

# WORKERS UNION RESPONDS TO KAC STATEMENT; SIT-IN STILL UNDERWAY

## SEVERAL MPs TO JOIN PROTEST

By Meshaal Al-Enezi

**KUWAIT:** Kuwait Airways' labor union issued a statement yesterday confirming plans to stage a sit-in today despite a statement from the company a few days ago urging them to call off their protest. The union is protesting what it describes as violation of the rights of some Kuwaiti pilots who say that they have lost their benefits following the carrier's privatization procedures. Kuwait Airways Company (KAC) denied in a statement last Thursday any wrongdoings in terms of the workers' transfer procedures, but the union responded yesterday and accused KAC management of lack of transparency, and sending contradictory messages on whether the carrier has fully been privatized or remains under the state's control.

Several MPs are expected to join the sit-in that is reportedly going to take place outside Kuwait Airway's building. The workers claim that KAC has violated their rights by canceling some of the privileges they enjoy as public service employees while the carrier is still yet to become fully privatized. They also argue that forcing them to sign papers by which they become eligible to transfer to other state departments is illegal.

### Following closely

Meanwhile, Secretary General of Petroleum and Petrochemical Industry Workers Union Hazim Al-Enezi said his union is following closely happenings at Kuwait Airways in the form of arguments

and undermining the rights of national labor and marginalizing the union's role and ignoring its demands. "KAC should not take this role lightly, especially since aviation is among the sensitive and vital sectors that must be the focus of state officials to safeguard the national economy and daily aviation operations," he said.

Enezi said the union's announcement to hold a sit-in at the KAC headquarters came after exhausting all available means for the union and workers in receiving their incentives and rights, which they did not demand until after they were sure that they deserve them. Enezi said the KAC management must accept the union's demands by forming a special committee to negotiate with the union's management and reduce tensions.

He said the random employment policy behind closed doors based on influence and high salaries is unfair towards nationally qualified workers from within KAC, who are more efficient in leading their sector due to their experience in this field. Employment from outside will make bad things worse and take the aviation sector into uncharted territory and deteriorating service, and restoring Kuwait aviation to what it was before. He said taking a lead in development, dominance and international competition only comes with the choice of the right person in the right place. Enezi said his union supports demands of KAC workers and expresses hope that KAC understands workers' demands and its serious attempts to resolve and contain the problem.

### Pollution allowances

In other news, the Union of Workers at the Ministry of Electricity and Water (MEW) asked the Civil Service Commission to approve risk and pollution allowance for all workers at electric power stations, who are working under pressure and in high magnetic fields, in addition to pollution, incendiary chemicals and a nitrogen stock that is dangerous to lives and safety of workers at all stations. Secretary General of MEW's Union Nawaf Buyabes said the Civil Service Commission (CSC) did not do justice to a large number of workers at the power stations when it approved risk allowances for certain departments and rejected it for others, although the nature of work is the same for all. Buyabes said the work being done by workers at power stations is a great one and deserves more than just allowances that took a long time to approve although they are as low as KD 30-35.

### Power restored

The appeals court ruled to restore power to a violating house after MEW cut electricity to the building, then refused to restore it. Lawyer Nasser Al-Ajmi filed a complaint on behalf of his client, because power supply cannot be interrupted without a court ruling.

### Housing projects

Director of the Public Authority for Housing Welfare (PAHW) Bader Al-Wuqayan asked for allocating the site adjacent to West Abdullah Al-Mubarak project to the PAHW. He said that there is an area that is

adjacent to the project that can be used to increase the number of housing lots. In other news, Deputy Premier and Finance Minister Anas Al-Saleh asked Kuwait Municipality to send the time schedule for the start and end of infrastructure works for blocks 3 and 4 in Khaitan. Saleh said the finance ministry wrote to the municipality on Sept 27, 2016, but did not receive an answer so far. Assistant Undersecretary for State Property Affairs Adel Al-Manae wrote to the municipality director about developing and upgrading infrastructure for state lots that are to be sold in a public auction.

### Construction violations

Municipality Director General Mohammad Al-Manfouhi issued a circular stating that the new municipality law 33/2016 is now active and tackles violations in construction, and stipulates severe punishments for engineering offices, engineers or supervisors who build without a license. It includes a minimum fine of KD 5,000 and a maximum fine of KD 10,000, revoking the engineering office's license and deporting non-Kuwaiti violators administratively.

### Financial hub

Kuwait Municipality will put forward five development projects to contribute to making Kuwait a financial and commercial hub. These projects are the solid waste factory, a culture center in Egaila, Abdullah Al-Ahmad Street, Jahra seafont and Khuwaisat project, all according to the public-private-partnership (PPP) system.



# ILLEGAL CONSTRUCTION VIOLATIONS REMOVED

By Hanan Al-Saadoun

**KUWAIT:** Kuwait Municipality's public relations department said two real estate owners removed violations after receiving warnings about illegal constructions which included building a service floor and a suspended floor that were not in agreement with the construction plans. The irregularities were discovered during a recent cam-

aign in Salmiya that saw the issuance of six citations related to additional constructions at buildings.

### Liquor possession

Police patrols arrested an Asian man with possession of 56 bottles suspected of containing liquor. The suspect, an Indian, was sent with the bottles to concerned authorities.

### Meeting

A coordination meeting was held at the office of the comprehensive court president Adel Buresli along with Director General of the Investigations Department Maj Gen Dr Fahd Al-Dousary, deputy director generals and heads of the prosecution. The meeting resulted in simplifying procedures for misdemeanors and traffic accidents.



## KUWAITI PROJECTS AUTHORITY RECEIVES TENDERS FOR MANAGING SUBSCRIPTION

**KUWAIT:** The Public-Private Partnership Projects Authority declared yesterday it received five tenders from local banks and financial companies to manage public subscription of the First North Al-Zour Company shares. The authority said in a statement that the stocks, picked up for the public subscription, amounts to 50 percent of the company's capital, at a nominal value of 100 fils per share.

The bidding companies are the National Investment Company, Kamco Investment Company, the International House, the Kuwaiti Financial Center and the Kuwaiti Company for Financing and Investment. The tendering was conducted accord-

ing to the Law 39/2010, stipulating terms for establishing Kuwaiti shareholding companies, to be tasked with building hydroelectric stations, and its amendments, incorporating call among citizens for subscribing. A consultancy commission will be in charge of examining bidders' qualifications and eligibility of citizens who would buy the stakes.

The first phase of the project for producing electricity and desalinating water is run by a consortium. The station's commercial operation began on November 26. It has a capacity of minimum 1,500 MW and produces no less than 102 and no more than 107 imperial gallons of desalinated water. —KUNA



**KUWAIT:** EPA Chairman Sheikh Abdullah Ahmad Al-Humoud Al-Sabah and Director of a Fraunhofer branch Dr Andreas Horning sign the deal. —KUNA

## EPA SIGNS WASTE DISPOSAL DEAL WITH GERMAN FIRM

**KUWAIT:** The Environment Public Authority has signed a contract for a project to form a comprehensive database on waste management in the country, in collaboration with Germany's Fraunhofer Institute for Environmental, Safety and Energy Technology (UMSICHT).

In a statement to the press after signing the deal yesterday, EPA Chairman and Director General Sheikh Abdullah Ahmad Al-Humoud Al-Sabah said that the project comprises efforts to abide by environmental protection laws, which entail constant inspection to ensure environmental conservation.

Moreover, he added that Kuwait can no longer withstand waste piles as a result of scarce land, noting that around a million tons of waste is produced annually, with 88 percent of it being non-recyclable. On the environment protection laws, the EPA Chairman said the laws have been enacted to help draw a roadmap on how to better deal with mounting waste.

Meanwhile, Director of a Fraunhofer branch Dr Andreas Horning described the project as a creative and ambitious one, noting that part of the project includes continuous online inspection of waste management.

He also touted Fraunhofer as a leading research-based organization that is well-versed in waste management as the EPA stands to gain from such expertise. Horning foreboded that with similar waste disposal projects, there will be a palpable amelioration in environmental conditions in the country, which will help bring EPA's strategy of waste management to fruition. —KUNA



**KUWAIT:** The International Islamic Charity Organization (IICO) hosted a charity bazar yesterday at its building for carpets made by Syrian refugees in refugee camps. Returns of the bazar, which was organized in cooperation with the International Organization for Migration, will go for Syrian refugees. —Photos by Yasser Al-Zayyat

Legalese

## RESIGNATION

By Attorney Fajer Ahmed

**I** know the employment law is a recurring topic for me to write about and for my readers, but I still get a concerning amount of queries and even more employment cases at court. It is very disappointing to see foreign employees not being treated well and being taken advantage of, when they have not done anything wrong. There are amazing employers out there that treat their employees with love and respect as if they are family. I do not want to make anyone fearful, but I want to write about preventive measures that you can take to avoid such issues in the future.

### 'Not resigning properly'

**Question:** I have resigned but I am now being sued for not resigning properly and I do not understand the situation. I clearly remember giving in my resignation. What can I do?

**Fajer:** Before I can answer your question on what you can do now, I want to talk about what you could have done when you were giving in your resignation. Always make sure of the following:

1. Your resignation needs to be signed by both parties.
2. It needs to be stamped.
3. There should be proof of receipt.
4. Do not resign because of pressure - instead, ask for a termination.

You are not being sued for not resigning properly, but probably for not terminating your contract legally, as maybe your contract got renewed. Let me give an example of a client I had last week. He resigned, but he did not do it properly, so his employer turned around and said - you have not resigned and therefore you owe us money till the end of your contract because your contract renewed automatically.

Now if you are being sued because your resignation letter was not drafted properly, this means your employer knows that your termination letter will not hold up in court. Unfortunately and fortunately, companies have a lot more power and are more aware of the legal situations, and have experience in court. Of course, there are many companies out there that do treat their employees with respect and are fair. But it is better that you are aware of your situation, and I suggest regardless of how your employer treats you, always protect yourself.

Now if you are being sued, or more correctly, there is a legal complaint against you at the shuoon (Ministry of Social Affairs and Labor), you need to hire a lawyer. I know lawyers can be expensive, but it is better to do it the right way. Talk to your lawyer about your financial situation and even more importantly what you would like to get out of.

### The consequences

**Question:** It is a shame that I am being sued when I did not do anything wrong, and I cannot leave the country. I do not understand what are the consequences.

**Fajer:** It depends on what evidence they have against you, even if it is not genuine. For example, if you do not have proof that you resigned - let us say you resigned via a text message or an email that is no longer there or you do not have access to, or a termination letter that is not signed, then unfortunately, your employer has leverage against you. They can block you from traveling, they can ask you to pay amounts (I have spoken about this) and they can make sure you do not get transferred to any other employer in Kuwait.

I know as a lawyer I am always discussing worst-case scenarios and not entirely positive things, but I want you all to know that there are a lot of nice people out there who commit acts of kindness. Please do your research before taking any steps.

For any legal questions, queries or if you need legal assistance, email ask@fajerthelawyer.com