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# Labor Prosecutor: A Proposed Model for Optimal Labor Adjudication

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## ABSTRACT

In the Iranian labor adjudication system, despite the growing importance of labor relations and their increasing legal complexity, the absence of a specialized institution such as a labor prosecutor has reduced efficiency, fairness, and effective protection of the rights of workers and employers. Achieving justice in the regulation of labor relations requires specialized and efficient institutions capable of providing balanced protection for the rights of both parties. The establishment of a labor prosecutor, as an advocate for workers' interests and a supervisor of the proper implementation of labor laws, plays a fundamental role in preventing the violation of their rights and enhancing judicial integrity. Furthermore, by combining judicial and supervisory competencies, the labor prosecutor assumes a deterrent role against violations, while the design of transparent mechanisms for appointment and removal ensures institutional independence. Ultimately, the establishment of such an institution contributes to structural coherence within the judicial system and enhances the efficiency of labor adjudication processes. This article, adopting a descriptive–analytical approach, examines the necessity of such an institution, identifies existing gaps in the Iranian labor adjudication system, and proposes solutions for its institutionalization. The findings indicate that the creation of a specialized institution in labor adjudication can strengthen social justice, protect fundamental labor rights, increase public trust in the judicial system, and facilitate sustainable development in labor relations.

**Keywords:** *Labor Law, Labor Adjudication, Labor Prosecutor, Labor Disputes*

## Introduction

The labor prosecutor, as an independent and specialized institution, plays an important role in supervising the proper implementation of labor laws, defending public interests, and preventing the violation of the rights of the workforce. This institution, by possessing legal powers and the necessary expertise, can intervene in cases where workers' rights are violated and take the necessary judicial measures. In many countries, labor courts are regarded as guarantors of justice in the field of labor relations, and their presence has enhanced judicial integrity and increased public trust in the adjudication system. By acting as a supervisory authority over the proper implementation of labor laws, the labor prosecutor prevents the violation of the fundamental rights of the workforce



and, where the interests of workers and, consequently, public interests are threatened, intervenes as a claimant for workers' rights. In addition, the continuous monitoring of structural problems and current challenges in the labor and production community requires a specialized and independent institution capable of analyzing data and field reports and thereby preparing the ground for legal and executive reforms in the field of labor relations. Therefore, the establishment of the office of labor prosecutor is not only legally justified, but also functionally capable of playing an effective role in promoting justice and protecting collective rights.

Challenging labor-law cases in recent years indicate that the Iranian legal system needs an authority capable of exercising effective supervision over relations between workers and employers. Given the daily expansion of economic activities, legal complexities in the field of labor relations have also increased, which has made the need to reconsider the legal and executive structures related to labor adjudication even more urgent. Under such circumstances, the existence of a specialized and efficient institution capable of providing balanced support for the rights of both parties to a dispute is of considerable importance.

The existence of an institution called the labor prosecutor is legally necessary, particularly within the framework of labor adjudication, because in many cases, administrative decisions related to the field of labor lack a specific beneficiary, while their effects are collectively imposed on the worker or employer community. Under such circumstances, the absence of an official representative to defend public interests creates a gap in the adjudication process and reduces the effectiveness of judicial supervision. The main research question is: what mechanisms are necessary for establishing a labor prosecutor in the Iranian labor adjudication system, and how do such institutions contribute to the promotion of justice and efficiency? The research method of this study is descriptive and analytical, and the data were collected through library research and digital sources. By using books, articles, translations, and online databases, the author extracted and analyzed the available information. It is hoped that the findings of this research can serve as an effective step toward realizing social justice, protecting the fundamental rights of the workforce, and enhancing public trust in the national judicial system.

### **Theoretical Foundations and the Philosophy of Establishing the Institution of Labor Prosecutor**

To formulate the proposed model of the labor prosecutor for supervising and enforcing labor law, it is first necessary to explain the existential philosophy of the labor prosecutor and then clarify its objectives, duties, appointment and removal process, and related matters.

Labor law, as one of the most important branches of public law, has the task of regulating relations between workers and employers and protecting the fundamental rights of the workforce. This law has not only an economic dimension, but also social, cultural, and even political dimensions. Since the proper and effective enforcement of labor-law regulations requires strong enforcement guarantees, the existence of an independent and specialized institution called the labor prosecutor appears necessary as a supervisory and judicial arm.

The theoretical foundations of the labor prosecutor are based on the principle that labor relations, unlike other private contracts, have broad social and economic effects, and the violation of labor rights harms not only the worker or employer but also society and public order. Therefore, the need arises for an independent and specialized institution to supervise the proper implementation of labor laws. Within this framework, the labor prosecutor, as a representative of society, has the duty to protect social justice, job security, and compliance with legal standards in workplaces and, through a preventive approach, to prevent the expansion of worker-related and employer-related violations.

One legal scholar believes that the principles of adjudication are general matters that function as a criterion for evaluating the outcome of proceedings and for organizing the acts and measures of the parties and the adjudicatory process (1). The principles of proceedings in the labor prosecutor's office are also shaped on the basis of protecting the fundamental rights of workers and employers and guaranteeing justice in labor relations, and the labor prosecutor must act according to the principle of protecting the collective and individual rights of workers.

After the enactment of the Labor Law, the establishment of predetermined conditions and standards governing employer-worker relations, and the broad scope acquired by labor law, specialized authorities have usually been designated for disputes because of the need for precision, speed, and expertise (2). The philosophy of the labor prosecutor is also based on the idea that this institution, as one of the specialized authorities in labor relations, should direct its duties and powers exclusively toward the field of labor and the relations between workers and employers. Within this framework, by focusing on issues related to labor relations, the labor prosecutor will have a special position in the legal system, and its role will be distinguished from that of general authorities. Unlike the public prosecutor, who has general competence in prosecuting crimes, the labor prosecutor is a specialized institution whose main mission is to supervise the proper implementation of labor laws, pursue violations related to the rights of workers and employers, and defend public interests in the field of labor relations. This specialized focus enables the labor prosecutor to contribute more efficiently to the realization of social justice in the field of labor.

Despite the advantages of the labor adjudication system, there are also challenges that require structural reforms. In the current structure, there is no institution for pursuing the public rights of workers and supervising the implementation of justice. Moreover, the dependence of dispute resolution authorities on the Ministry of Labor may undermine judicial independence.

### **Objectives of the Labor Prosecutor**

#### *Acting as Public Claimant in the Field of Labor Relations*

The existence of any right in society requires a mechanism to protect it, because in society the state, as the legislator and creator of rights, is responsible for creating such rights. On the other hand, the state's next role is to implement these laws, and ultimately its second function is to supervise how rights are implemented, particularly those rights that are exercised by the people and whose proper implementation requires institutional supervision and confrontation with violations (3).

The labor prosecutor has the capacity to intervene where violations of workers' rights occur broadly and collectively, without the need for an individual complaint. This feature is highly important because many workers may be unable to act independently due to financial limitations, job-security concerns, or lack of awareness of their rights.

The intervention of the labor prosecutor in such cases ensures that employer violations are addressed at a macro level and that the rights of a large number of workers are simultaneously vindicated. This action not only prevents the waste of workers' time and energy, but also facilitates the adjudication process.

This approach demonstrates the supportive and preventive role of the labor prosecutor. Through direct intervention, the labor prosecutor can prevent the continuation of violations and send a clear message to employers that widespread violations of workers' rights will not remain unanswered. Workers will also be assured that even

where they are individually unable to act, there is a powerful institution that defends their rights and establishes social justice in workplaces.

### *Creating Deterrence to Prevent Violations and Crimes*

The active presence of the labor prosecutor plays a serious deterrent role in labor relations. When employers know that an independent and authoritative institution exists to monitor violations and pursue the enforcement of sanctions, the probability of committing violations is significantly reduced. This awareness causes employers to act cautiously in their decisions and conduct and to comply with labor-law regulations.

Pursuant to Clause 5 of Article 156 of the Constitution, preventing the occurrence of crime through appropriate measures is a duty of the judiciary. The prosecutor's office is an independent part of the judiciary that stands at the forefront of combating crimes and arresting offenders, especially crimes that have a public dimension or in which the public aspect of the crime outweighs its private aspect. The prosecutor's office, consisting of the prosecutor, investigating judge, and deputy prosecutor, together with administrative staff, has the serious duty of forming criminal files, conducting preliminary investigations, and obtaining evidence of the commission of crimes. The prosecutor, as the public claimant, has a more prominent role than other judicial officers of the prosecutor's office in this regard. Naturally, the practical performance of the duties of the judicial authorities of the prosecutor's office in this respect begins after the commission of a crime, and they perform their role in accordance with the provisions of criminal procedure, which are provided from Article 1 to Article 176 of the Code of Criminal Procedure (4).

Through active presence, the labor prosecutor both compels employers to comply with the law and reassures workers of legal protection. Thus, the role of the labor prosecutor goes beyond the enforcement of sanctions; through the creation of a deterrent environment and effective supervision, the labor prosecutor provides the ground for sustainable justice in labor relations.

One of the most important and fundamental ways to reduce crimes and confront them is to prevent the occurrence of criminal conduct. In this regard, the prosecutor has a key and central role, such that by reflecting these strategies in the course of performing duties, the prosecutor can play an effective role in reducing crimes (5).

The labor prosecutor can also supervise other institutions related to labor relations. Such supervision ensures not only that labor law is fully implemented, but also that its efficiency and effectiveness are preserved in practice.

### *Specialized Handling of Labor Disputes*

Because of their particular nature, labor disputes differ fundamentally from other legal disputes. These disputes usually involve issues such as employment contracts, wages, working hours, insurance, occupational safety and health, and the social rights of workers. The complexity of these matters requires more than general legal knowledge for their adjudication.

Since labor relations are formed within a social and economic context, familiarity with social rights and specific labor regulations is especially important. Without such specialized knowledge, judicial decisions may fail to fully establish justice or properly protect the rights of workers and employers.

By focusing on the field of labor relations and social rights, the labor prosecutor can play a key role. Through specialized handling of cases, this institution can examine labor cases more carefully and prevent errors arising from lack of knowledge. The result of this focus will be faster and more accurate handling of labor disputes.

### *Supervision over the Proper Implementation of Legal Guarantees*

The existence of the labor prosecutor gives labor law a practical and executive character. In many cases, although laws are drafted in written form and with protective objectives, without enforcement guarantees and a powerful supervisory institution, they remain merely recommendations or ideals. Through active intervention in the field of labor relations, the labor prosecutor fills this gap and removes the law from a purely theoretical state. By pursuing violations and applying legal sanctions, this institution can demonstrate that labor law is not merely a set of moral or ideal principles, but a binding and real legal system.

The presence of the labor prosecutor ensures that social justice is tangibly realized in workplaces and, by performing supervisory and executive roles, transforms labor law into a real and efficient legal system.

### **Powers and Duties of the Labor Prosecutor**

According to the Constitution, authorities and bodies within the judiciary must be able, in performing their duties related to the revival of public rights, to deal appropriately, promptly, and effectively with factors that violate those rights, whether human, nonhuman, or otherwise, in a manner that permits the maximum possible restoration and revival of public rights and resources. However, this necessity does not prevent the exercise of the foregoing general competence in a system based on the theory of the rule of law from being carried out in accordance with laws and regulations that define the limits and scope of those duties (6).

### *Supervision over the Performance of Dispute Resolution Authorities and Labor Inspectors*

The labor prosecutor, as a specialized institution within the judicial structure, has the competence to supervise cases concerning labor relations, whether civil or criminal. This special position enables the labor prosecutor both to supervise the process of handling worker-employer disputes and to evaluate the performance of labor dispute resolution authorities and labor inspectors. Such competence plays an important role in guaranteeing social justice and the proper implementation of labor law.

One of the most important duties of the labor prosecutor is to supervise the implementation of labor law. This supervision includes examining working conditions, matters related to workers' safety, and the application of sanctions prescribed in Chapter 11 of the Labor Law. Through this supervision, the labor prosecutor can prevent the violation of workers' rights and require employers to comply with legal standards.

Another duty of the labor prosecutor is to examine violations committed by members of dispute resolution authorities. If members of these authorities commit violations in the adjudication process, the labor prosecutor is required to report the matter to administrative misconduct boards and judicial authorities.

In addition, the labor prosecutor has competence to supervise the implementation of criminal laws related to occupational accidents. By examining related files, the labor prosecutor can submit necessary reform proposals to the head of the judiciary so that legal gaps are removed and the labor-law system becomes more efficient in dealing with potential occupational accidents.

In sum, the supervisory powers of the labor prosecutor include supervision over the implementation of labor law, examination of violations by dispute resolution authorities, and supervision over criminal laws related to occupational accidents.

### *Issuing Orders for the Supervision of High-Risk Workshops*

According to Article 19 of Convention No. 174 of the International Labour Organization concerning the prevention of major industrial accidents, the competent authority must have the right to suspend any operation that involves imminent danger. The duty of the labor prosecutor in supervising high-risk workshops is one of the most important preventive measures in the field of occupational safety and health. Based on inspectors' reports or workers' complaints, the labor prosecutor may issue an order for more precise and continuous supervision over workshops in which the probability of an accident is high. This order usually includes examination of equipment, safety conditions, training provided to workers, and compliance with safety regulations. The main purpose of this duty is to prevent accidents such as explosions, fires, falls from height, or contact with hazardous substances. Through legal and supervisory pressure, the labor prosecutor requires employers to comply with safety standards. The labor prosecutor may cooperate with organizations such as the fire department or the Ministry of Health to make supervision more comprehensive and effective.

If labor inspectors have failed to perform their duties or have not exercised sufficient supervision over high-risk workshops, the labor prosecutor is required to issue the necessary warnings to them. Such warnings may include requiring a renewed inspection, preparing a more precise report, or even referring violations to judicial authorities.

### *Pursuing Crimes Related to Chapter 11 of the Labor Law*

In Chapter 11 of the Labor Law of the Islamic Republic of Iran, which is devoted to crimes and punishments, Articles 171 to 186, the role of the labor prosecutor in pursuing labor crimes related to violations by employers and workshop managers is highly important and decisive.

As the prosecuting authority, the prosecutor may, upon becoming aware of a violation of labor-law regulations, such as failure to observe safety rules, forced labor, or nonpayment of wages, issue an order for judicial prosecution.

Reports by labor inspectors concerning violations in workshops form the basis for action by the labor prosecutor in opening a criminal case against the employer or the relevant managers. Labor inspectors, as executive supervisors of the law, are required to document violations and report them to judicial authorities. After receiving these reports, the prosecutor examines them and, where sufficient evidence exists, initiates the necessary judicial measures. This cooperation between inspectors and the labor prosecutor serves as a guarantee for the implementation of labor law and the protection of workers' rights.

Where a violation leads to an accident such as bodily impairment or the death of a worker, the labor prosecutor is required to refer the case to the criminal court so that, in addition to the penalties provided under labor law, criminal penalties are also applied.

Despite the provision of criminal enforcement guarantees in labor law, weakness in the implementation of these guarantees has caused many violations by employers, and even workers, to remain without effective pursuit.

The penalties prescribed in labor law, such as fines or deprivation of certain rights, are not fully implemented in practice. With the expansion of temporary contracts, subcontracting, and new forms of employment, the need for a specialized institution is felt more than ever. The labor prosecutor can act as a defender of public interests and prevent the violation of workers' rights.

### *Supervision over the Enforcement of Judgments and Sanctions*

In the system of public courts, the enforcement of judgments was initially carried out under the supervision of the judge who issued the decision. This method was such that after issuing the judgment, the judge also assumed responsibility for supervising its enforcement, and the enforcement process depended directly on the judge's decision and management. With the amendment of the Law on the Formation of Public and Revolutionary Courts in 2002 and then the enactment of the Code of Criminal Procedure in 2013, an important change occurred in this structure. According to these reforms, the section related to the enforcement of criminal judgments was separated from the courts and transferred to the prosecutor's office. Under this new structure, the prosecutor, as the highest authority of the prosecutor's office, assumed responsibility for the enforcement of criminal judgments.

According to Article 484 of the Code of Criminal Procedure, the enforcement of criminal judgments officially falls within the competence of the prosecutor. In addition, in areas where the head of the judiciary so determines, the deputy office for the enforcement of criminal judgments, under the presidency and supervision of the prosecutor in the prosecutor's office, will be responsible for performing this duty. These changes led to greater concentration of executive duties in the prosecutor's office and increased coherence in the process of enforcing criminal judgments.

Many violations by employers, or even workers, in labor law are accompanied by specific and predetermined sanctions. These sanctions are designed as deterrent tools to prevent violations of workers' rights and disregard for employers' legal duties. The existence of such guarantees demonstrates the seriousness of the law in supporting justice in labor relations.

However, the mere existence of sanctions in the text of the law is not sufficient. If there is no executive mechanism and powerful supervisory institution, these guarantees will in practice become ineffective. Under such circumstances, violations may continue and workers' rights may still be undermined. This is where the role of an institution such as the labor prosecutor becomes important. This institution can directly supervise the implementation of the law and carry out the necessary follow-up in the event of violations. The presence of the labor prosecutor ensures that sanctions move beyond theory and are implemented in practice. A powerful institution for supervising and enforcing labor law is necessary. With such an institution, it can be ensured that the sanctions prescribed in labor law are actually applied and that justice is established in workplaces.

### **Pursuing Violations or Crimes Committed by Labor Inspectors**

Pursuant to Article 63 of the Code of Criminal Procedure enacted in 2013, a disciplinary enforcement guarantee, namely suspension from government service for three months to one year, is provided for judicial officers who exceed the limits of their legal duties. In addition to the disciplinary enforcement guarantee, Article 30 of the same law provides for the invalidity of actions taken by judicial officers. This means that if judicial officers act outside the limits of their competence or contrary to legal provisions, their actions will lack validity and will be regarded as void. This rule demonstrates the importance of strict compliance with the law in the preliminary investigation process and the guarantee of individuals' rights.

Therefore, by providing two types of enforcement guarantees, disciplinary sanction under Article 63 and invalidity under Article 30, the Code of Criminal Procedure has sought to control the conduct of judicial officers both disciplinarily and substantively and to prevent any infringement upon individuals' rights.

The labor prosecutor must have the authority to follow up where a violation by labor inspectors is observed or reported. This is one of the important supervisory tools in Iranian labor law, designed to preserve the integrity of the inspection process and prevent corruption or negligence in the implementation of the law.

Under labor law, labor inspectors are recognized as judicial officers and are responsible for supervising the implementation of regulations on safety, health, workers' rights, and working conditions. However, if these inspectors themselves commit violations, the labor prosecutor must intervene.

Judicial officers have important duties, and the proper performance of these duties is highly effective in preventing and detecting crimes, preserving their traces and signs, identifying the perpetrator, and, where criminal prosecution has begun, forming and completing a complete and clear file. For this reason, given that the results of the measures and reports of judicial officers may affect the prevention of crime or, in the event of criminal prosecution, the judicial fate of the accused, it is necessary for the judicial authority to supervise how they perform their duties (7).

The labor prosecutor can examine inspection reports and follow up the matter in the event of inconsistency, negligence, or violation. Violations may include overlooking an employer's violation, receiving bribes, preparing false reports, or failing to perform legal duties. If a violation is proven, the labor prosecutor is required to report the matter to the competent prosecutor's office or court. This action may lead to suspension, dismissal from service, or even criminal prosecution of the offending inspectors.

This authority of the labor prosecutor causes labor inspectors to exercise greater care in performing their duties and to avoid any corruption or collusion with employers. It also increases public trust in the inspection process and the implementation of labor law. This authority derives from the position of the labor prosecutor as a judicial authority and has also been emphasized in the laws related to judicial officers and criminal procedure.

### **Institutional Position of the Labor Prosecutor in the Judiciary**

The institution of the labor prosecutor must be able to independently supervise the enforcement of labor-law sanctions and prevent the violation of workers' rights. The main question is under which section of the judiciary this institution should be placed: the Administrative Justice Court, the Supreme Court, or the Office of the Prosecutor General.

In analyzing the creation of the labor prosecutor's office, it must first be noted that the concept of prosecutor is associated in the public mind with the duty of protecting public rights and safeguarding the general interests of society. This perception is rooted in the traditional and legal role of the prosecutor as the representative of society in prosecuting crimes and guaranteeing the implementation of justice.

The labor prosecutor intervenes to protect the interests of a particular group of society, such as workers. This situation raises questions concerning the limits of the duties of the labor prosecutor and the interpretation of the concept of public rights. Are occupational or group interests, such as workers' rights, included among public rights? Or does the intervention of an authority called the labor prosecutor in such fields require a new definition and clarification of the labor prosecutor's duties?

In this regard, it is necessary to clearly distinguish between public rights as a comprehensive concept and the interests of a specific group as part of society. This distinction is not only effective in understanding the legal position of the labor prosecutor, but also plays a decisive role in determining the limits of the labor prosecutor's intervention in disputes related to occupational rights.

An examination of certain constitutional principles that use expressions such as public and rights shows that public rights have been used in the sense of public and general rights and interests. This inference is strengthened by the fact that, in the language of legal scholars and Islamic thinkers, public rights are the same as general rights. This point becomes important because legal scholars played an effective role in drafting the Constitution (8).

In addition to public and general rights, in some cases the rights of individuals may also be regarded as public rights. From this perspective, public rights apply where the multiplicity of beneficiaries expands the scope of the exercise or violation of the right, or where the violated rights are among the fundamental rights of individuals. Although the direct beneficiaries are individuals rather than society, the high number of beneficiaries causes such rights to be regarded as public rights under a case-based approach. Accordingly, public rights can be understood as including not only public and collective rights and interests, but also individual rights and interests (8).

### **Options for the Institutional Position of the Labor Prosecutor**

#### *Administrative Justice Court*

The Administrative Justice Court is a judicial institution whose main duty is to hear complaints by people against administrative decisions and actions of government bodies. As the highest authority in the field of labor-relations disputes, this court plays an important role in guaranteeing workers' rights and preventing violations by labor dispute resolution authorities, and it has a special position in the national legal system.

If the labor prosecutor operates as a subdivision of the Administrative Justice Court, the main focus of its duties will be on violations arising from unfair regulations, rules, and directives of the Ministry of Labor. This would make it possible to handle administrative violations related to labor relations more quickly and effectively. Such a model can increase the efficiency of the administrative supervision system and provide greater protection for workers' rights against unlawful administrative decisions.

This structure also has weaknesses. Its most important weakness is the limitation of the labor prosecutor's role to the administrative sphere and the reduction of deterrent power against administrative violations. Under such circumstances, the labor prosecutor cannot fully intervene in criminal offenses related to labor relations, and this may reduce institutional effectiveness and weaken the enforcement guarantees of labor laws.

#### *Supreme Court*

The Supreme Court, as the highest judicial authority, has the main duty of supervising the proper implementation of laws and court decisions. Given its special position in the judicial structure of the country, this institution plays an important role in guaranteeing uniformity of judicial practice and preventing deviations in the application of laws. The presence of any judicial institution at this level means that it enjoys broad supervisory authority and a high position in the legal system.

If the labor prosecutor is placed within the Supreme Court, its role will be more macro-supervisory in nature. In this case, the main focus will be on examining how labor laws are implemented in courts and supervising issued judgments. Such a position can enhance the level of supervision over worker-employer disputes and prevent the issuance of conflicting or unlawful judgments.

The advantage of this model is that the labor prosecutor will enjoy a high position and broad supervisory authority. This means that the labor prosecutor's decisions and actions will have strong judicial support and will influence the

implementation of labor laws at a macro level. In addition, placement within the Supreme Court can strengthen the institutional independence of the labor prosecutor and elevate its position within the judicial system.

The weakness of this model lies in its distance from the daily disputes of workers and the likelihood of delay in addressing practical violations. A focus on macro-supervision may cause minor and daily problems of workers to receive less attention, and the process of dealing with practical violations may be delayed. Therefore, although the placement of the labor prosecutor in the Supreme Court has significant supervisory advantages, a mechanism must be provided to maintain effective connection with daily disputes and ensure rapid handling of violations.

### *Office of the Prosecutor General*

The Office of the Prosecutor General is responsible for supervising prosecutor's offices and the implementation of laws and, as the highest authority over prosecutor's offices, plays an important role in guaranteeing the proper implementation of justice. Within this framework, the creation of a labor prosecutor's office or specialized labor prosecutor's office under the supervision of the prosecutor general can be proposed as the best option, because this institution will be able to intervene directly in the field of labor relations and address existing gaps in the handling of worker-employer disputes.

An important feature of the labor prosecutor's office is its institutional independence. This independence ensures that the decisions of this institution remain protected from political and economic pressures and that labor disputes are handled with greater impartiality and fairness. In addition, the labor prosecutor's office can cover both the criminal aspect of violations by employers and workers and the administrative aspect arising from violations of labor regulations. Such a combination enables justice in labor relations to be realized more comprehensively.

The main advantage of this model lies in the combination of macro-supervision with practical and specialized adjudication. The Office of the Prosecutor General, through its supervisory position, can supervise the performance of the labor prosecutor's office, while the labor prosecutor's office can specialize in the details of labor disputes. This institutional synergy allows the labor adjudication system to benefit both from macro-supervisory power and from efficiency in specialized proceedings.

The weakness of this model lies in the need to reform the structure and create a new section within the Office of the Prosecutor General. The formation of a labor prosecutor's office requires institutional changes, the drafting of new regulations, and the provision of human and financial resources. If these reforms are not carried out precisely and comprehensively, the expected efficiency may not be achieved. Therefore, although the creation of a labor prosecutor's office under the prosecutor general is the best option, its success depends on precise structural design and the provision of appropriate executive mechanisms.

### **Proposed Structural Model**

In a simple organizational chart, the position of the labor prosecutor can be defined hierarchically. At the top of this structure stands the judiciary, which, as the highest judicial authority of the country, exercises macro-supervision over all judicial institutions. Under it, the prosecutor general has a central position and is responsible for supervising prosecutor's offices and implementing laws. Next in this structure is the specialized labor prosecutor's office, or the labor prosecutor, which has the specific duty of handling worker-employer disputes. By focusing on issues related to labor relations, this institution can cover both the criminal aspect of violations and the

administrative aspect arising from violations of labor regulations. Such a position enables justice in the field of labor relations to be realized in a more specialized and efficient manner.

For broader coverage and greater efficiency, provincial branches of the labor prosecutor's office should be established throughout the country. These branches would provide faster access for workers and employers to judicial services and prevent excessive centralization at the national level. Their presence in the provinces would allow labor disputes to be handled more quickly and accurately at the local level.

Continuous cooperation between the labor prosecutor and labor inspectors of the Ministry of Cooperatives, Labor and Social Welfare is an important part of this structural model. This cooperation allows labor inspection reports to be used directly in the judicial process and ensures that judicial decisions are accompanied by executive support. Thus, this model both preserves the institutional independence of the labor prosecutor and establishes a direct and effective connection with workers' disputes.

### *Appointment and Removal of the Labor Prosecutor*

The creation of an institution called the labor prosecutor, as a specialized arm of the judiciary in the field of labor relations, is a legal innovation that can guarantee the effective implementation of labor law and the protection of the rights of workers and employers. By focusing on worker-employer disputes, this institution will play an important role in preventing the violation of the rights of both parties and promoting social justice.

However, the basic question concerning the institutional position of the labor prosecutor is which authority should be responsible for appointing and removing this official. Answering this question requires a precise examination of legal principles and the structure of the judiciary. On the one hand, the labor prosecutor must act within the judicial hierarchy; on the other hand, the prosecutor's institutional independence must be guaranteed in such a way as to remain protected from political and economic pressures.

### *Importance of Determining the Authority for Appointment and Removal*

Determining the authority responsible for appointing and removing the labor prosecutor is especially important because it directly affects the institutional independence and efficiency of this office. If the authority for appointment and removal is dependent on the government or the Ministry of Labor, the judicial independence of the labor prosecutor will be impaired and the possibility of political or administrative pressure on the prosecutor's decisions will increase. Therefore, selecting a judicial and independent authority for this matter is an essential condition for preserving impartiality and justice in labor relations.

The authority responsible for appointment and removal must be able to exercise effective supervision over the performance of the labor prosecutor. This supervision means institutional accountability, such that in the event of misconduct or inefficiency, removal of the labor prosecutor is possible. Such a mechanism ensures that the labor prosecutor always acts within the framework of the law and official duties and increases public trust in the labor adjudication system.

In addition to independence and accountability, coordination with the judicial structure is also important. The position of the labor prosecutor must be coordinated with other specialized prosecutor's offices to avoid institutional fragmentation. Such coordination promotes coherence in the judicial system and increases efficiency in handling worker-employer disputes.

Therefore, determining the authority for appointing and removing the labor prosecutor must be based on three fundamental principles: institutional independence, accountability, and coordination with the judicial structure.

### **Proposed Options for the Authority of Appointment and Removal**

#### *Head of the Judiciary*

The head of the judiciary, as the highest judicial authority of the country and the holder of the power to appoint and remove judicial officials under Article 156 of the Constitution, plays an important role in guaranteeing institutional independence. Appointment of the labor prosecutor by this authority would protect the institution from governmental influence and enable it to act within the framework of judicial justice, although excessive concentration of power in one authority may reduce transparency and create the risk of diminished institutional accountability.

In the Iranian legal system, based on Article 163 of the Constitution, the selection of judges according to legal and religious standards has been delegated to ordinary laws. The law that exists in this regard is the Single Article Law on the Conditions for the Selection of Judges, enacted in 1982, which provides that judges shall be selected from among qualified men. Given this provision, prosecutors in Iran are appointed officials. The main reason for this method is that the Iranian legal system considers the prosecutor to be a judge, and a judge must be authorized by the supreme legal authority and, through the head of the judiciary, indirectly receive authorization. Therefore, the judicial function in the Islamic legal system of Iran, as one of the aspects of guardianship-based authority, is managed through an authority appointed by the supreme legal authority (9).

#### *Prosecutor General*

The prosecutor general, as the authority responsible for supervising prosecutor's offices and implementing laws, plays an important role in coordinating specialized prosecutor's offices. This position makes it appropriate for the labor prosecutor to operate within the framework of specialized prosecutor's offices, especially because the process of appointing and removing the labor prosecutor would be carried out by the prosecutor general, thereby strengthening institutional coherence. However, the criticism of this model is that the independence of the labor prosecutor in relation to the prosecutor general may decrease and the degree of freedom of action of this institution may become limited.

### **Optimal Model for the Appointment and Removal of the Labor Prosecutor**

Given the advantages and disadvantages of the different options, the best model for determining the position of the labor prosecutor is a combined model. This model seeks to balance institutional independence with effective supervision while preventing excessive concentration of power or external interference.

Under this model, the labor prosecutor is appointed by the head of the judiciary upon the proposal of the prosecutor general. Such a mechanism ensures that the selection of the labor prosecutor benefits from high judicial authority while maintaining institutional coordination between the prosecutor general and the labor prosecutor. This process guarantees judicial independence and prevents the influence of nonjudicial institutions.

With respect to the removal of the labor prosecutor, the decision would rest with the head of the judiciary, but only after the submission of a supervisory report by the prosecutor general or a performance evaluation board. This mechanism prevents arbitrary removals while also allowing accountability and performance correction. The term of

office of the labor prosecutor would be four years, with the possibility of renewal for one additional term, so that managerial stability is preserved while institutional stagnation is avoided.

Grounds for removal would include administrative misconduct, abuse of office, inefficiency in the performance of duties, or violation of judicial independence. These conditions clearly define the operational boundaries of the labor prosecutor and prevent ambiguous interpretations or unlawful pressures. Accordingly, the labor prosecutor would be required to act within the framework of law and principles of justice.

Therefore, supervision over the performance of the labor prosecutor falls to the prosecutor general, who must submit an annual performance report to the head of the judiciary. This specialized and executive supervision ensures that the performance of the labor prosecutor is continuously evaluated and that its strengths and weaknesses are identified. Thus, the proposed combined model both preserves the institutional independence of the labor prosecutor and establishes effective and efficient supervision.

### *Supervision over the Labor Prosecutor*

Control and supervisory tools must be provided for the performance of prosecutor's offices and prosecutors, because although the prosecutor has the duty to vindicate public rights, if this same person exceeds the limits of official duties, that person will undoubtedly take steps toward the violation of people's rights. For this purpose, a judge specifically entrusted with this duty may be used (10).

The establishment of a labor prosecutor's office within the structure of the Office of the Prosecutor General is an institutional response to the challenges of implementing labor law and protecting workers' rights. However, just as every powerful institution requires control and accountability, the labor prosecutor's office must also be subject to supervision to prevent deviation, abuse, or inefficiency. The main question is: which institution should supervise the labor prosecutor, and how should this supervision be exercised?

In the Iranian legal system, the judiciary is responsible for administering justice, and every judicial institution must operate within its framework. Power without supervision leads to corruption. Therefore, the labor prosecutor's office must be accountable. Supervision over the labor prosecutor ensures that this institution truly remains in the service of workers and does not deviate toward economic or political interests.

One of the most important supervisory functions is the prevention of administrative corruption. Continuous supervision over the performance of the labor prosecutor prevents abuse of office and legal powers and ensures that the prosecutor's decisions are made within the framework of justice and law. This supervision functions as a preventive tool and prevents the formation of institutional deviations.

Another function of supervision is to strengthen institutional accountability. The labor prosecutor is required to submit periodic reports on performance to the prosecutor general. These reports make continuous evaluation possible and ensure that the labor prosecutor remains accountable for actions and decisions.

### **Institutions Responsible for Supervising the Labor Prosecutor**

#### *Prosecutor General*

The labor prosecutor, as part of the Office of the Prosecutor General, must operate under the direct supervision of the prosecutor general. This supervision includes performance evaluation, examination of complaints, and

issuance of necessary directives. The advantage of this supervision is the preservation of judicial independence and coordination with other specialized prosecutor's offices.

### *Supreme Court*

The Supreme Court can play the role of superior supervision over judgments issued by the labor prosecutor's office. This supervision promotes uniformity of judicial practice and prevents conflicting decisions in the field of labor relations.

### *National Inspection Organization*

As an independent supervisory institution, the National Inspection Organization has the duty to supervise the proper implementation of laws in various bodies. It can examine the performance of the labor prosecutor's office from administrative and financial perspectives and submit the necessary reports.

### *Parliament*

Parliament can exercise policy-level and macro-level supervision. This supervision is mostly carried out through the examination of annual reports and the amendment of laws related to labor rights.

## **Multilayered Supervision Model**

To prevent concentration of power and increase efficiency, supervision over the labor prosecutor must be multilayered and comprehensive. This supervision includes three main levels: judicial supervision by the prosecutor general and the Supreme Court, administrative and financial supervision by the National Inspection Organization, and policy and parliamentary supervision by Parliament. Such a model preserves judicial independence while preventing institutional deviation. The combined supervision model not only prevents abuse of power, but also guarantees the implementation of labor law under such supervision, because each level of supervision can cover the possible gaps of another level. This institutional synergy strengthens social justice and the efficiency of the labor adjudication system.

To realize this multilayered supervision, the drafting of a comprehensive regulation is necessary. This regulation must specify the manner of supervision over the labor prosecutor and include performance evaluation indicators, the process for handling complaints, and regular evaluation periods. The existence of such a regulation would create transparency in the performance of the labor prosecutor and increase institutional accountability. Performance evaluation indicators must be precise and clear, including the degree of impartiality, speed of adjudication, accuracy of legal reasoning, and degree of respect for the rights of the parties to the dispute. These indicators can serve as objective criteria for assessing the efficiency of the labor prosecutor and prevent personal discretion or external pressure in performance evaluation.

Where the performance of the labor prosecutor leads to violation of the law or infringement of the rights of the parties, it must be possible to file a complaint before judicial authorities. The Judges' Disciplinary Prosecutor's Office can serve as the authority for handling accusations against the labor prosecutor, provided that its jurisdiction is expressly stated in the law. Such a mechanism ensures that the labor prosecutor remains under effective supervision and that institutional independence is preserved alongside accountability.

### *Relationship between the Labor Prosecutor and the Labor Inspector*

The relationship between the labor prosecutor and labor inspectors is based on supervision, coordination, and the implementation of judicial laws. The labor prosecutor has a supervisory and managerial role over the performance of inspectors and is responsible for controlling the manner in which judicial orders are implemented, crimes related to Chapter 12 of the Labor Law are detected, safety issues are handled, and the rights of workers and employers are observed.

### *The Labor Inspector as a Special Judicial Officer*

In the Iranian legal system, judicial officers are divided into two general categories: general judicial officers and special judicial officers. General judicial officers include law-enforcement forces that are responsible for executing judicial orders at the general level. By contrast, special judicial officers are persons who, in a specific and specialized field and under the supervision and training of the judiciary, are assigned to perform judicial duties. Within this framework, the labor inspector is recognized as a special judicial officer because the inspector's duties are limited to the field of labor relations and the implementation of labor laws.

With this position, the labor inspector has the duty to identify violations by employers and workers in workplaces and submit the necessary reports to judicial authorities. If a violation of labor laws is observed, including noncompliance with occupational safety and health requirements or the violation of workers' rights, the labor inspector can initiate legal measures. This role makes the labor inspector an intermediary link between the workplace and the judicial apparatus and ensures that labor laws acquire practical and judicial enforcement.

Recognition of the labor inspector as a special judicial officer is especially important because the inspector's position is not merely administrative, but also has judicial support. This means that the inspector's reports and actions have legal validity in the labor adjudication process and can directly affect the handling of worker-employer disputes. As a result, the presence of the labor inspector as a special judicial officer both enhances supervision over labor relations and increases the trust of workers and employers in the judicial system.

### *Supervision of the Labor Prosecutor over Labor Inspection*

One of the important provisions of the Code of Criminal Procedure that explicitly establishes the prosecutor's right to supervise judicial officers is Article 33 of this law, enacted in 2013. This article confirms the position of the prosecutor as the authority supervising the proper performance of the duties of judicial officers and demonstrates the importance of the prosecutor's role in directing and controlling their performance. Under this article, the prosecutor is required, in order to supervise the proper performance of the duties of judicial officers, to inspect police or non-police units at least once every two months. This legal duty indicates that the prosecutor's supervision must not be merely formal or occasional, but must be continuous and periodic in order to prevent any deviation or negligence in the performance of duties. The prosecutor's periodic inspections, in addition to guaranteeing the proper performance of the duties of judicial officers, improve the quality of preliminary investigations and increase public trust in the judicial system. Thus, Article 33 not only specifies the prosecutor's supervisory tool, but also clearly explains the method for exercising this supervision.

According to the opening part of Article 46 of the Code of Criminal Procedure, judicial officers are required to report the results of their actions to the prosecutor without delay and immediately. This legal duty is designed to

guarantee the prosecutor's continuous supervision over the course of investigations and to prevent any interruption in the process of detecting crime. If the prosecutor does not consider the actions taken by judicial officers sufficient, the prosecutor has the authority to require the completion of investigations. This authority reflects the central role of the prosecutor in directing and controlling preliminary investigations and shows that judicial officers are merely the executive arm of the judicial authority and do not have independent decision-making power. In such a situation, judicial officers are required to take the necessary legal measures for detecting the crime and completing investigations in accordance with the prosecutor's orders. This requirement not only creates coherence in the adjudication process, but also guarantees compliance with legal principles and the realization of criminal justice at the preliminary investigation stage.

Therefore, one of the main duties of the labor prosecutor is to supervise the performance of labor inspectors and ensure the proper implementation of labor laws. This supervision ensures that labor inspectors act within the framework of the law and prevents any deviation or negligence in their duties. By continuously examining the performance of inspectors, the labor prosecutor can identify their strengths and weaknesses and take measures to improve the quality of inspections.

Another duty of the labor prosecutor is to examine labor inspection reports and pursue employer violations. Labor inspectors' reports are highly important as initial documents in handling violations, and by carefully studying these reports, the labor prosecutor can make the necessary judicial decisions. The pursuit of employer violations by the labor prosecutor strengthens the enforcement guarantees of labor laws and prevents the violation of workers' rights.

The labor prosecutor can also issue judicial orders for the enforcement of decisions related to labor violations. This authority gives judicial support to labor inspection decisions and ensures that their implementation is pursued more seriously. In addition, the labor prosecutor has the duty to examine how judicial orders are implemented by special judicial officers in order to prevent any violation or abuse in the enforcement process.

Another duty of the labor prosecutor is to control the performance of judicial officers in detecting crimes related to labor relations and in preliminary investigations. This control ensures that judicial officers act within the framework of the law and that the rights of workers and employers are observed during preliminary investigations. Through supervision of this process, the labor prosecutor can prevent unlawful conduct or violations of the rights of the parties.

Finally, the labor prosecutor is required to address possible violations by special judicial officers and report them to judicial authorities. Therefore, the supervision of the labor prosecutor over labor inspection not only helps improve the quality of inspections, but also prepares the ground for the proper implementation of labor laws and the promotion of social justice in the field of labor relations.

#### *Cooperation between the Labor Prosecutor and Labor Inspectors*

Article 35 of the Code of Criminal Procedure enacted in 2013 provides that judicial officers are required to execute issued orders as soon as possible and within the time limit determined by the prosecutor or the relevant judicial authority. This legal duty is designed to accelerate the investigation process and prevent the prolongation of proceedings.

Judicial officers, in performing their duties, are required to execute the orders of the judicial authority precisely and without delay. Completing the file and collecting the necessary evidence and documents are among the duties expressly imposed on them by this article. Thus, the role of judicial officers in guaranteeing the efficiency of the

adjudication process and protecting the rights of the parties to the dispute becomes prominent. This article, in fact, expresses the hierarchical relationship between the judicial authority and judicial officers, in such a way that judicial officers act as the executive arm of the prosecutor and the court.

To increase efficiency, the labor adjudication system requires coordination between judicial and executive institutions. In this regard, cooperation between the labor prosecutor and labor inspectors is especially important, because labor inspection, as an executive institution, is responsible for identifying and reporting workshop violations, while the labor prosecutor can provide the judicial enforcement guarantee for these decisions. This interaction ensures that employer violations or infringements of workers' rights are handled more quickly and seriously.

Given their legal powers and duties, prosecutors can play an effective role in preventing crimes and protecting public rights. Their cooperation with other institutions and organizations is also of great importance so that better results can be achieved in confronting crime-related challenges through effective coordination and interaction (4).

Another dimension of cooperation is the provision of legal solutions for the better implementation of labor laws. Given the judicial position of the labor prosecutor, this authority can identify legal gaps or executive problems and provide labor inspectors with the necessary legal solutions. This measure allows labor laws to be implemented with greater coherence and prevents conflicting or incomplete interpretations.

The labor prosecutor also has the duty to pursue judicial action against violations where employers fail to comply with regulations. This protective role for workers is especially important against powerful employers and ensures that the fundamental rights of workers are guaranteed in practice. In addition, by issuing executive directives to improve the performance of judicial officers, the labor prosecutor can enhance the quality of handling violations and prevent errors or unlawful conduct in the adjudication process.

Cooperation between the labor prosecutor and labor inspection must include supervision over the proper implementation of laws and prevention of violations. Therefore, continuous and organized interaction between the labor prosecutor and labor inspection can strengthen the efficiency of the labor adjudication system and prepare the ground for social justice and sustainable development in labor relations.

#### *Role of the Labor Prosecutor in Enforcing Labor Inspection Decisions*

One of the most important challenges of labor inspection is the enforcement of decisions issued concerning workshop violations. In many cases, labor inspectors do not possess sufficient legal and executive capacity to enforce their decisions, and this causes employer violations or infringements of workers' rights to remain without effective enforcement guarantees. In this regard, the labor prosecutor, as an independent judicial institution, can play a key role in strengthening enforcement guarantees and pursue labor inspection decisions from issuance to implementation.

The first duty of the labor prosecutor in this regard is to issue orders for the immediate enforcement of decisions related to workshop violations. This measure ensures that employer violations or infringements of workers' rights are addressed without delay and that workers receive immediate protection. Rapid enforcement of decisions, in addition to protecting workers' rights, sends a clear message to employers that their violations will face a swift and serious response.

Another duty of the labor prosecutor is to supervise the enforcement of decisions and prevent repeated violations. This supervision includes not only following up on the enforcement of issued decisions, but also monitoring employers' performance after the execution of the ruling in order to prevent repeated violations.

The labor prosecutor also plays an important role in providing judicial support to workers. Where workers' rights have been violated and they lack the ability to defend themselves effectively, the labor prosecutor can intervene as a defender of public interests. This judicial support is especially important in complex disputes or against powerful employers and helps establish balance in labor relations.

Therefore, the active presence of the labor prosecutor alongside labor inspection can make the enforcement of decisions more efficient and prepare the ground for the realization of social justice in labor relations.

### **Possible Challenges in the Relationship between the Labor Prosecutor and Labor Inspection**

The relationship between the labor prosecutor and labor inspection may involve institutional and executive challenges. One of the most important challenges is the lack of coordination between executive and judicial institutions, in such a way that labor inspection decisions sometimes encounter judicial obstacles at the enforcement stage or, conversely, judicial measures remain without sufficient executive support. This lack of coordination reduces efficiency, prolongs the process of handling worker and employer violations, and ultimately affects public trust in the labor adjudication system. On the other hand, legal limitations in enforcing labor inspection decisions and the possibility of political and economic pressures on the process of handling violations are other serious challenges in this relationship. In many cases, labor inspectors are unable to fully enforce their decisions because of weak enforcement guarantees, and the labor prosecutor may lose institutional independence under external pressures. Taken together, these factors can prevent the realization of justice in labor relations and reveal the necessity of creating stronger supervisory and protective mechanisms.

### **Recommendations for Improving the Relationship between the Labor Prosecutor and Labor Inspection**

To improve the relationship between the labor prosecutor and labor inspection, the most important step is to increase the powers of the labor prosecutor in enforcing labor inspection decisions. Under current conditions, legal limitations prevent full enforcement of labor inspectors' decisions. If the labor prosecutor has legal authority to support and enforce these decisions, the enforcement guarantees of labor laws will be strengthened and employer violations will be handled more quickly and seriously. The relationship between the labor prosecutor and labor inspection must be based on cooperation, supervision, and the implementation of labor laws so that the rights of workers and employers are protected fairly and social justice is realized in labor relations.

### **Distinguishing Features of the Labor Prosecutor and the Public Prosecutor**

The public prosecutor is the representative of society in prosecuting crimes and maintaining public order, while the labor prosecutor focuses more on claims and disputes related to worker-employer relations. These two authorities have fundamental differences in terms of jurisdiction, duties, and position in the judicial system, as follows.

The public prosecutor stands at the head of the prosecutor's office and, as the public claimant, has the duty to prosecute public crimes and supervise judicial officers. By contrast, the labor prosecutor is a specialized institution

in the field of labor relations that operates mainly within the framework of the Ministry of Cooperatives, Labor and Social Welfare or labor dispute resolution authorities.

The competence of the public prosecutor is general and broad, ranging from criminal offenses to supervision over the enforcement of judgments. However, the competence of the labor prosecutor is limited to worker-employer disputes, enforcement of labor regulations, and handling violations related to labor rights.

The main duty of the public prosecutor is to detect crimes, prosecute the accused, issue indictments, supervise detentions, and enforce criminal judgments, whereas the main duty of the labor prosecutor is to pursue employer violations, protect workers' rights, supervise the implementation of labor laws, and refer cases to dispute resolution boards.

The public prosecutor has the duty to balance the prosecution of crime and the protection of the rights of the accused. By contrast, the labor prosecutor has a special focus on protecting workers' rights and plays a protective role in relation to employers.

The public prosecutor plays a macro-level role in maintaining public security and social order. The labor prosecutor is more influential in the field of social justice in the workplace and seeks to ensure that worker-employer relations are fair and lawful.

The public prosecutor is a judicial institution with broad competence in the criminal field, whereas the labor prosecutor is a specialized institution limited to labor relations. The former focuses on public order and crimes; the latter focuses on justice in the workplace. These distinctions show that although the two authorities are similar in title, their objectives and duties are entirely different.

### **Consequences of the Absence of a Labor Prosecutor**

In the legal system, especially in the field of worker-employer relations, the labor prosecutor has broad positive consequences for justice, efficiency, and protection of the rights of both parties.

The institution of prosecution, as a macro-level and independent institution in a country's legal system, is responsible for playing a vital role in preserving public rights. This institution is responsible not only for implementing laws and administering justice, but also for investigating cases, pursuing violations, and taking necessary measures where citizens' rights have been harmed. The powers of the prosecutor's office include important principles such as determining responsibility, determining jurisdiction over crimes, and drafting laws for protecting public rights (8).

One of the most important institutional gaps in the field of labor relations is the absence of the labor prosecutor as a specialized and independent institution for supervising the implementation of labor laws and defending workers' interests. The absence of such an institution has multiple legal, social, and economic consequences, which are addressed below. In the absence of the labor prosecutor, many employer violations or infringements of workers' rights remain without serious pursuit, and labor law effectively loses its enforcement guarantee. Supervisory duties are dispersed between the Ministry of Cooperatives, Labor and Social Welfare and judicial authorities, and this dispersion causes overlap of duties and reduced efficiency. The absence of an independent institution causes decisions in the field of labor relations to be influenced by political or economic pressures and undermines judicial justice. The absence of an institution for supervision and prevention of violations also increases labor complaints and protests, which can lead to social tensions. Under such conditions, workers, as the weaker party in labor relations, become more exposed to the violation of their rights, and social gaps increase. Existing institutions mainly have a reactive approach and lack effective preventive power, whereas the labor prosecutor could have prevented

violations through continuous supervision. The absence of a specialized institution also causes labor disputes in general authorities to be prolonged and nonspecialized, reducing the efficiency of the labor adjudication system. Cases such as nonpayment of wages, unlawful dismissal, or violation of workplace safety may not be properly pursued without a specialized prosecutor. Where an employer's violation has a criminal aspect, such as threatening or harassing a worker, the absence of the labor prosecutor causes such cases to be overlooked in the criminal justice system.

Therefore, this institutional gap causes weakness in enforcement guarantees, reduction of public trust, increase in labor disputes, decline in economic productivity, and dispersion of duties. The creation of the labor prosecutor as a specialized and independent institution within the structure of the Office of the Prosecutor General is an unavoidable necessity for realizing social justice, protecting fundamental labor rights, and enhancing public trust in the judicial system. By combining judicial supervision and specialized functions, such an institution can prepare the ground for sustainable development in labor relations.

The International Labour Organization emphasizes the existence of independent and specialized institutions for handling labor disputes. The absence of the labor prosecutor is inconsistent with these standards. The absence of specialized institutions in the field of labor can lead to criticism by international institutions and reduce the country's legal credibility at the global level. In many countries, labor courts play an important role in protecting workers' rights. The absence of this institution in Iran indicates a structural backwardness in the labor adjudication system.

## Conclusion

The examinations conducted in this research showed that the absence of a specialized institution such as the labor prosecutor has not only reduced the quality of adjudication and increased delays in proceedings, but this institutional gap, under conditions in which labor relations are becoming increasingly complex and diverse, also reveals more clearly the necessity of creating new and specialized mechanisms.

From a legal perspective, the labor prosecutor, as the defender of public interests and supervisor of the proper implementation of labor laws, plays a key role in preventing the violation of workers' rights. This position, similar to the role of the public prosecutor in other judicial fields, would act as a guarantor of the implementation of justice and the integrity of proceedings. The presence of such an institution would not only strengthen the enforcement guarantees of labor laws, but also raise the level of supervision over labor relations and reduce cases of violation of the fundamental rights of workers and employers.

From a legislative perspective, institutionalizing this body requires fundamental reforms in labor laws and labor procedure. Providing a legal position for the labor prosecutor is one of the requirements for realizing this objective. In addition, creating institutional and educational infrastructure, including the establishment of labor prosecutor offices in provincial centers, would provide the ground for operationalizing this institution.

Given the characteristics of labor law and the necessity of protecting workers' rights, the best institutional position for the labor prosecutor is the creation of an independent specialized prosecutor's office under the supervision of the prosecutor general. This position has both macro-supervisory power and the ability to intervene directly in labor disputes. Although placing the labor prosecutor within the Administrative Justice Court or the Supreme Court has advantages, it cannot fully respond to the executive and protective needs of labor law. Therefore, the proposed model of a specialized labor prosecutor's office is the most efficient way to guarantee the effective enforcement of labor-law sanctions and realize social justice in workplaces.

Ultimately, it can be concluded that the creation of specialized institutions in labor adjudication is not an optional choice, but a legal and social necessity for the judicial system. This measure would be an effective step toward realizing social justice, protecting fundamental labor rights, and enhancing public trust in the judicial system, and it should be considered by policymakers and legislators as one of the preconditions of sustainable development in labor relations. The proposed solution is to establish the legal position of the labor prosecutor in the country's statutory laws while observing the adversarial principle, the principle of specialized and technical adjudication, and the principle of speed and ease in handling labor disputes.

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### **Authors' Contributions**

All authors equally contributed to this study.

### **Declaration of Interest**

The authors of this article declared no conflict of interest.

### **Ethical Considerations**

All ethical principles were adhered in conducting and writing this article.

### **Transparency of Data**

In accordance with the principles of transparency and open research, we declare that all data and materials used in this study are available upon request.

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