

**PROTECTION OF EMPLOYEES
(EXPOSURE OF OFFENCES OF UNETHICAL CONDUCT AND IMPROPER
ADMINISTRATION) LAW,
5757-1997**

Definitions.

1. In this Law "public body" means as body enumerated in the Schedule.

Protection of complainant.

2. An employer must not impair an employee's terms of employment and must not dismiss the employee submitted a complaint against his employer or against any other employee of that employer, or that he assisted another employee in submitting a complaint as aforesaid.

Jurisdiction and remedies.

3. (a) The Regional Labour Court shall have sole jurisdiction to hear any proceedings for a breach of the provisions of section 2, and it may -
 - (1) award compensation even where no monetary loss was caused, of such amount as it deems appropriate under the circumstances;
 - (2) issue an injunction or mandatory order, including an order revoking a dismissal, if it concludes that the award of compensation alone would not do justice; when considering whether to make an order under this section, the court shall take into consideration the effect that such an order may have on labour relations at the workplace and the possibility that another employer might be prejudiced, the provisions of this section shall have effect notwithstanding the provisions of section 3(2) of the Contracts (Remedies for Breach of Contract) Law 5731-1970.
- (b) The provisions of subsection (a)(2) shall apply to every employer who is a public body and also to every employer who is not a public body and who employs more than 25 employees.
- (c) Where the Regional Labour Court finds that a complaint submitted by the complainant or that the complaint in the submission of which he assisted was a false complaint, in circumstances in which the complainant knew or ought to have known this to be the case, then the Court shall not grant relief under this Law; where the Court finds that the complaint or the assistance in filing the complaint were also not in good faith, the Court may oblige the complainant, after giving him a reasonable opportunity of stating his arguments on this point, to pay compensation to the employer or to the other employee against whom the complaint was made.

Extent of protection.

4. Protection and relief under this Law shall only be afforded in respect of a complaint to which all the following apply:

- (1) the complaint was brought by the complainant in good faith, or the complainant assisted in the filing of the complaint in good faith;
- (2) the complaint was submitted in relation to the commission of an offence under any enactment in the workplace or in connection with the breach of legislation at the workplace or a breach of any legislation relating to the employee's work, or the employer's field of business activity, or in a public body - also where the complaint was filed in regard to unethical conduct or improper administration.
- (3) the complaint was filed with an authority competent to receive complaints, or competent the investigate the matter that is the subject of the complaint.

Prescription.

5A. Regional Labour Court shall not deal with a complaint for a breach of the provisions of this Law, which has been submitted later than twelve months after the day on which the grounds for the complaint arose.

Adding bodies to the schedule.

6. The Minister of Labour and Social Affairs may, with the approval of the Knesset Labour and Social Affairs Committee, add additional bodies to the list of public bodies in the Schedule.

SCHEDULE**(Section 1)****Public Body**

- (1) A Government Ministry and State institutions;
- (2) A Local Authority and any body corporate under its control;
- (3) A body corporate set up by law and also a Government Company, as defined in the Government Companies Law 5735-1975;
- (4) A body corporate, the running of whose business is subject of supervision or control in accordance with a Law that is dedicated to businesses of the category to which it belongs;
- (5) A recognized educational institution, as defined in the Compulsory Education Law 5709-1949;
- (6) An institution of higher learning, as defined in the Council for Higher Education Law 5748-1958;
- (7) A sick fund, as defined in the National Health Insurance Law 5754-1994;
- (8) An employee's organisation and an employer's organisation, as well as a body corporate controlled by them;
- (9) The World Zionist Organisation;
- (10) The Jewish Agency for Israel;
- (11) The Jewish National Fund;
- (12) Keren Hayesod - United Israel Appeal;
- (13) Every institution, fund or other body, in the management of which the government participates.

In this Schedule, "control" means the ability to direct the activity of the body corporate.