



Temporary and Contract Worker Unionization Rights

Panama • Peru

July 2007

LL File No. 2007-04094
LRA-D-PUB-000632

This report is provided for reference purposes only.
It does not constitute legal advice and does not represent the official
opinion of the United States Government. The information provided
reflects research undertaken as of the date of writing.
It has not been updated.

2007-04094

LAW LIBRARY OF CONGRESS

PANAMA

TEMPORARY AND CONTRACT WORKER UNIONIZATION RIGHTS

The Panama Labor Code regulates labor performed by temporary and permanent employees.¹ Article 335 of the Code provides that employees, employers, and professionals have the right to form and join unions, regardless of the profession, activity or type of work performed.²

Prepared by Gustavo Guerra
Senior Foreign Law Specialist
July 2007

¹ Código de Trabajo de la República de Panamá (Panama Labor Code, as amended), Gaceta Oficial, Issue # 17.040, Feb. 18, 1972, art. 73.

² *Id.*, art. 335.

LAW LIBRARY OF CONGRESS

PERU

TEMPORARY AND CONTRACT WORKER UNIONIZATION RIGHTS

The right to unionize is recognized and guaranteed in the Peruvian Constitution.¹ The Law on Collective Labor Relations² provides that any worker that is not part of the employer's management may become a member of a union if he or she is not a member of another union.³ Even workers during a probationary period may become members of the union.⁴

Temporary workers such as seasonal, occasional, substitute, or emergency personnel⁵ are accorded the same rights as permanent workers.⁶

Prepared by
Graciela Rodriguez-Ferrand
Senior Foreign Legal Specialist
July 2007

¹ CONSTITUCION POLITICA DEL PERU, El Peruano (E.P.) Dec. 31, 1993, art. 28.

² LEY DE RELACIONES COLECTIVAS DEL TRABAJO, NO. 25593 AS AMENDED BY LAW 27912 of Jan. 6, 2003 in E.P., Jan 7, 2003, art. 12

³ *Id.*

⁴ *Id.* Last paragraph.

⁵ TEXTO UNICO ORDENADO DEL DECRETO LEGISLATIVO NO 728 LEY DE PRODUCTIVIDAD Y COMPETITIVIDAD LABORAL, of March, 27, 1997 in E.P., Mar. 27, 1997, arts. 53-56.

⁶ *Id.* art. 79.