon. One of the main factors behind the persistence of poverty and the lack of inclusive economic growth is the weak job creation and low quality jobs. More recently, the Syrian conflict and the large influx of refugees impacted both poverty and jobs<sup>(2)</sup>. In the context of the protracted Syrian refugee crisis, this article aims to unravel labour policy and practice pertaining to Syrian refugees in Lebanon since the outbreak of the crisis in 2011. The following sections briefly chart the current state of the labour market, as well as labour legislation and policies that regulate the work of Syrian refugees, tension related to labour issues between refugees and host communities, and finally initiatives that aim at installing better labour conditions.

## Labour market information

Lebanon is marred with a low and stagnant activity rate of 49% which reflects a low female activity rate of around 26% in 2009. Almost half of Lebanese workers (46%) work in services, followed by around a third (27%) who work in trade (2009)<sup>(3)</sup>. Labour demand is marked by the predominance of micro and small enterprises. In fact, around 90% of establishments have less than five employees while less than 0.5% of enterprises employ more than 50 employees<sup>(4)</sup>. According to the World Bank employment survey, 40% of the workforce in Lebanon is informal (2010)<sup>(5)</sup>. Unemployment is high among the young age categories, which can be explained by the mismatch between labour supply and demand<sup>(6)</sup>.

Syrians have been coming to work in Lebanon since the sixties when the economic surge led to high recruitment of Syrian workers. In 1972, male Syrian nationals represented 90% of total construction workers in Lebanon<sup>(7)</sup>. During the civil war (1975-1990), Lebanese migration resulted in labour shortages. After the war, the debut of reconstruction resulted in massive recruitment of low-skilled male Syrian workers who mostly worked in construction and agriculture. The number of Syrian workers in the nineties was estimated to be between 400,000<sup>(8)</sup> and 1.4 million<sup>(9)</sup>. According to the ILO, an estimated number of 300,000 Syrian workers were located in Lebanon before the outbreak of the Syrian crisis<sup>(10)</sup>.

According to the 2016 Vulnerability Assessment for Syrian Refugees (VASR), 36% of working-age adults worked in the month before the survey. This percentage is lower in Akkar (28%), Zahle (29%) and Baalback (32%). Conversely, Bint Jbeil (47%), Batroun (46%), and Bcharre (44%) registered higher rates. Syrian labour force is mainly concentrated in the construction sector (33%), agricultural activities (22%), services (26%), retail/shops (6%) and cleaning (6%). Underemployment is predominant as Syrian workers are on average employed for 14 out of 30 days<sup>(11)</sup>.

Men are struggling to find economic opportunities that enable them to earn a regular income in Lebanon and are facing acute physical insecurity and a high level of discrimination. Other family members, such as women but also children, have had to make up for the lack of family income. Adding to their care-taking roles and to fulfilling household chores, many Syrian women have had to work to financially provide for their families. Women have been able to get more jobs in the informal sector, such as petty trading, seasonal agricultural work and cleaning<sup>(12)</sup>. Child labour among Syrian refugees in Lebanon is also critical. And because of the prevalent gender norms, more boys are working than girls, including in services such as electrical, motor and barbershops, restaurants, supermarkets as well as in construction and agriculture<sup>(13)</sup>. In contrast to boys, girls mostly work in the domestic and agricultural sectors<sup>(14)</sup>. Ultimately, both girls and boys are vulnerable to mistreatment, harassment and violence.

## Labour legislation and policies

Prior to the Syrian refugee crisis, the conditions of Syrian workers in Lebanon were governed by a set of bilateral agreements in respect with the Lebanese labour law. According to the Lebanese labour code, foreign workers required a work permit within ten days of entry, which should give them access to social security, the right to a minimum wage and security protections. In practice, the majority of 'foreigners' work illegally. Following the outbreak of the Syrian conflict and the surge in the number of Syrian refugees, the legislative and policy environment pertaining to labour issues changed. Since the outbreak of the Syrian crisis, the government of Lebanon relied on ad hoc policies. In February 2013, the Minister of Labour issued a circular allowing Syrian workers access to a number of occupations that were previously restricted to Lebanese nationals, including construction, electricity, and sales. Syrians already practiced these activities prior to the decision however without permits<sup>(15)</sup>. Recently, the Lebanese government issued a decision depriving the Syrian refugees of the right to work. Moreover, the government considers that the «displaced» lose their humanitarian refugee status the moment they start working, as they already benefit from UNHCR assistance. Nevertheless Syrian refugees continue to seek work in view of providing for their families. Unfortunately, the violation of the government decision exacerbated the vulnerability of Syrian refugees in the Lebanese labour market: employers tend to recruit Syrians for short-term jobs or depriving the Syrian worker from remuneration as they are unable to resort to the judiciary or the police to ask for their rights. Employers tend to confiscate all personal documents of Syrian workers including the ID card, passport and residency papers.

Another consequence of these labour restrictions is that Syrian refugees work without any legal protection or social security. In case injured on the workplace, Syrian workers are unable to sue their employers to demand compensation<sup>(16)</sup>.

## Conflict and tension related to labour issues

Despite tension between host communities and Syrian refugees related to social and economic issues, no violent incidents were reported except for scanty cases. The conflict map managed by Lebanon Support shows an increase of 31% in the number of conflict incidents<sup>(17)</sup> between 2015 and 2016: 3502 incidents were recorded in 2015 as opposed to 4605 in 2016. However, conflicts of «social discrimination» and «socio-economic development» are the two least frequented categories with respectively 169 and 98 mapped incidents in 2016. Some Lebanese civilians have been recently protesting against Syrian unfair labour competition and unemployment (15 incidents in 2017)<sup>(18)</sup>. According to the Lebanon Crisis Response Plan (LCRP), few dangerous incidents took place in 2015 such as the 2014 incidents of Aarsal and Tripoli, which have sternly affected stability in the relations between host communities and Syrian Refugees. However, according to the main perception surveys, tension remains high, along with a risk of violence propensity and confrontation between Syrian refugees and their Lebanese hosts<sup>(19)</sup>.

## Programs and initiatives

Two years after the beginning of the Syrian refugee crisis, the government of Lebanon has underlined job creation as a key priority for the stabilization from the Syrian conflicts on households, enterprises and communities<sup>(20)</sup>. In fact, the sector, in 2016 LCRP Livelihood Response, adopts an indirect approach towards access to income and employment. Instead of directly implementing income-generating activities, the livelihoods response entails investment in projects in the private sector and public institutions that in turn will lead to job creation. Taking into account the priorities and concerns of the government as stated in the Policy Paper, interventions will primarily target Lebanese vulnerable groups which will constitute the «entry point of all livelihoods interventions». Indirectly, these interventions will target Syrian and Palestinian refugees in compliance with the legal provisions that currently allow Syrians to work in agriculture, construction and cleaning. The most recent intervention is the job creation in labour intensive sectors mainly through the Subsidized Temporary Employment Programme (STEP). STEP is a three-year programme that aims to support several hundred SMEs through matching grants, business development services, and wage subsidies. This scheme provides financial incentives for enterprises to create new job opportunities for both Lebanese and Syrian nationals.

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(11) WFP/UNHCR/UNICEF. 2016. *Syrian Refugee Response: Vulnerability Assessment of Syrian Refugees 2016*.

(12) Centre for Transnational Development and Cooperation. 2015. *Syrian Refugees in Turkey: Gender Analysis*. [Online] Available at: <http://ctdc.org/analysis.pdf>

(13) UNHCR. 2016. «Children at Work: A Bigger Issue for Boys». [Online] Available at: <http://unhcr.org/FutureOfSyria/children-at-work.html>

(14) *Ibid.*

(15) Akram Susan et al. 2014. *Protecting Syrian Refugees: Laws, Policies, and Global Responsibility Sharing*. Boston: Boston University School of Law.

(16) *Ibid.*

(17) The Conflict Analysis Project defines conflict as follows: «Going beyond the view of conflict through a security framework associated with belligerency and violence, Lebanon Support upholds that conflict is of a socio-political nature. It thus sheds light on dynamics underlying a broad spectrum of violent and non-violent contentions including social movements, conflicts opposing minorities (ethnic, religious or sexual among others) as well as local, national or regional actors' policies». Available online: <http://civilsociety-centre.org/article/conflict-analysis-bulletin-issue-6-march-2017?language=en>

(18) Lebanon Support. 2017. *The Conflict Analysis Bulletin*, Civil Society Knowledge Centre, Issue 6, March 2017. Available online: <http://civilsociety-centre.org/article/conflict-analysis-bulletin-issue-6-march-2017?language=en>

(19) GOL and UN. 2015. *Lebanon Crisis Response Plan 2015-16, Year Two*, Beirut: Government of Lebanon/United Nations.

(20) GOL. 2013. *Lebanon Roadmap of Priority Interventions for Stabilization from the Syrian Conflict*. October 2013. Beirut: Government of Lebanon.