

MOL MINISTERIAL ANNOUNCEMENTS



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The language

Circular No. (2) for 2008

Issued on 18/05/2008

Ministry of Labour

Cabinet of Ministers Resolution No. (21/2) for 2008, to enforce and mandate the Arabic language as the official language. The following has been decided

1- If correspondence is addressed to a foreign body abroad, a translated copy must be attached in the foreign language

2- If correspondence is addressed to a foreign official, if foreign officials participate in those events

3- If correspondence is originally in a foreign language, it must be accompanied by an Arabic translation and the Arabic text is the one to be adopted

* If correspondence is delayed, it should be forwarded straight away

Humaid Rashid bin Deemas

Ministry of Labour Undersecretary

Work permits and Employment Cards

Ministerial Resolution No. (52) for 1989

The Rules and Procedures to be adopted at the Labour permits sections with respect to the recruitment of non-national Labours for the employment in U.A.E

The Minister of Labour and Social Affairs,

Pursuant to the Provisional Constitution Law No. 1 of the year 1972 Regulating the Functions of Ministers and Powers of Ministers, and the Laws issued in Amendment thereof, law No. 8 of the year 1973 Regulating the Civil Services Law in the Federal Government and the laws amending it and of the Council of Ministers order No. 1 of the year 1977 concerning the organization of the Ministry of Labour and Social Affairs, and the orders amending it and the Federal law No 8/80 regarding the organization of the Labour relationships and the laws amending it and the Ministerial Order No (23/1)/8 as amended by the Ministerial Orders No. 60/2/82, No47/84, No.75/84, No.84/84 and No,166/1984 and according to the recommendation of the undersecretary for Social Affairs, It is hereby ordered;

Article 1

Without prejudice to the provisions of the International Agreement and Treaties to which the U.A.E a member, non-national labourers may not be recruited for employment in the U.A.E unless in the manner as provided for in this order.

Article 2

The provision of this order shall be applied in; the cases of non-national labourers who are recruited for employment in U.A.E with exception to the categories as provided for in article (3) of the Federal law No.(8)/1980 referred to herein above.

Article 3

Approval of the applications to supply non-national Labourers for employment in U.A.E may not be granted unless the following requests are met;

- A. Labour supply application shall be made by U.A.E national employers who are licensed by the concerned authorities to conduct commercial, industrial service or any other activities which require labourer to carry-out the work or an organization licensed to operate in U.A.E which is either sponsored or jointly owned by a national as evidenced from the license therefore in any way not prejudicing the laws issued in this respect.
- B. That there shall no national labourer as recorded with the recruitment office who can carry out the required work.
- C. That labourer recruited shall not be less than 18 and not more 60 years old. The maximum age limitation, however, may be waived if the employee to the recruited shall have an extensive and rare experience in the field of his specialization provided for the job he has been recruited for employment in U.A.E, shall be of the economic importance such wavier shall be sanctioned by the Minister.

Article 4

The applicant shall submit to the Ministry the documents evidencing that it has been business which needs the recruitment of Labourers to carry-out the work particularly.

1. The contract to be executed which are entered with the firm applying or recruitment duly approved by the contracting party with all signatures duly attested; the location of work in the projects subject of such contracts shall be specifically indicated.
2. Reports which define in a time table the stages of the execution of the project, its particulars the labour requirement at each stage, the type and duration of each stage.
3. Other requirement as and when made by the Business licensing department as an evidence of the need of the applying firm to the number of the required Labourers; if such an application for the recruitment for foreign Labourer is for the execution of a Government project, evidencing the volume of the required labour, its type, the time table of its requirement, locations, the completion time of each stage as per a time table; the Ministry may require to verify the volume of the required labourers at site.

Article 5

Applications for the recruitment of non-national labourers shall be made on individual basis unless emergency situations require that a block visa be issued; justification for such emergency request should be conveyed to the Ministry who shall have the right to reject any request for block visa which is not sufficiently justifiable.

Article 6

The employer or its legal representative shall sign the recruitment application form prepared by the Ministry for this purpose, such form shall include the following undertakings:

- a. An undertaking from the employer to the effect that he shall sponsor and be responsible for the recruited Labourer, the bearing of his recruitment expenses and his employment in accordance with the employment contract in a way not prejudicing the provision of the Federal Law No (8)/1980 referred to herein.
- b. An undertaking from the employer to the effect that he shall ensure that the recruited Labourer is medically fit and free from diseases according to a medical certificate

issued for each labourer by the concerned medical department in U.A.E and in accordance with the instruction issued in this respect.

- c. An undertaking from the employer to the effect that he will take the necessary procedure to prepare and sign the employment contract or any other procedures required by the valid regulations to be performed particularly the obtaining of the Labour card within sixty days from the date of the arrival of recruited labourer into the country.
- d. An undertaking from the employer to the effect that he shall send back the recruited labourer to the country where he was recruited upon the completion of this job and upon the cancellation of his sponsorship and the handing back of the labour card provided same shall be valid.

Article 7

The Ministry shall refer approved recruitment applications to either the Naturalization and Immigration department or U.A.E's Embassies abroad, as the case may be, for taking the necessary action as to the issuance of labour visa or permits upon the payment by the employer the prescribe fees according to the decision issued in this respect.

Article 8

In order to be granted a labour card, the employer shall submit to the Ministry along with the application for obtaining the card an evidence indicating that the labourer is medically fit to carry-out the job for which he has been recruited vide the certificate referred to in para "b" of article (6) of this order. Such a card shall be valid for three years, to be renewed for similar terms. The employer, however, may request the renewal of the card before expiry of the validity, thereof.

A card shall be renewed within 60 days from the date of expiry thereof without any extra fees if an employer desires to have a labourer continue working therefore.

A card may not be renewed after the lapse of the above period unless the employer has offered an excuse to be acceptable to the Ministry; in such a case the Ministry shall levy the prescribed fee as penalty for delaying in renewing the card pursuant to the Ministerial order No 18/1989 in this regards and the amendments thereto.

A labourer whose card has expired may not be employed, a card shall be issued in the form prepared for this purpose, the obtaining and maintaining of a valid Labour Card shall be pre condition for obtaining or a renewing a Residence Permit with the Naturalization and Immigration Department.

Article 9

In case of violation of part “C” and “D” of article (6), the fees indicated in article (8) shall be applied in accordance with the periods and rates prescribed in each case.

Article 10

Employers who employ non-national labourers shall provide the Ministry with periodic lists during the months of March and September of each year which shall indeed have the name of the labourers who are employed according to the form prepared by the Ministry in this regards.

Article 11

Employer who employs non-national employees shall inform the Ministry about any labourer who leaves the job of his own during the validity of the employment contract illegally; the Ministry shall take up the necessary procedures at its desertion.

Article 12

Without prejudice to the penalties prescribed by any other law, any person who either exploit the permission of the Ministry of recruit labourers illegally, provide incorrect information or documents for the purpose of obtaining the permission shall be subjected to the penalties prescribed in part eleven of the Law No. (8)/1980 and its amendments.

Article 13

Each and every employer who recruits non-national labourer shall maintain a record as may be fixed by the Ministry in accordance with the form prepared thereby for this purpose in order to supervise the execution of the provisions of this order through the labour inspectors who are designated by the Ministry to carry out such a job.

Article 14

All requests, records, lists and forms to be submitted in execution of the provisions of this resolution shall be in Arabic.

Article 15

The undersecretary shall put the provisions of this order into effect and co-ordinate with the Naturalization and Immigration Department in accordance with the requirements of the work.

Article 16

The Ministerial orders Nos. (23/1)1981, 60/2/1982, 74/1984, 75/1984, 166/1984 shall be cancelled.

Article 17

This order shall be put into force w.e.f this date and all Ministry staff shall put same into force each in his own area of responsibility.

Khalfan Mohammed Al-Roumi

Minister of Labour and Social Affairs,

Ministerial Resolution No. (467) for 19

Ministerial R

Expatriate

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After reviewing Federal law o. () for A.D. regarding the ministries competencies and ministers capacities and the amending laws thereto,

*Federal law No. (8) for 1980 in regards to organizing the work relationships and the amending laws thereto,

* Cabinet of Ministers Resolution o. () for A.D. regarding the organizational structure of the i nistry of labour and ocial Affairs,

*Ministerial Resolution No. (52) for 1989 regarding the necessary rules and procedures required to be followed at the labour permits departments for recruiting expatriate labourers for work in the state,

*and the recommendations of the formed committee according to the decision of the Supreme Committee for looking into the procedures of the collective permits,

It was decided:

The amendment of the fifth article of Ministerial Resolution No. (52) for 1989 regarding setting the required rules to be followed inside Employment Permits Departments for recruiting expatriate labourers to work in the country, as the below

(The applications of recruiting expatriate labourers shall be on individual basis unless otherwise required to submit a collective application in case of expediting the procedures of recruiting the labour, where the expedition reasons shall be supplied for the Ministry which is eligible to reject the collective recruitment application, if it was unjustifiable. In any cases, the required number for recruitment collectively shall not be less than twenty five labours).

his re solution is effective as of its issuance date and shall be published in the official gazette.

Seif -

After reviewing Federal Law No. (1) for 1972 A.D. regarding the ministries competencies and ministers capacities and the amending laws thereto,

*Federal Law No. (8) for 1980 in regards to organizing the work relationships and the amending laws thereto,

* Law No. (18) for 1995 on simple crafts and its executive regulation as issued by Ministerial Resolution No. (6) for 1980 .

* Federal Law No. (8) for 1980 on commercial transactions.

***** * Cabinet of Ministers Resolution No. (30) for 2001 on transferring sponsorship*****

*and based on what was proposed by the Undersecretary of the labour sector,

*and for the public interest.

The laws and regulations stipulated in this resolution shall apply on the transactions pertaining to the issuance, renewal and cancellation of external and internal labour permits.

The Ministry is not competent to review the application for a work permit for the foreign trader, holder of professional or industrial license, or partner in any of that, who is not a (worker) under an (employment contract) in accordance with the definitions set out in the

mentioned Law No. (8) for 1980, and the customer shall be directed to submit the application directly to the competent naturalisation and residency Directorate.

The foreigners on whom the provision of the above-mentioned second article applies may not be under employment contracts in any facility subject to the mentioned Federal Law No. (8) for 1980 except after acquiring a labour card firstly, in accordance with the procedures in force at the Ministry.

The worker sponsored by a facility subject to the mentioned Federal Law No. (8) for 1980, who wishes to amend his status to become a partner or an owner must complete the procedures of cancelling his labour card firstly, according to the procedures in force at the Ministry.

It is possible to accept the application to transfer sponsorship submitted from a worker sponsored by a facility that is subject to Federal Law No. (8) for 1980 to become sponsored by a facility he owns or where he is a partner, provided that he is among the categories permitted to transfer sponsorship in accordance with the mentioned Cabinet of Ministers resolution No. () for 1980 and its explanatory regulation.

The owner or partner who submits an application for a transfer of sponsorship to become a worker in a facility subject to Federal Law No. (8) for 1980 shall not be granted

approval or a labour card unless he was one of the categories permitted to transfer their sponsorship.

It is not permitted for any craft facility to be granted a work permit from the Ministry, unless the Ministry had accepted its registration and listing in the index, in accordance with the provisions of Federal Law No. (8) for and its mentioned executive regulations.

A foreigner who has acquired the approval of the Ministry for his registration in the craft register and index is not considered a worker, and the Ministry shall not be competent to grant him a work permit if the facility was owned by himself alone, in which case he shall be directed to refer to the competent naturalisation and residency Directorate.

If there are several foreigners holding the same craft activity permit, the one whose name is listed first in the register shall be the one considered as owner of the license, and all others shall be considered as workers and must have work permits, according to the rules and regulations in force in the Ministry.

It is not permitted to accept applications to transfer sponsorship from or to craft facilities.

The Director of the Labour Permits Directorate at the Ministry offices in each of Abu Dhabi and Dubai, and the Directors of the Labour Offices shall issue the Ministry's approval to register and list on the craft index mentioned in the seventh article above.

It is prohibited for the holders of commercial, professional, craft, or industrial licenses to recruit or use foreign workers before acquiring a work permit from the Ministry, in accordance with the rules and regulations in force.

The penalties stipulated in Federal Law No. (8) for 1980 and its executive regulations shall apply on those who violate any of the provisions of this resolution.

This resolution is effective as of its issuance date and shall be published in the Official Gazette.

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- * After reviewing Federal Law No. (1) for 1972 A.D. regarding the ministries competencies and ministers capacities and the amending laws thereto,
 - * Federal Law No. (8) for 1980 in regards to organizing work relationships and the amending laws thereto,
 - * Ministerial Resolution No. () for 1981 A.D. regarding the organization of temporary and part-time employment in the private sector in the State,
 - * Ministerial Resolution No. () for 1982 regarding temporary work assignment permits,
 - * The approval by the Nationalization and Residence Administration.
 - * For the purposes of the implementation of Decision No. () for 1983 A.D.
 - * and for the business interest
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The process of conducting a specific work or project for a specific time that does not exceed six months.

Issuing assignment permits shall be limited to the facilities working in the oil and energy fields, or any other sectors as specified by the Minister through a decision.

It is necessary for the labour allowed an assignment permit to be of a specialized technical nature for the work he was brought in for.

The facilities applying for assignment permits are obliged to certify contracts from the Supreme Oil Council, government oil companies, or the competent government authorities and directorates specialised in the field of electricity, water and energy. Subcontracts are not acceptable.

The contract proposed by the facility must be for a period of three months that are renewable for a maximum of another three months. It must also be in force from the date of the worker's entry to the state and is not subject for a probation period.

The contract must include a condition as to the obligation by the facility to provide medical care and a guarantee for a paid sick leave from the date of entry into the state.

(1) The facility shall request to open a file for the approval of an assignment permit at the Ministry.

() The Work Permits Department and the competent labour office shall evaluate the file according to the conditions mentioned in Ministerial Resolution No. () for A.D. and this Circular, and then it shall be approved.

() The Ministry shall evaluate the request and issue an electronic permit to the
a turalization and esidenc y Administration, as well as electronically notifying the
facility.

(4) The facility shall issue an assignment permit card for the worker upon entry into the
state and certify the employment contract at the Ministry.

his resolution shall be in effect as of the date of its issuance. All appropriate authorities and
workers of the ministry must comply carefully with this resolution, each in his own scope of
work.

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Issued in Dubai

*After reviewing Federal Law No. (1) for 1972 A.D. regarding the ministries competencies and ministers capacities and the amending laws thereto,

*Federal Law No. (8) for 1981 in regards to organizing work relationships and the amending laws thereto,

* Cabinet of Ministers Resolution No. (5) for 1990 A.D. regarding the organizational structure of the Ministry of Labour and Social Affairs,

* Ministerial Resolution No. () for 1997 A.D. regarding the organization of temporary and part-time employment in the private sector facilities in the state,

* Ministerial Resolution No. 8 regarding the level of medical care the employer is committed to provide to his workers.

*The approval by the Naturalization and Residency Administration.

*and based on what was presented by the Under-secretary of the Ministry,

*and for the public interest.

Excluded from the provisions of Article Three of Ministerial Resolution No. (401) for 1997 A.D. on organizing temporary and part-time work at private sector facilities in the state, the Ministry may grant temporary work assignment permits valid for a maximum of () days to the facilities where work conditions necessitate the acquisition of such permits.

Secon

- 1- Provide a (round trip) ticket to each worker to bring the worker into the country and send him back to his native country or to where it was agreed upon.
- Affirm the medical fitness of the worker to perform the work he was brought in to do, and that he is free from communicable diseases, according to a medical certificate as per the regulations in force.
- 3- Pay a fee of AED () for each worker approved to be recruited as expatriate worker under a temporary work assignment permit.
- 4- Issue a labour contract after the worker's entry into the country to be signed by both the facility and the worker, and ratified at the competent labour directorate.
- 5- The establishment shall be committed to provide the levels of medical care required based on Ministerial Resolution No. 37/2/1982, and to provide health insurance from one of the establishments working in this field.
- 6- Commit to submit the consent issued by the Ministry to recruit expatriate workers under temporary work assignment permits to the competent Naturalization and Residency Administration in order to issue its entry permit as stipulated in this matter.
- Do not employ the recruited expatriate worker at any other facility or place of work.
- 8- Commit to pay the wages of the said workers monthly throughout the duration of their work, on a business day, at the work place, and to submit these statements to the competent labour directorate.

9- Commit to return the worker to his home country or to any other place, as agreed upon, once the work has been completed his work or within a maximum of seven days from the expiry date of the permit.

10- Commit to the other conditions included in the application to recruit expatriate workers for a temporary work assignment as issued by the Ministry in this respect, or any other conditions as specified by the Ministry in the future.

The Under-secretary for the Labour Sector shall set the regulations pertaining to the implementation of this resolution, and shall set the conditions and forms necessary for that.

The facility that wishes to acquire temporary work permits shall submit an application to the Facilities Affairs Unit to list the facility under the licenses facilities to acquire such permits, upon completion of the necessary documents. The application shall be referred to the Electronic Committee.

An Electronic Committee shall be formed to undertake checking the extent to which the conditions apply to the facilities submitting the applications, and their actual need for written permits, as well as determine the (quota) granted to the requesting facility and open an electronic file for the facility.

Applications to get the mentioned permits shall be submitted electronically to the Ministry or the competent authority in accordance with the prepared form for that purpose, provided that the Ministry sends the consent electronically.

The Ministry shall have the right to renew the validity date of temporary work assignment permits for other durations, in accordance with the conditions stipulated by the Ministry in that respect.

In the event of the facility's violation of any of the conditions for granting temporary work assignment permits, or providing any data or documents that are found to be incorrect for the purpose of getting the approval of the Ministry on temporary work assignment permits or that are in violation of any of the provisions of Law No. (8) for 1980 A.D and the laws amending thereto, the Resolutions and Regulations issued for its implementation, the facility file shall be suspended electronically, in addition to taking legal action against the same, in accordance with the provisions of Chapter Eleven of the Law and the other Ministerial Resolutions on this matter.

This resolution shall be put into force as of its date, the concerned authorities shall implement the same according to its competence, and shall be published in the Official Gazette.

Ministeria

Minister

- * After reviewing Federal law No. (1) for 1972 A.D. regarding the ministries competencies and ministers' capacities and the amending laws thereto,
- *Federal law o. (8) for 8 in regards to organizing work relationships and the amending laws thereto,
- * Cabinet of Ministers Resolution o. () for regarding the fees system and bank guarantee,
- *and what was presented by the Under- ecretary of the ministry,

It was decided:

- the decided percentage of nationalization.
- 2 - The appointment of a local citizen in the post of governmental relations officer.
- ayment of wages and submission of the regular wages report to the i nistry in a timely manner.
- ot holdi ng expired work cards or work permits.

by submitting individual applications for work permits for the cancelled labours and complete the transaction directly through the Receipt Counter, without being reviewed by the Employment Permits Committees.

It is required to approve a new work permit to submit the same within 90 days from the date of worker's cancellation where the new one has to be of the same nationality, gender and profession with proof of departure.

This resolution is effective as of 11/02/2006 and shall be adhered to carefully.

Minister of

- * After reviewing Federal law o. () for A.D. regarding the ministries competencies and ministers capacities and the amending laws thereto,
- * Federal Decree o. () for 6 A.D. issued by the Cabinet of United Arab Emirates,
- *Federal Law o. (8) for 8 of organizing the work relationships and the amending laws thereto,
- *Ministerial Resolution o. () for 8 regarding recruiting expatriate labourers,
- *Ministerial Resolution No. (87) for 2006 regarding the validity term of the work permit,
- *Ministerial Resolution o. () for 6 regarding the individual work permit requests,
- *and based on what was presented by Under- ecretary of the ministry,

It was decided

The authorized recruited worker may be replaced a maximum of two times only upon the below conditions

- his s hall take place during the original or renewal term of validity of the permit.

- 2 - The applicant must provide a written proof from the Naturalization & Residence Department certifying that the permit has not been used.

The Ministry has the right to approve the replacement with the change of nationality, provided that the profession and gender (male / female) remain the same as mentioned in the original permit. The establishment is committed to pay any additional charges arising due to transfer of property from one category to another or for any other reason.

This resolution is effective as of its date of issuance and shall be published in the official gazette.

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Minister

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- *After reviewing Federal Law o. () for A.D. regarding the ministries competencies and ministers capacities and the amending laws thereto,
 - *Federal Law No. (8) for 1980 in regards to organizing work relationships and the amending laws thereto,
 - *The Federal Decree o. () for 6 A.D. of the cabinet of United Arab Emirates,
 - * Cabinet of Ministers Resolution o. () for regarding fees and bank surety,
 - * and for the business interest,

It was decided:

First ar

All establishment are exempt from the payment of fees for unused work permits.

The exemption of the first article shall include all the submitted unused work permits applications submitted before the date of this resolution.

This resolution is effective as of its issuance date and it shall be adhered to carefully by the concerned people.

Ministerial Resolution No. (

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- *After reviewing Federal Law No. (1) for 1972 A.D. regarding the ministries competencies and ministers' capacities and the amending laws thereto,
 - *Federal Decree o. () for 6 A.D. to form the Cabinet of United Arab Emirates.
 - *Federal Law o. (8) for 8 in regards to organizing the work relationships and the amending laws thereto,
 - * Cabinet of Ministers Resolution No. (133/1) for 2007 on amending some of the provisions of Federal Law No. (6) for 1973 regarding the entry and residence of foreigners, granting a time limit for violators of labour and residency laws to leave the country or settle their status.
 - * Ministerial Resolution o. (6) for regarding operating in accordance with the settlement procedures manual.
 - *and for the public interest.

Facilities

If the facility had expired labour cards for more than two months, submitted labour cards with deficiencies (due fines), expired work permits for more than

six months, expired licenses for more than one year, or that have any other restrictions as a result of violating the provisions of the mentioned law regulating work relations or the Ministerial resolutions issued for its implementation.

Second If the owner of the facility submitting the applications for work permits was the owner, partner, or services agent at other facility or facilities that has labour cards with deficiencies (due fines), expired labour cards for more than two months, expired work permits for more than six months, expired license for more than one year, or any other restrictions, provided that the name any of the partners in the facility or the other facilities was not mentioned in the applicant facility.

In implementation of the provisions of Article Two of Article One, the competent permits committee shall issue written notifications to the owner of the applicant facility every time he submits applications for work permits, if he does not settle the status of the restrictions, expired cards or permits, or against which there are due fines at any other facility where he is a partner, regardless of his capacity, whether as an owner, partner, or services agent, in this case, the entire matter shall be referred to the Undersecretary of the Ministry to take the necessary action.

The facilities owners must benefit from the settlement period extending up to 2/9/2007 to settle or amend the status of the violating workers in the state, whether by cancelling their

sponsorships, transferring them, issuing labour cards for them, or report their escape if it was proved that they have escaped.

his resolution shall be in effective as of the date of its issuance. All employees of the ministry must comply carefully with this resolution, each in his own scope of work.

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Cabinet of Ministers Resolution No. (25) of 2010

**On concerning Internet work permits Applicable in
the Ministry of labour**

Repeals:

cabinet Decision No.(18) of 2005.

The Cabinet:

Upon Consulting The Constitution;

Federal Law No. (1) of 1972 on the Competences of Ministries and powers of
Ministers, as amended;

Federal law no.(8) of 1980 regulating labour relations, as amended;

Cabinet of Ministers Resolution No.(18) of 2005 on the Transfer of Sponsorship
and Secondment of Sponsored Workers and the Prescribed Fees therefor;

Cabinet of Ministers Resolution No. (19) of 2005 on the System of Fess and Bank
Guarantee;

*Based on the motion of the Minister of Labour and Approval of the Cabinet

Resolution

Article 1

In applying the provisions hereof, the following words and expressions shall have the
meanings respectively assigned thereto unless the context otherwise requires:

State: United Arab Emirates

Ministry: Ministry of Labour.

Minister: Minister of Labour.

Employer: Every natural or legal person employing one or more workers for a wage of
whatsoever kind.

Worker: Every male or female working in the service of the employer or under his management or supervision, even if he/she is out of his sight, in return for a wage of whatsoever type. This definition includes employees and officers working in the service of the employer and are subject to the provision hereof.

Firm: Every technical, industrial or commercial economic unit where the workers work and aims to produce or market commodities or render services of any sort and shall be subject to the said labour law and the governing.

Internal work permit: An internal work permit set out herein and granted by the Ministry of Labour to any establishment according to the provisions hereof.

Article 2

No Employer may hire a UAE national or non-national worker resident in the state in any of his Establishments except after obtaining any of the following internal work permits from the ministry:

1. **Worker transfer permit:**

That is the permit whereby the non-national worker is transferred from/ to another firm registered in the ministry.

2. **Temporary work permit:**

It is the permit whereby a national or non-national is employed in a job, the nature or accomplishment of which takes a period of not more than six months in any establishment.

3. **Part-time work permit:**

It is the permit whereby a national or non-national is recruited in a job with working hours less than the normal working hours of full-time workers engaged in the same job at any firm.

4. **Work permit for those sponsored by their families:**

It is the permit whereby those sponsored by their families are recruited in a firm.

5. Juveniles work permit:

It is the permit whereby a national or non-national whose age is between 15-18 years old is recruited in firm.

Article)3(

The ministry may issue any internal work permits additional to those stated in Article (2) hereof.

Article)4(

The Minister shall issue a decision defining worker categories, cases, conditions, curbs and standards by which a work permit is issued for non-nationals without being bound by the elapse of the applicable six-month period, taking the following considerations:

- (a) The cases where the Employer breaches his legally prescribed obligations towards the worker or such cases where the worker is not the cause of the termination of the employment relation.
- (b) The need of UAE labour market for employees with higher qualifications, distinguished expertise, and technical specialties.
- (c) Specifying the period of time that the Worker must spend at the ex-employer and categories that may be excluded from this condition.

Article)5(

The ministry shall issue the decisions necessary to implement the present Resolution.

Article)6(

The aforementioned Cabinet Decision No. (18) of 2005 and any provision in contrary to or in contrast with the provisions hereof shall be repealed.

Article)7(

This Resolution shall be published in the official Gazette and shall come in to force three months after the date of its issue.

ﷲ

Mohammed Bin Rashid AL Maktoum

Prime Minister

ﷲ Issued by us :

Dated ﷲ 1 Ramadan 1431 A.H.,

Corresponding To 11 August 2010 A.D.,

Ministerial Resolution No. (1186) for 2010
Rules and Conditions of Granting a New Work Permit to an
Employee after Termination of the Work Relationship in Order
to Move from One Establishment to Another

The Minister of Labour:

- After reviewing Federal Law No. (1) for 1972 and the amendments thereto regarding ministry competencies and ministerial powers,
- Federal Law No. (8) for 1980 and the amendments thereto regarding the regulation of work relationships,
- Cabinet of Ministers Resolution No. (25) for 2010 regarding internal work permits applicable at the Ministry of Labour,
- Minister of Labour Resolution No. (826) for 2005 regarding the executive regulation for transfer of sponsorship,
- Ministerial Resolution No. (707) for 2006 regarding the procedures and rules of the employment of non-citizens in the State,
- And Ministerial Resolution No. (724) for 2006 regarding the administrative cancellation of sponsorship;

It Was Decided:

Article (1)

The Ministry may issue a new work permit to an employee after the termination of his labour relationship with the employer to move from one establishment to another without needing to

wait six months from the date of cancelling the labour card, as stipulated in the Minister of Labour Resolution No. (826) for 2005, according to the regulations stipulated in this decision.

Article (2)

The following two conditions must be met in order to grant the work permit mentioned in Article (1) of this resolution:

- 1- Agreement between the employee and the employer to conclude the work relationship.
- 2- The employee must have spent at least two years with the employer.

Article (3)

As an exception to the provision of Item No. (1) of Article (2) of this Resolution, the Ministry may issue the work permit without requiring the consent of the employer to end the relationship in the following cases:

- 1- The violation on the part of the employer of his obligations, whether legal or consensual, (for example but not limited to: non-payment of wages for more than sixty days).
- 2- Cases in which the employee is not the cause for ending the relationship, for example:
 - a) The case of a complaint submitted by the employee against the establishment where he works for not being hired as a result of the closure of that establishment. In this case, a report from the Inspection Department of the Ministry is necessary to prove that the establishment has not exercised its activity for more than two months, provided that the employee had been referred to the Ministry during such period.
 - b) The case of a labour complaint referred by the Ministry to the court. In this case, a final ruling in favour of the employee is necessary, stating his entitlement to at least two months' wages, compensation for unfair dismissal or termination of the

limited contract prior to its expiry, and any other rights the employer had not given the employee, provided that the ruling does not include anything to the effect that the employee had left work of his own accord for no reason recognised by the law, or that he was deprived of the end of service bonus.

- c) In the event that the employer, of his own accord, terminates or neglects to renew the work relationship, and without the resignation of the employee.

Article (4)

As an exception to the provision of Item No. (2) of Article (2) of this Resolution, the Ministry may issue a work permit to the employee without requiring the two year period in the following cases:

- a. In the event that the employee is starting his new position at the first, second or third professional levels after fulfilling the conditions for joining any of these levels according to the rules in force at the Ministry, and provided that his new wage is not less than (12) thousand Dirham at the first professional level, (7) thousand Dirham at the second professional level and (5) thousand Dirham at the third professional level.
- b. In the event that the employer violates his legally stipulated obligations to the employee, or in the event that the employee is not the cause for terminating the work relationship as mentioned in Article (3) of this Resolution.
- c. In the event that the employee moves to another establishment owned solely or jointly by the same employer.

Article (6)

Renewed work permits granted in accordance with this Resolution shall be revoked if the Ministry discovers that the data upon which the permit was based is incorrect, or if it discovers that the conditions necessary for permit renewal mentioned in this Resolution no longer exist.

Article (7)

Any text or provision contrary to this Resolution shall be null and void.

Article (8)

This Resolution shall be published in the Official Gazette and shall be put into force as of 1/1/2011.

Saqr Ghobash
Minister of Labour

Issued by us in Abu Dhabi on: 29/11/2010

Ministerial Resolution No. (1188) for 2010

Regulations and Conditions for the Issuance of Domestic Work Permits

The Minister of Labour:

- After reviewing Federal Law No. (1) for 1972 and the amendments thereto regarding ministry competencies and ministerial powers,
- Federal Law No. (6) for 1973 regarding the entry and residency of foreigners, the amending laws thereto, and its executive regulation,
- Federal Law No. (8) for 1980 regarding the regulation of work relationships and the amending laws thereto,
- Cabinet of Ministers Resolution No. (25) for 2010 regarding domestic work permits,
- And Cabinet of Ministers Resolution No. (27) for 2010 regarding the fees and fines for services provided by the Ministry.

It was decided:

Article (1)

The Ministry may only approve the issuance of a domestic work permit to a foreign national after ensuring that there is no one among the citizens seeking employment able to perform the requested job.

Article (2)

The Ministry may only issue all the permits mentioned in this Resolution after providing statements to the following:

- a. The license of the establishment – the applicant – is valid.
- b. The establishment's adherence to the provisions mentioned in the sample contract approved by the ministry in relation to the requested permit.

- c. Payment of the fee for this permit.
- d. Continued validity of the non-national employee's residence, and that of his family in the event of a family-sponsored work permit.
- e. Approval from the entity where the applicant works in case of part-time or temporary work, if he works at another establishment.

Article (3)

- a. A temporary work permit and a part-time work permit shall be issued to the following categories:
 - 1- Employees registered at the Ministry who hold valid labour cards.
 - 2- Persons who meet the conditions to be granted work permits based on the residency of their families.
 - 3- Students over 18 years of age.
 - 4- Government employees.
- b. The permits mentioned in the article may not be issued to a non-national employee who is over sixty five years of age.

Article (4)

The Ministry may approve issuing the worker a temporary work permit without the need for the consent of the establishment where the employee works and without the necessary validity of his residency and labour card in the event that the employee has an ongoing labour complaint referred by the Ministry to the court.

Article (5)

The Ministry, at its discretion, may issue the employee a part-time work permit for more than one establishment.

Article (6)

A work permit is issued to those sponsored by their family residency under the following categories:

- 1- Females over the age of 18.
- 2- Husband of a female national.
- 3- Sons and daughters of female nationals.

Article (7)

The employee working under any of the systems stipulated in this Resolution shall be entitled to the accruals for workers in accordance with the aforementioned law regulating work relationships, if the said employee meets the conditions and taking into account the wages paid to him and his durations of work.

Article (8)

The Assistant Undersecretary for Labour Affairs shall issue via resolution the procedures necessary to issue the domestic work permits mentioned in this Resolution.

Article (9)

Any establishment wishing to employ a worker in accordance with the permits mentioned in this Resolution shall bear the expenses for issuing and approving the permits. It shall not be allowed, under any circumstances, to obligate the employee to pay for his costs of

employment, including the issuance and approval of permits, or deduct such costs from his wages.

Article (10)

The domestic work permits issued by the Ministry which are still in force at the time of implementing this Resolution shall remain valid until expiry. Any renewals or new permits shall be issued in accordance with the provisions of this Resolution.

Article (11)

The domestic work permits issued by the Ministry in accordance with the provisions of this Resolution shall not be renewed if expired; a new application must be submitted if there is a desire to continue working under any of the regulations of these permits.

Article (12)

Any text or provision contrary to this Resolution shall be null and void.

Article (13)

This Resolution shall be published in the Official Gazette and shall be put into force as of 1/1/2011.

Saqr Ghobash

Minister of Labour

Issued by us in Abu Dhabi on: 29/11/2010

Ministerial Resolution No. (1189) for 2010

Regulations and Conditions for Issuing Work Permits to Minors

The Minister of Labour:

- After reviewing Federal Law No. (1) for 1972 and the amendments thereto regarding ministry competencies and ministerial powers,
- Federal Law No. (8) for 1980 and the amendments thereto regarding the regulation of work relationships,
- Federal Decree No. (48) for 2004 regarding the ratification of the Arab Labour Agreement No. (18) for 1996 concerning the work of minors,
- Cabinet of Ministers Resolution No. (25) for 2010 regarding internal work permits applicable at the Ministry of Labour,
- Cabinet of Ministers Resolution No. (27) for 2010 regarding fees and fines for services provided by the Ministry,
- Ministerial Resolution No. (5/1) for 1981 regarding the definition of activities that are dangerous, arduous, or detrimental to health and for which it shall be unlawful to employ young persons therein,
- And Ministerial Resolution No. (1188) for 2010 regarding the regulations and conditions for granting internal work permits.

It was decided:

Article (1)

The Ministry may only approve the issuance of a work permit to a foreign minor after ensuring that there is no one among the citizens seeking employment able to perform the requested job.

Article (2)

The Ministry may only approve the issuance of a work permit to minors under the following conditions:

- 1- Written consent from the parent or legal guardian of the minor.
- 2- Birth certificate or a certificate estimating the age of the minor issued by the competent official medical authorities.
- 3- Physical fitness certificate for the requested work issued by the competent official medical authorities.
- 4- The foreign minor and his parents have a valid residency shown on their passports.
- 5- The work in which the minor is to be employed is not one of the prohibited works under this Resolution or the resolutions issued in this respect.
- 6- The license of the establishment – the party submitting the request – is valid
- 7- Payment of the fees for this permit.

Article (3)

The employer may not employ minors in any of the following works:

- 1- Working underground in mines and quarries and all works related to the extraction of metals and stones.
- 2- Working in furnaces for incinerating, refining, or tempering metallic substances.
- 3- Oil refineries.
- 4- Working in front of ovens at bakeries.

- 5- Cement plants.
- 6- Ice and refrigeration plants.
- 7- Silvering mirrors using mercury.
- 8- Manufacturing explosives and related activities.
- 9- Melting and tempering glass.
- 10- Welding using oxygen, acetylene, and electricity.
- 11- Painting using Duco.
- 12- Treatment, preparation or storage of ashes containing lead and the extraction of silver from lead.
- 13- Manufacturing tin and metallic components containing more than 10% lead.
- 14- Manufacturing lead monoxide (gold lead) or yellow lead oxide, lead dioxide (sulphonamides), lead carbonates, orange lead oxide, and lead sulphates, chromates, and silicates.
- 15- Mixing and kneading operations in the manufacturing or repair of electrical batteries.
- 16- Cleaning workshops where work mentioned in items (12), (13), (14), (15) of this article take place.
- 17- Management, monitoring, repairing or cleaning moving machines during operation.
- 18- Manufacturing Asphalt.
- 19- The manufacture of oil extracts through mechanical means.
- 20- Manufacturing fertilizers or working at fertilizer warehouses or laboratories for mineral acids and chemical products.
- 21- Working at tanneries.
- 22- Skinning, cutting, depilation by scalding, and melting the fat of animals.
- 23- Manufacturing rubber.
- 24- Filling cylinders with compressed gases.

- 25- Shipping and unloading cargo in docks, piers, ports and warehouses.
- 26- Transportation of passengers by land or domestic waters.
- 27- Manufacturing coal from animal bones (except for the process of sorting bones before burning).
- 28- The process of bleaching, dying and printing textiles.
- 29- Working as servers at nightclubs.
- 30- Working at bars.
- 31- Carrying, dragging or pushing weights heavier than the figures provided in the table attached to this Resolution.

Article (4)

Every employer wishing to employ a minor shall abide by the following provisions:

- a) Acquire, before employing the minor, the following documents, and keep these documents in the minor's file at the establishment:
 - His birth certificate, an official extract thereof or a certificate estimating his age, ratified by the competent official health authorities.
 - Physical fitness certificate for the requested work issued by the competent official medical authorities.
 - Written consent from the minor's parents or legal guardians.
- b) To keep a special file for minors at the workplace, showing the name and age of the minor, the full name of his parent or legal guardian, place of residence, employment date, and the work for which he is hired.
- c) Not to employ minors at night in manufacturing projects. The word "night" refers to a period not less than twelve successive hours including the period from 8pm to 6am.

- d) The maximum actual working hours for minors shall be six hours per day, including one or more breaks for resting, meals, or prayer, no less than one hour in total. This period or periods shall be set so that the minor does not work more than four consecutive hours. If the minor's work includes a period of preparation or training, this period shall be calculated in his working hours. In all cases, the minor must not be kept at the workplace for more than seven consecutive hours.
- e) The minor shall not be assigned to work overtime under any circumstances, nor shall he remain at the workplace after the assigned work hours, or made to work on holidays.
- f) The employer shall be obliged to insure the national minor, if so required by the Ministry.
- g) The employer shall: train the minors working for him how to use the occupational safety and health equipment, monitor the application thereof, and ensure their benefit from such means.
- h) Inform the parent or legal guardian of the minor of any illness, absence, or action by the minor during work hours that they should be aware of.
- i) To maintain records or data that include the information necessary for the nature of the job and the interest of the minor, particularly:
 - Names, ages and employment dates of minors.
 - The jobs assigned to the, work hours, breaks, and due vacations.
 - Date of the medical examinations they undergo and the medical certificates showing their abilities and health capabilities to do the work.
- j) To place the provisions pertaining to the employment of minors in a prominent location at the workplace.

- k) To inform the competent authority at the ministry of the names of the minors working for him, their ages, employment date, and any other information concerning them that is requested by the Ministry.

Article (5)

The minor shall be entitled to all the rights of workers under the aforementioned law regulating work relationships and the resolutions issued for its implementation, if the conditions for its entitlement are fulfilled by the minor.

Article (6)

The Assistant Undersecretary for Labour Affairs shall issue the procedural manual regulating the procedures to issue work permits for minors.

Article (7)

Work permits for minors issued by the Ministry and currently in force shall remain valid until their dates of expiry. Any new permits shall be issued in accordance with this Resolution.

Work permits for minors that are issued in accordance with the provisions of this Resolution shall not be renewed if expired, and the establishments, if they wish for the continued employment of the minor, shall apply for new permits.

Article (8)

Any text or provision contrary to this Resolution shall be null and void.

Article (9)

This Resolution shall be published in the Official Gazette and shall be put into force as of 1/1/2011.

Saqr Ghobash

Minister of Labour

Issued by us in Abu Dhabi on: 29/11/2010

(Table)
Maximum Weights Allowable for Minors under 17 Years of Age
to Lift, Pull or Push

Age	Weights allowed to lift		Weights pushed on rails		Weights pushed on two wheels		Weights pushed on one wheel	
From 15-17 yeas	Males	Females	Males	Females	Males	Females	Males	Females
Weight in kg	15	10	300	150	Not permissible for minors		Not permissible for minors	

Academic Qualifications (Certificates)

Ministerial Resolution No. (424) for 2005 A.D.

det aD14/06/2005 A.D.

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*After reviewing Federal Law No. (1) for 1972 A.D. regarding the ministries competencies and ministers' capacities and the amending laws thereto

*Federal Law No. (8) for 1980 in regards to organizing the work relationships and the amending laws thereto

*Cabinet of Ministers Resolution No. (563/1) for 2001 regarding the restructuring of the labour market

*Cabinet of Ministers Resolution No. (7/7) for 2003 regarding the modification of the recommendation mentioned in section (4) of Cabinet of Ministers Resolution No. (563\1) for 2001, as referred to

*Cabinet of Ministers Resolution No. (356/4) for 2005 regarding the exemption of the recruited labour in the State from the educational qualification condition

*and based on what was proposed by the under-secretary of the labour sector

*and for the public interest

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Limitation of the requirement of obtaining a high school diploma or simple manual labour that do not require qualification, including restrictively the workers who are referred to with numbers (4,5) in the seventh cell of the decimal classification

system applicable in the Arab Gulf Unified Directory for Classification and Job Description.

Article 11

Workers who do not fall under the provision of the first Article shall be conditioned to have a minimum educational qualification in accordance with the Arab Gulf Unified Directory for Classification and Job Description.

Article 12

All of the decisions issued by the Ministry and its instructions contrary to the provisions of this resolution are void and null.

Article 13

The Undersecretary of the Labour Sector is to execute the required amendments in the applicable database of the Ministry regarding the professions that are not consistent with the mentioned approved classification in the referred directory.

Article 14

This resolution is applicable from its issuance date, and shall be published in the official gazette.

Dr. Ahmed Al-Dabbas

Minister of Labour

Ministerial Resolution No. (240) for 2008

Dated 21/04/2008

hvtu Ministerial Resolution No. (851) for 2005

sa tei Dvutua e i L e Ls t ua ai tvs etāM

s vuvMiaLo e Lni

*After reviewing Federal Law No. (1) for 1972 A.D. regarding the ministries competencies and ministers' capacities and the amending laws thereto,

*Federal Law No. (8) for 1980 in regards to organizing the work relationships and the amending laws thereof

*Federal Law No. (45) for 1992 in regards to organizing the Ministry of Foreign Affairs and the associated implementing resolutions thereof

*ri nisterial Resolution No. (851) for 2005, mentioned above

*and fo r the public interest

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he dipl omas, educational or technical certificates that are presented to the ministry of labour must be certified by the ministry of Foreign Affairs or the decided appropriate authority

aa LuDei tv a

the dipl oma or certificate submitted to the ministry is proved to be fabricated, then the application process will be halted without prejudice to penalties or any recourse as mandated by law and executive regulation

Article 1

If the application has been suspended and the work permit is cancelled after the employee has sent the report or was absent at that time, then the applicant establishment is responsible for whatever needed to return him to his home country.

Article 2

Specialized financial and legal competency committees shall be formed to review all the financial payables that were received as a result of resolution No. (158) for 2005 indicated before, and decide on the method of utilizing these funds, according to all applicable financial and legal by-laws.

Article 3

Ministerial Resolution No. (851) for 2005 shall be void and all respective authorities shall be informed thereof.

Article 4

The respective assistant under-secretary of the Ministry has to issue the necessary directions to execute this resolution's provisions.

Article 5

The resolution has to be applicable from its date of issuance, and shall be published in the official gazette.

Minister of Labour

Minister of Labour

١١١١١١ Issued on 27/1/2002 A.D. ١١١١١١

Labour Contract

Administrative Circular No. (1) for 2001 A.D.

Undersecretary of the Labour Sector

Whereas Article 127 of Law No. 8 for 1980 and amending laws had given the employer the right to require that the worker (who works for him and is permitted within the scope of his work to know his clients or have access to his secrets) may not compete with him or participate in a competitive work upon the completion of the contract

In order to set a unified base for the execution of the mentioned article, the following shall be taken into account:

First: The employer, upon the ratification of the labour contract, may add the non-competition condition, provided that the following is specified in the contract:

1- Place: Does not exceed the borders of the United Arab Emirates and may include one or two emirates, or the entire state

2- Time: The validity of the non-competition condition may not exceed two years from the _____ date of the contract termination

3- Type of Work: Determine the type of work that may not be practised as a condition for non-competition

4- The competent employees at the Ministry may not ratify the labour contract if the above-mentioned requirements were not present in the contract

Second: The employer may not set a condition to prevent the worker from working in the country (except in accordance with the provisions of Article 127 and if all conditions apply) by, for example, adding a paragraph in the contract stipulating that “labourers may not work in the country at the expiry of the contract”, which is considered a condition for non-

competition due to its violation of the requirements of the mentioned article, as a result the stamp of depriving the labourer from work, at the expiry of the contract, must not be placed if this condition is present.

Therefore, All appropriate authorities and employees of the ministry must comply carefully with this circular, each in his own scope of work, as of its issuance date.

Dr. Khaled Mohammed Al-Khazragi

Undersecretary of the Labour Sector

Ministerial Resolution No. (1215) for 2005 A.D.

On registering the nationals of Gulf Cooperation Council countries

working in the private sector

Dated 26/12/2005

Minister of Labour and Social Affairs

*After reviewing Federal Law No. (1) for 1972 A.D. regarding the ministries competencies and ministers' capacities and the amending laws thereof

*Federal Law No. (8) for 1980 in regards to organizing the work relationships and the amending laws thereof

*Cabinet of Ministers Resolution No. (91/7) for 2005 on the economic resolutions by the Supreme Council of the Arab Gulf Cooperation Council countries in its twenty fifth session (protection extension system).

*Federal Law No. (7) for 1999 on pensions and social securities.

*Federal Law No. (2) for 2005 issued by H.H. the Minister of Finance and Industry regarding providing the General Authority for Pensions and Social Securities with the names of the workers who are nationals of the Gulf Cooperation Council countries.

*Cabinet of Ministers Resolution No. (19) for 2005 regarding the fees system and bank surety

* and based on what was presented by the competent Under-Secretary

~~~~~**It was decided:**~~~~~

~~~~~**First article**~~~~~

¶All facilities employing or wishing to employ nationals of Gulf Cooperation Council countries must abide by the rules and regulations mentioned in this resolution.¶

~~~~~**Second article**~~~~~

¶The facilities where nationals of Gulf Cooperation Council countries work must re-register them upon the issuance of this resolution in accordance with the terms and conditions mentioned in it.¶

~~~~~**Third article**~~~~~

Nationals of Gulf Cooperation Council countries shall be registered by printing the data of the employment contract forms and apply for a labour card for nationals of Gulf Cooperation Council countries through the transactions clearance office or directly by subscribing to the website www.uaesmartforms.com ¶

~~~~~**Fourth article**~~~~~

In case of new contracts, the competent administration at the Ministry shall receive the labour card and new employment contract after the signature of the employee and employer, in addition to a photograph of the employee, as a file in his name shall be opened in the system at the Ministry.¶The facility shall receive a receipt bearing the number of the labour card and 3 ratified copies of the contract.¶

#### **~~~~~Fifth article~~~~~**

¶The facility shall deliver the receipt of the labour card number and the employment contracts to the General Authority for Pensions and Social Securities.¶

#### **~~~~~Sixth article~~~~~**

¶In case of valid contracts and cards, the Ministry, upon receipt of the labour card application and the employment contract in the new format, shall substitute the labour card and write the conditions of the valid contract in the new contract format, in addition to the completion of the other necessary procedures under this resolution.¶

#### **~~~~~Seventh article~~~~~**

The General Authority for Pensions and Social Securities shall have the right to access and view the employment contract and the requests related to it at the web site [www.uaesmartforms.com](http://www.uaesmartforms.com) on the internet by entering the labour card number.¶

#### **~~~~~Eighth Article~~~~~**

¶The General Authority for Pensions and Social Securities, according to the competencies and responsibilities assigned to it under the protection extension system and its laws shall assign a subscription number to the employer at the company where Gulf Cooperation Council countries nationals work as well as activate the approval of the labour card.¶

#### **~~~~~Ninth article~~~~~**

¶After the General Authority for Pensions and Social Securities assigns an owner subscription number according to what was mentioned in the Eighth Article above and approve the activation of the card, the Ministry shall print the card and send it to the facility by mail.¶

#### TTTTTTTTT**Tenth article**TTTTTTTTT

¶The steps and procedures mentioned in the articles above shall apply in case of any amendment to the employment contract using the same numbers assigned to the employer subscription.¶

#### TTTTTTTTT**Eleventh Article**TTTTTTTTT

¶The General Authority for Pensions and Social Securities may suspend the facility file at the Ministry temporarily on the network by entering the subscription number, in case the facility does not pay the due subscriptions including the employer's share and the share of the insured. The file must be reactivated in the event of settling the subscriptions.¶

#### TTTTTTTTT**Twelfth Article**TTTTTTTTT

¶The facilities shall complete the procedures of employing Gulf Cooperation Council countries nationals as stipulated in this resolution and acquire the labour card in accordance with the applied resolutions and executive regulations.¶

#### TTTTTTTTT**Thirteenth article**TTTTTTTTT

¶The labour cards of Gulf Cooperation Council countries nationals shall be exempt from the fees mentioned in cells from (6) to (16) of the table in the First Article of the mentioned Ministerial Resolution No. (19) for 2005.¶

**Fourteenth article**

Late fees mentioned in cells (21), (22) and (23) of the table in the First Article of the mentioned Ministerial Resolution No. (19) for 2005 shall apply.

**Fifteenth article**

This decision is effective from its issuance date and shall be published in the Official Gazette.

**Dr. Ali Abdullah Al-Kaabi**

**Minister of Labour and Social Affairs**

**Ministerial Resolution No. (1216) for 2005**

**On the rules and procedures of the employment contracts of nationals**

**Dated: 26/12/2005**

**Minister of Labour and Social Affairs**

\*After reviewing Federal Law No. (1) for 1972 A.D. regarding the ministries competencies and ministers' capacities and the amending laws there to

\*Federal Law No. (8) for 1980 in regards to organizing the work relationships and the amending laws there to

\*Federal Law No. (7) for 1999 on pensions and social securities

\*Law No. (2) for 2000 on pensions and civil retirement benefits for the Emirate of Abu Dhabi

\*Cabinet of Ministers Resolution No. (19) for 2005 regarding the fees system and the bank security

\*Ministerial Resolution No. (900) for 2002 on the rules of the unified employment contract for nationals in the private sector in the country

\*and based on what was presented by the competent Undersecretary

**It was decided**

**First article**

The employment of nationals shall be in accordance with the rules, regulations and employment contract model specified in this resolution

## **Second article**

The facility shall print the data requested in the employment contract and labour card application on the screen through the transactions processing offices, or through subscribing to the web site [www.uaesmartforms.com](http://www.uaesmartforms.com)

## **Third article**

In case of new contracts, the competent administration and the Ministry shall receive the labour card and new employment contract after the signature of the employee and employer, in addition to a photograph of the employee, as a file in his name shall be opened in the system at the Ministry. The facility shall receive a receipt carrying the number of the labour card and 3 ratified copies of the contract

## **Fourth article**

The facility shall deliver the receipt of the labour card number and the employment contracts to the General Authority for Pensions and Social Securities or the Pensions and Retirement Benefits Fund for the Emirate of Abu Dhabi as necessary

## **Fifth article**

The General Authority for Pensions and Social Securities or the Pensions and Retirement Benefits Fund for the Emirate of Abu Dhabi, as necessary, shall have the right to access and view the employment contract and the requests related to it at the web site [www.uaesmartforms.com](http://www.uaesmartforms.com) on the internet by entering the labour card number.

#### **Sixth article**

¶¶The General Authority for Pensions and Social Securities or the Pensions and Retirement Benefits Fund for the Emirate of Abu Dhabi, as necessary and according to the competencies and responsibilities stipulated in their laws, shall link the facility subscription number and the employee's security number and shall activate the ratification of the employee card.¶¶

#### **Seventh article**

¶¶After the General Authority for Pensions and Social Securities or the Pensions and Retirement Benefits Fund for the Emirate of Abu Dhabi links the facility subscription number and the employee's security number and approve the activation of the card, the Ministry shall print the card and send it by mail to the facility.¶¶

#### **Eighth Article**

¶¶The steps and procedures mentioned in the articles above shall apply in case of any amendment to the employment contract using the same numbers linked to the facility subscription and the employee insurance.¶¶

#### **Ninth article**

¶¶The General Authority for Pensions and Social Securities or the Pensions and Retirement Benefits Fund for the Emirate of Abu Dhabi may, as necessary, suspend the facility file at the Ministry temporarily on the network by entering the subscription number, in case the facility does not pay the due subscriptions including the employer's share and the share of the insures. The file must be reactivated in the event of settling the subscriptions.¶¶

#### **Tenth article**

The facilities shall complete the procedures of employing nationals as stipulated in this resolution and acquire the labour card in accordance with the applied resolutions and executive regulations

#### **Eleventh Article**

At the termination of the work relationship for any reason, the employer shall be obliged to notify the Ministry and cancel the labour card in accordance with the laws and regulations in force. In the event the employer does not meet this commitment, the work relationship shall be considered ongoing, and the Ministry, upon receipt of such notification, shall send a copy to the General Authority for Pensions and Social Securities or the Pensions and Retirement Benefits Fund for the Emirate of Abu Dhabi

#### **Twelfth Article**

If the Authority or Fund received a notification from the Ministry or the facility to the termination of the work relationship, it shall conclude the procedures related to the pension rights of the worker and notify the Ministry in order to remove the worker from the facility file

#### **Thirteenth article**

The unified employment contract system for nationals in the private sector as published on the website of National Resources Development and Employment Authority shall be cancelled, also the mentioned Ministerial Resolution No. (900) for 2002 shall be cancelled

#### **Fourteenth article**

¶¶The labour cards of nationals shall be exempt from the fees mentioned in cells from (6) to (16) of the table in the First Article of the mentioned Cabinet of Ministers Resolution No. (19) for 2005¶¶

¶¶¶¶¶¶¶¶¶¶**Fifteenth article**¶¶¶¶¶¶¶¶¶¶

¶¶Late fees mentioned in cells (21), (22) and (23) of the table in the First Article of the mentioned Cabinet of Ministers Resolution No. (19) for 2005 shall apply¶¶

¶¶¶¶¶¶¶¶¶¶**Sixteenth article**¶¶¶¶¶¶¶¶¶¶

¶¶¶¶¶¶¶¶¶¶This resolution is effective from its issuance date and shall be published in the official gazette¶¶¶¶¶¶¶¶¶¶

¶¶¶¶¶¶¶¶¶¶**Dr. Ali Abdullah Al-Kaabi**¶¶¶¶¶¶¶¶¶¶

¶¶¶¶¶¶¶¶¶¶**Minister of Labour and Social Affairs**¶¶¶¶¶¶¶¶¶¶

# Wage Protection

## **Ministerial Resolution No. (788) for 2009**

### **Notice for Payment**

#### **Article 1**

- Law No. (1) for 1972 A.D. regarding the ministries competencies and ministers' capacities and the amending laws thereof
- Law No. (8) for 1980 in regards to organizing the work relationships and the amending laws thereof
  - Law No. (3) for 1987, further the measure of Law thereof
  - Cabinet of Ministers Resolution No. (1/133) for 2007 regarding wage protection
  - Governmental Order No. (1) for 2007 regarding the payment of wages

### **It was decided:**

#### **Article 1**

Law No. (1) for 1972 A.D. regarding the ministries competencies and ministers' capacities and the amending laws thereof shall be applied at the Ministry shall pay the salaries of their workers at least once a month, or at the times stated in the employment contract, if less than one month, provided that this payment is according to the procedures and times specified in this decision

The measure of Law No. (3) for 1987, further the measure of Law No. (1) for 1980 in regards to organizing the work relationships and the amending laws thereof shall be applied

## Part 2

The provisions of Article (1) of this decision shall be given effect from 1/9/2009 -

through the Wage Protection System (WPS), provided that they complete this within the periods specified for it in Article (3) of this decision.

## Part 3

The provisions of Article (1) of this decision shall be given the necessary periods of time to complete the transfer of the salaries of their workers through the (WPS) System according to the following table:

| When the provisions of Article (1) of this decision shall be given effect | Transfer of salaries through the (WPS) System | Deadline   |
|---------------------------------------------------------------------------|-----------------------------------------------|------------|
| 100 days                                                                  | 3 months from 1/9/2009                        | 30/11/2009 |
| 150 days                                                                  | 6 months from 1/9/2009                        | 28/2/2010  |
| 180 days                                                                  | 9 months from 1/9/2009                        | 31/5/2010  |

The provisions of Article (1) of this decision shall be given effect from 1/9/2009 -

- The provisions of Article (1) of this decision shall be given effect from 1/9/2009 - through the Wage Protection System (WPS), provided that they complete this within the periods specified for it in Article (3) of this decision.
- The provisions of Article (1) of this decision shall be given effect from 1/9/2009 - through the Wage Protection System (WPS), provided that they complete this within the periods specified for it in Article (3) of this decision.

¶¶¶ he facilities shall remain (1,2) in the light of the above until it is

lifted. After the limit of the prohibition to be lifted off the

the facilities shall be lifted from the beginning of the month following

#### ¶¶¶¶¶ ¶¶¶¶¶ (4)

¶¶¶ IAA will get the facilities within the periods specified in Article (3) mentioned in Article (2) of this Decision, within the periods specified in Article (3) thereof, and the suspension shall be lifted from the beginning of the month following its full transfer of the requested salaries.

#### ¶¶¶¶¶ ¶¶¶¶¶ (5)

¶¶¶i til the facilities transfer the salaries of its workers in accordance with Article (2) of this Decision, the facilities, in which the number of workers is fifty or more, shall submit a monthly statement as per the form attached to this Decision.

¶¶¶If it is possible, through a decision made by the Director General of the Ministry, or his delegate, to add or dismiss facilities of what was mentioned in the First Paragraph of this Article.

#### ¶¶¶¶¶ ¶¶¶¶¶ (6)

¶¶¶ he facilities shall submit (5) of this Decision must be submitted within two weeks from the date the salary is due and in accordance with the procedures approved by the Director General of the Ministry.

#### ¶¶¶¶¶ ¶¶¶¶¶ (7)

¶¶¶s shall undertake to submit the statement stipulated in Article (5) of this

Decision, being civilly and criminally liable for the data and information in this statement.

#### Article 8

The Ministry confirms any of the two following violations:

- a) If being the Afwerf miir hiaer rwerf re
- b) If wym erav the rfre meir, reGwAfeit m(5) ia the ten e di, rwerf  
ie miir hia the fAftrwerf re

It shall not be granted any new work permits for the following periods:

- If the Afreiie fme ire rean imm erera it the first time
- If the miir h, fard the gei Afreiie fme ire rean imm erera it the e niir rene
- If wi miir h, fard the gei Afreiie fme ire rean imm erera it the hette me
- If ht ee miir h, fard the gei Afreiie fme ire rean imm erera it the fourth time

The ye ie r tb, eare nererhf r thef yige meireierer wraiwf fir aef eya, mfb  
w Geir the v t freiv ia ib ie w w it e Getmer rif AAaf ne Ae ye Aiiveivrit he wie t  
ia thea fne Abige i Afrei, Gigerer the law Aerbial G trie ts, and refer all those  
responsible for the violation to the judicial entities to take action. The said suspension  
shall continue until the claim is settled or the violation is amended, whichever is  
soon.

#### Article 9

The ye ie r tb confirms that the statement, mentioned in Article (5) of this Decision,  
included incorrect data, it may suspend granting any new work permits to the facility,

where the violation took place, referring all those responsible for the said violation to judicial entities to take action. The suspension shall continue until the claim is settled.

**Article 11**

The measures referred to in Article 10 shall be taken by the competent authorities of the State of Kuwait, in accordance with the provisions of the Law No. 156 of 2003, until the claim is settled.

**Article 12**

The resolution shall be published in the official Gazette and put into force as of 1/9/2009.

**Signature**

**Signature**

**Issued by us in Abu-Dhabi**

**on 21/7/2009**

# Fees and Bank Guarantee

**Ministerial Resolution No. (444) for 2006 A.D.**

**Dated 25/6/2006 A.D.**

**Regarding the Rules and Procedures for Fees Exemption**

**Minister of Labour**

\*After reviewing Federal Law No. (1) for 1972 A.D. regarding the ministries competencies and ministers' capacities and the amending laws there

\*Federal Law No. (8) for 1980 in regards to organizing the work relationships and the amending laws there

\*Cabinet of Ministers Resolution No. (19) for 2005 regarding the fees system and bank surety

\*Federal Resolution No. (10) for 2006 A.D. to form the Cabinet of United Arab Emirates

\*Ministerial Resolution No. (292) for 2006 on the Rules and Regulations for Fees Exemption

\*Ministerial Resolution No. (1151) for 2005 on Labour Cards Fine Fees

\*Ministerial Resolution No. (1252) for 2005 on Working according to the manual of the settlement procedures for cases of non-issuance of labour cards or expired labour cards

\*Ministerial Circular No. (14) for 1995 on Working according to the manual on deducting from the balance of the facility worker

\*Ministerial Resolution No. (326) for 2006 on Fees Exemption

\*and based on what was presented by the Under-secretary of the Ministry

**The below were decided:**

**First article**

**The following rules and procedures shall be applied upon exemption from the fees of late issuance or renewal of labour cards:**

- 1- The facility shall be exempt in case of the worker who left the country and has been abroad for more than (6) months, or whose residency expired while abroad and his card expired after the departure date. If he was not issued a labour card or if his labour card had expired prior to departure, the fine shall be paid from the date of entry or expiry of the labour card until the departure date.
- 2- The facility shall be exempt in case of the worker whose name is repeated in the workers list at the facility, or in any other facility (has a labour card or residency with another facility) with respect to the workers whose labour cards have expired on or before 31/12/2005.
- 3- The facility shall be exempt in case of the worker who is registered in the facility balance record, whose labour permit or labour card has expired, while there is no data on him in the records of the competent Naturalization and Residency Administration, with respect to cards expiring on or before 31/12/2005, and provided that the worker's registration in the Ministry database was done properly, in the presence of the requested documents and data, and in accordance with the observed law.
- 4- The facility shall be exempt in the case of the fugitive worker, whose labour card has expired, and for whom the facility has a receipt for an old notification of escape issued by the Ministry prior to 2002, that for the period following and not prior to the date of the notification receipt.

- 5- The facility shall be exempt in the case of the worker whose labour card has expired after he was dismissed by an order or a legislative or administrative resolution from the competent authorities, for the period after and not before his dismissal. If no card was issued for the worker, a late fee shall be paid for the period from entry into the country until the dismissal date. However, if the dismissal was before the issuance of this Ministerial Resolution, the facility shall be exempt of all late fees payable for the non-issuance or renewal of the card.
- 6- The facility shall be exempt in the case of a deceased worker or one that suffers from an infectious disease with respect to the fees resulting from the non-renewal of the card for the period following the date of death or proven infection. If no card was issued for the worker from the beginning, a late fee shall be paid for the period from entry into the country until the date of death or the issuance of a medical certificate confirming the disease.
- 7- The facility shall be exempt in case of the worker whose card has expired and the Ministry has referred his complaint to the court, for the period following, and not before, the date of referral to court. If the worker had not been issued a card, or if his card had expired, a late fee shall be paid for the period from the date of entry into the country or the date of expiry of the card to the referral date.
- 8- The facility shall be exempt in case of the worker whose labour card had expired following a judicial or an administrative resolution to the bankruptcy, liquidation or halting the activity of the facility, where the said worker is serving, for the period following, and not before, the resolution. The decision of the Ministry to stop dealing with the facility, the expiry of the commercial license, its cancellation by the licensing body, or suspending the activity of the facility shall not be considered reasons for exemption. If no card was issued for the

worker, a late fee shall be paid for the period from entry into the country until the date of issuance of the said resolution.

9- The facility shall be exempt in the case of the expired labour card in the name of a partner, investor, responsible for a shop or works for himself, provided that his name is registered in the license attaching a copy of a valid residency showing that he is a partner or investor.

10- The facility shall be exempt in case of the worker against whom any of the following is present, and who is still registered in the computer:

- Case of the worker who has been reported in Form (8) regarding the circular for the worker escaping abroad for more than six months and a fine due his labour card has been paid on the date of the report.

- Case of the worker who was dismissed in Form (5).

- Case of the worker whose sponsorship was cancelled by an old cancellation letter issued by the Ministry, who has left the country, and who was not dismissed by Form (5), provided that the departure is proved.

- Case of the worker who has left the country by a departure certificate at least six months ago, and for whom a labour card was not issued or whose labour card was not renewed, provided that the departure was before 23/7/2005.

11- The facility shall be exempt in case of the worker who was not issued a labour card or whose labour card had expired for the period before or after receiving the passport of the country.

## Second article

¶¶¶¶The heads of the competent administrations and the Directors of the Labour Offices, each in his own jurisdiction, shall approve the exemptions for the cases mentioned in this resolution¶¶¶¶

### ¶¶¶¶¶Third article¶¶¶¶¶

¶¶¶¶Other cases that are not included in the provisions of this resolution and which can be looked into with respect to the fine payable to the competent administration of Labour Office in preparation for presenting the same to the deciding committee to rule on the possibility of exemption from the fine or not¶¶¶¶

### ¶¶¶¶¶Fourth article¶¶¶¶¶

¶¶¶¶Ministerial Resolution No. (326) for 2006 and any previous resolutions issued on the exemption from fines shall be annulled¶¶¶¶

### ¶¶¶¶¶Fifth article¶¶¶¶¶

¶¶¶¶¶¶¶¶This resolution is effective as of its date of issuance and shall be followed carefully¶¶¶¶¶

¶¶¶¶¶Dr./ Ali bin Abdullah Al-Kaabi¶¶¶¶¶

¶¶¶¶¶Minister of Labour and Social Affairs¶¶¶¶¶

**Ministerial Resolution No. (812) for 2006 A.D.**

**Dated 11/12/2006 A.D.**

**Minister of Labour:**

\* After reviewing Federal Law No. (1) for 1972 A.D. regarding the ministries competencies and ministers' capacities and the amending laws thereof

\* Federal Law No. (8) for 1980 in regards to organizing the work relationships and the amending laws thereof

\* Cabinet of Ministers Resolution No. (19) for 2005 regarding the fees system and bank surety and its executive regulations

\* Federal Resolution No. (10) for 2006 A.D. to form the Cabinet of United Arab Emirates

\* Ministerial Resolution No. (444) for 2006 on the Rules and Procedures for Fees Exemption

**The below were decided:**

**First article**

**The following case shall be added to the cases mentioned in the First Article of Ministerial Resolution No. (444) for 2006 on the Rules and Procedures of fine exemption**

((The facility shall be exempt from the fine of renewing the labour card if the card expired while the worker is suspended, apprehended, or imprisoned. If the worker had not been issued a card, the fine shall be calculated from the date of entry into the country until the date of his suspension, apprehension, or imprisonment.

¶¶¶¶In all cases, it is conditional for the facility to submit a request for settlement, whether by issuing, renewing, or cancelling the card within a maximum of three months from the release date, if the request was submitted after that period; hence the facility shall not be exempt from the fine¶¶¶¶

#### ¶¶¶¶¶Second article¶¶¶¶¶

¶¶¶¶The above article shall not prejudice the provisions and procedures stipulated in Administrative Resolution No. 24/2006 regarding dismissing the worker against whom a dismissal ruling has been passed after the completion of the sentence¶¶¶¶

#### ¶¶¶¶¶Third article¶¶¶¶¶

¶¶¶¶¶¶¶This resolution is effective as of its issuance date, where all the concerned officials must be adhere to the same, each in his own capacity¶¶¶¶¶

¶¶¶¶¶Dr. Ali bin Abdullah Al-Kaabi¶¶¶¶¶

¶¶¶¶¶Minister of Labour¶¶¶¶¶

**Ministerial Resolution No. (604) for 2007**

**Dated: 25/9/2007**

**On adding a case to the rules and procedures of fees exemption**

**Minister of Labour**

\*After reviewing Federal law No. (1) for 1972 A.D. regarding the ministries competencies and ministers' capacities and the amending laws there

\*Federal law No. (8) for 1980 in regards to organizing the work relationships and the amending laws there

\*Federal Resolution No. (10) for 2006 A.D. to form the Cabinet of United Arab Emirates

\* Upon Cabinet of Ministers Resolution No. (133/1) for 2007 on amending some of the provisions of Federal Law No. (6) for 1973 regarding the entry and residence of foreigners, granting a time limit for violators of labour and residency laws to leave the country or settle their status

\* Cabinet of Ministers Resolution No. (19) for 2005 in regards to fees and bank sur

\* Ministerial Resolution No. (444) for 2006 and Ministerial Resolution No. (812) for 2006 on the rules and procedures of fees exemption

\*and based on what was presented by the Assistant Under-Secretary

**It was decided:**

**First article**

**The following case shall be added to the limited exemption cases mentioned in the First Article of the above-mentioned Ministerial Resolution No. (444) for 2006**

ﷲﷲﷲﷲ All facilities shall be exempted from the fees for issuing a labour card or an expired labour card without renewal in the case of the worker who make his final departure from the country within the settlement period for violating workers extending from 2/6/2007 to 3/11/2007.ﷲﷲﷲﷲ

### ﷲﷲﷲﷲ **Second article** ﷲﷲﷲﷲ

ﷲﷲﷲﷲﷲﷲﷲ This resolution is effective as of its issuance date, where all the competent officials must adhere to the same carefully, each one in his own capacity.ﷲﷲﷲﷲﷲﷲﷲ

ﷲﷲﷲﷲ **Dr. Ali bin Abdullah Al-Kaabi** ﷲﷲﷲﷲ

ﷲﷲﷲﷲ **Minister of Labour** ﷲﷲﷲﷲ

**Ministerial Resolution No. (968) for 2009**

**On the amendment of Ministerial Resolution No. (444) for 2006**

**Regarding the Rules and Procedures for Fees Exemption**

**Minister of Labour**

- After reviewing Federal law No. (1) for 1972 A.D. regarding the ministries competencies and ministers' capacities and the amending laws thereto
- Federal law No. (8) for 1980 in regards to organizing the work relationships and the amending laws thereto
- Ministerial Resolution No. (444) for 2006 on the Rules and Procedures for Fees Exemption
- Based upon what was presented by H.E. the Acting General Manager at the Ministry

**It was decided:**

**Article (I)**

The following text shall substitute Item No. (6) as stipulated in Article One of the mentioned Ministerial Resolution No. (444) for 2006:

(The facility shall be exempted from the fees for not renewing a labour card or not issuing a labour card in case of a deceased worker or one who suffers from an infectious disease)

Article (2)

All concerned authorities shall implement this Resolution from the date of its issuance, and it shall be published in the Official Gazette.

Saqr Ghobash

Minister of Labour

Issued by us in Abu-Dhabi

Corresponding to 6/9/2009

**Cabinet of Ministers Resolution No.(27) of 2010**

**On the fees and Penalties for Service Provided**

**By the Ministry of Labour**

Repeals

Cabinet Decision No. 19/2005, dated 19/07/2005;

**The Cabinet**

Upon consulting the Constitution;

Federal law No. 1 of 1972 on the competences of Ministries and Powers of Ministers , as Amended;

Federal law No. 8 of 1980 regulating Labour Relations , as Amended;

Cabinet of Ministers Resolution No. (19) of 2005 regulating Fees and Bank Guarantees;

Based on the motion of the Ministry of Labour and approved by the Cabinet,

Resolved as follows:

**Article (1)**

The fees listed below shall be imposed in UAE Dirham on the services described herein and provided by the Ministry of Labour as follows:

**First Firm Registration Services Fees:**

| SN | Type of Service                                            |       |        |     |     |       | Standard fee |
|----|------------------------------------------------------------|-------|--------|-----|-----|-------|--------------|
|    |                                                            | First | Second |     |     | Third |              |
|    |                                                            | (1)   | (2)    |     |     | (3)   |              |
|    |                                                            |       | (A)    | (B) | (C) |       |              |
| 1  | Opening firm Register                                      | --    | --     | --  | --  | --    | <b>2000</b>  |
| 2  | Issuing Electronic Signature Card                          | --    | --     | --  | --  | --    | <b>250</b>   |
| 3  | Issuing a PRO (non-national) for two years                 | --    | --     | --  | --  | --    | <b>2000</b>  |
| 4  | Issuing a PRO card as replacement for lost or damaged card | --    | --     | --  | --  | --    | <b>200</b>   |

**Second: Work Permit Service Fees (from inside):**

| SN | Type of Service                                                 |       |        |      |      |       | Standard fee |
|----|-----------------------------------------------------------------|-------|--------|------|------|-------|--------------|
|    |                                                                 | First | Second |      |      | Third |              |
|    |                                                                 | (1)   | (2)    |      |      | (3)   |              |
|    |                                                                 |       | (A)    | (B)  | (C)  |       |              |
| 1  | Applying for work permit for persons sponsored by their kinship | --    | --     | --   | --   | --    | <b>200</b>   |
| 2  | Work Permit for those sponsored                                 | 300   | 600    | 1500 | 2000 | 5000  | --           |

|   |                                                       |    |    |    |    |    |            |
|---|-------------------------------------------------------|----|----|----|----|----|------------|
|   | by their kinship , including two-year labour card     |    |    |    |    |    |            |
| 3 | Applying for work permit for a juvenile               | -- | -- | -- | -- | -- | <b>100</b> |
| 4 | One-year juvenile work permit                         | -- | -- | -- | -- | -- | <b>500</b> |
| 5 | Applying for temporary work permit                    | -- | -- | -- | -- | -- | <b>100</b> |
| 6 | Temporary work permit, including 6 months labour card | -- | -- | -- | -- | -- | <b>500</b> |
| 7 | Applying for part time work permit                    | -- | -- | -- | -- | -- | <b>100</b> |
| 8 | Part time work permit including one-year labour card  | -- | -- | -- | -- | -- | <b>500</b> |

**Third: Work Permit Service Fee (from Abroad)**

| SN | Type of Service                                         |       |        |      |      |       | Standard fee |
|----|---------------------------------------------------------|-------|--------|------|------|-------|--------------|
|    |                                                         | First | Second |      |      | Third |              |
|    |                                                         | (1)   | (2)    |      |      | (3)   |              |
|    |                                                         |       | (A)    | (B)  | (C)  |       |              |
| 1  | Applying for work permit (for each worker               | --    | --     | --   | --   | --    | <b>200</b>   |
| 2  | Work permit (recruitment and employment of workers from | 300   | 600    | 1500 | 2000 | 5000  | --           |

|   |                                                                                                                     |    |    |    |    |    |             |
|---|---------------------------------------------------------------------------------------------------------------------|----|----|----|----|----|-------------|
|   | abroad, including two-year labour card).                                                                            |    |    |    |    |    |             |
| 3 | Work permit (recruitment and employment of workers aged over 65 years from abroad, including two-year labour card). | -- | -- | -- | -- | -- | <b>5000</b> |
| 4 | Extending work permit from abroad. For every 10 days or fraction thereof                                            | -- | -- | -- | -- | -- | <b>500</b>  |
| 5 | Changing work permit                                                                                                | -- | -- | -- | -- | -- | <b>200</b>  |

**Fourth: Business Duty Permit Service Fees (from Abroad) :-**

| SN | Type of Service                         | Standard fee for all classification categories |
|----|-----------------------------------------|------------------------------------------------|
| 1  | Applying for work duty permit           | 100                                            |
| 2  | Work duty permit, including labour card | 500                                            |

**Fifth: Employment Contracts and Card Service Fees:**

| SN | Type of Service |       |        |     |       | Standard fee |
|----|-----------------|-------|--------|-----|-------|--------------|
|    |                 | First | Second |     | Third |              |
|    |                 | (1)   | (2)    |     | (3)   |              |
|    |                 |       | (A)    | (B) | (C)   |              |

|   |                                                             |     |     |      |      |      |             |
|---|-------------------------------------------------------------|-----|-----|------|------|------|-------------|
| 1 | Renewing labour card for two years                          | 300 | 600 | 1500 | 2000 | 5000 | --          |
| 2 | Renewing labour card for workers aged over 65 for two years | --  | --  | --   | --   | --   | <b>5000</b> |
| 3 | Renewing work duty card                                     | --  | --  | --   | --   | --   | <b>500</b>  |
| 4 | Issuing labour card in lieu of lost or damaged card         | --  | --  | --   | --   | --   | <b>200</b>  |
| 5 | Changing labour card details                                | --  | --  | --   | --   | --   | <b>200</b>  |
| 6 | Changing employment contract details                        | --  | --  | --   | --   | --   | <b>200</b>  |

**Six: Service fees for Workers Transfer from Firm to another:**

| SN | Type of Service                                                       |       |        |      |      |       | Standard fee |
|----|-----------------------------------------------------------------------|-------|--------|------|------|-------|--------------|
|    |                                                                       | First | Second |      |      | Third |              |
|    |                                                                       | (1)   | (2)    |      |      | (3)   |              |
|    |                                                                       |       | (A)    | (B)  | (C)  |       |              |
| 1  | Applying for worker transfer permit from firm to another              | --    | --     | --   | --   | --    | <b>200</b>   |
| 2  | Worker transfer and employment permit, including two-year labour card | 300   | 600    | 1500 | 2000 | 5000  | --           |
| 3  | Work permit (transfer and                                             | --    | --     | --   | --   | --    | <b>5000</b>  |

|   |                                                                                                  |    |    |    |    |    |            |
|---|--------------------------------------------------------------------------------------------------|----|----|----|----|----|------------|
|   | employment of worker aged over 65 years, inclusive of two-year labour card).                     |    |    |    |    |    |            |
| 4 | Extention of worker transfer permit from firm to another for every 10 days or a fraction thereof | -- | -- | -- | -- | -- | <b>500</b> |

**Seventh: Fees of Labour Recruitment Agencies:-**

| SN | Type of Service                                               | Standard fee for all classification categories |
|----|---------------------------------------------------------------|------------------------------------------------|
| 1  | Labour recruitment agency licensing fee                       | 10000                                          |
| 2  | Annual fee for renewing the labour recruitment agency license | 5000                                           |

**Eighth: Administrative Fines:-**

| SN | Description of Violation                                                                                                           | Value of Fine For Each Category                     |
|----|------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
| 1  | Delay in issuing or renewing the labour card for a period exceeding sixty (60) days from the date of entry or date of card expiry. | 1000 for each month of delay or a fraction thereof. |
| 2  | Delay in issuing work duty card for a period exceeding 30 days from the date of entry.                                             | 100 for each day of delay                           |

|   |                                                                                                         |                                                                                           |
|---|---------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|
| 3 | Failure to renew work duty card for a period exceeding 7 days from the date of expiry.                  | 100 for each day of delay                                                                 |
| 4 | Failure to renew the labour recruitment agency license                                                  | 5000 for each month of delay or a fraction thereof.                                       |
| 5 | Settlement of violations to the law regulating labour relations and the implementing decisions thereof, | From 5000 to 20000 according to the violation category approved by the Ministry of Labour |

### **Article (2)**

Firms shall be exempted from payment of fees specified herein payable on the employment of UAE worker therein.

### **Article (3)**

1. The delay fees provided for in the aforementioned Cabinet of Ministers Resolution Mo. (19) of 2005 and those specified in the Minister of Labour Decision No. (771) of 2007 shall be settled at a maximum of AED 5000 per worker for all periods of violations committed prior to the entry into force of this Decision.

2. The Minister of Labour may in coordination with the Minister of Finance set the rules, curbs and standards according to which the maximum limit stipulated in Clause (I) hereof shall be reduced or entirely exempted.

#### **Article (4)**

The Minister of Labour may make any exemptions from any or all administrative fines stipulated in the Eighth Clause of Article (1) hereof in such cases defined thereby and pursuant to such rules, conditions and standards as he may determine in coordination with the Ministry of Finance.

#### **Article (5)**

Any provision that contradicts or contravenes with this Resolution and Cabinet of Ministers Resolution No. (19) of 2005 shall be repealed with the exception of articles concerning licensing fees for nurseries.

#### **Article (6)**

**This Resolution shall be published in the Official Gazette and its provision shall be applied as Follows:**

1. For fishing boat firms of UAE nationals, it shall take effect one month after the date of its issue in the Official Gazette.
2. For other firms, it shall take effect three months after the date of its issue in the Official Gazette.

**Mohammed bin Rashid Al Maktoum**

**Prime Minister**

**Issued by us:**

**Dated: 1 Ramadan 1431 A.H.,**

**Corresponding to: 11 August 2010 A.D.**

**Cabinet of Ministers Resolution no (26) of 2010**

**On regulating labour relations and determined**

**Banking guarantees**

**The cabinet:**

- Upon consulting the Consulting the constitution and law no . (1) of 1972 on the competences of ministries and powers of ministers, as amended:
- Federal law no (8) of 1980 regulating labour relations, as amended
- Cabinet of Ministers Resolution no (18) of 2005 on transfer of sponsorship and secondment of sponsored employees and determined fees:
- Cabinet of Ministers Resolution no (19) of 2005 on the system for fees and banking guarantees : and
- Based on the motion the minister of labour and approval of the cabinet ,

**Resolved as follows:**

**Article (1)**

The firms governed by the provisions of the aforementioned Federal law no. (8) of 1980 shall be grouped into categories :

- 1- Category (1);
- 2- Category (2) which is subdivided into (A), (B) and (C)
- 3- Category (3). the classification referred to in clause (1) hereof shall be made according to the extent of compliance of such firms with legislations and legal regulations and standards stated herein, particularly:

- a. Adhering to cultural diversity stipulated in the decision of the minister of labour made in this regard .
- b. Abiding by the payment of wages on its duly fixed or agreed dates according to the prescribed procedures.
- c. Providing labour accommodation as per the standards and requirements approved in this regard.
- d. Adhering to the emiratization percentages defined by the concerned bodies.
- e. Complying with the law and ministry's policies by small and medium enterprises sponsored by youth business supporting establishments.
- f. Any such other standards conditions, curbs and periods as may be issued by the minister of labour.

#### **Article (2)**

Subject to Article (4) hereof, fishing boat firms of UAE nationals shall be classified in category (a).

#### **Article (3)**

Subject to articles (2) & (4) hereof, firms employing more than three workers shall fall under category (2/b).

#### **Article (4)**

Firms may be transferred from a category to or from another level per the standards stipulated in article (1) hereof.

## **Article (5)**

**Firms that are subject to the labour law shall pay the bank guarantee before the employee's recruitment as follows:**

1. Firm classified under category "2-A": three thousand dirhams per employee at a maximum of one million and half dirhams.
  2. Firm classified under category "2-B": three thousand dirhams per employee at a maximum of three million dirhams.
  3. Firm classified under category "2-C": three thousand dirhams per employee at a maximum of five million dirhams.
- 1- Firm classified under category "3": three thousand dirhams per employee at a maximum of ten million dirhams.

## **Article (6)**

**The following entities shall be excluded from the payment of the bank guarantee set forth in article (5) hereof:**

1. Firms falling under category "A" hereof;
2. Industrial projects licensed under an industrial license issued by the ministry of Economy, which have priority to privileges and exemptions under Federal Law No (1) of 1979 regulating Industry affairs;
3. Companies or firms established or co-owned by the Federal Government or local governments :

4. Public utility societies , cooperative societies and national private institutions operating under the supervision of the Ministry of Social Affairs; and
5. Any other firms governed by the rules, curbs and standards by the minister of labour in coordination with Minister of Finance.

**Mohamed bin Rashid Al Maktoum**

**Prime minister**

**Date of signature: 11/08/2010: 01 Ramadan 1431 a.h.,**

**Date of publication: 31/08/2010**

**Effective date: 01/12/2010**

# Cancellation and Absence from work

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\*After reviewing Federal Law No. (1) for 1972 A.D. regarding the ministries competencies and

\*Ministerial Circular No. (14) for 1995 on deducting out of the balance

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**The labour card of the worker who had left t**

- 1- The employer submits the dismissal request according to the form set for that purpose, and after paying a fee of (200) Dirham for each w
- 2- To provide proof for the worker's departure from the country according to the statement of the Department of Naturalization and Residency, which is competent to pr

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a- If the card expiry was prior to the worker's dep

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Items First and Second of Part two shall be cancelled - legal and exceptional cases of Ministerial Circular No. (14) for 1995 on deducting from the balance of workers at the facility and any previous instructions contrary to

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**Minister of Labour and Social Affair**

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**Ministe** \_\_\_\_\_

\*Federal Resolution No. (10) for 2006 A.D. forming the Cabinet of Unit

\*Federal Law No. (6) for 1973 regarding the entry and

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Non-citizens are not authorized to work i

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The residents of the state, for a reason other than work, are not allowed to have a work relationship at an establishment that is subject to the federal law No. (8) for 1980, unless they obtain a work permit from the Ministry in advance. The shall bear the responsibility

The non-citizen worker authori

**Without prejudice to the rules of the fourth article mentioned above, the non-citizen worker must report to the Department of Labour Relations or the Inspection Department within three months maximum, and he shall**

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- Expiration of work relationship upon a mutual a

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- Termination

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Those whose employment cards have expired shall inform the Ministry in a period d

Each worker, whose case has been refereed by the ministry to the court shall follow up with the Labour Department in order to notify the latter with the procedures, in a period that shall not exceed six months from the ref

**The non-citizen shall be considered non-compliant with the federal law No. (8) for 1980 and the laws and procedures that issued under the same, in the following cases:**

1-

2- If he is a resident for the purpose of work, was unemployed for any reason, and did not inform the Ministry of the

3- If he did not inform the ministry in a period exceeds six months from the date of the compliant transference to the appropriate co

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6- If he did not inform th

If the worker requested cancellation of the work permit and leaving the State, hence th

If the sponsor did not come within seven days of the

The worker shall not be charged any fees or fines for the cancellation of the sponsorship, work permit or other fees or fines, if he desires to leave the country and initiated a communication with th -

The Ministry may, in cases that are not included in the twelfth and thirteenth articles, and instead of cancelling the work permit and deporting the worker to his home country, allow the worker based on his approval and the request of a new employer to obtain a new internal or external work permit according to the rules and regulations, provided that the w

The ministry is not permitt

1- Termination of the work relationship for a reason that belongs to the labour as per the provisions of article (120) of the fed

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3- Termination of wor

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The Ministry may issue a work permit to the labour after one year follows the expiration of sponsorship, if the employment was terminated due to his absence from work based on articles (128) and (129) of the law, or because of the termination of the work relation during the probation period as per the rules and regulations considered, and provided that

The Undersecretary of the ministry shall issue the necessary directives and procedures to enf



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\*After reviewing Federal Law No. (1) for 1972 A.D. regarding the minis

\*Federal Decree No. (10) for 2006 A.D. forming the Cabinet of United Arab  
Emirates

\*Federal Law No. (8) for 1980 in regards to organizing the work r

\*Cabinet of Ministers

\*Federal Law No. (6) for 1973 regarding the entry and residence of foreigners,  
the executive regulation

\* Ministerial Resolution No. (707) for 2006 on the rules and procedures of  
working in the country for non-residents

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An escape report is applied on the case of the worker who has stopped  
working for more than seven consecutive days if the employer pledged that he does

not know his whereabouts or has a legitimate reason for his absence in accordance with the provisions of this Ministerial Resolution.

**The following are nec**

- 1- The facility shall complete the data of the escape report form, signing and stamping the attached affidavit, and providing what proves payment of the fine, if due, and the requested banking s
- 2- The facility requesting the registration of the escape report shall submit a banking surety to the Ministry to the value of 3000 Dirham for each worker it wishes to report, whether th

If the facility had paid the banking guarantee for each worker, or if its balance of banking sureties was equal to the maximum limit stipulated for the latter,

The competent employee shall confirm, at his own responsibility, when looking into the request to register an escape report or its cancellation, and that the conditions for an escape report are met in general. An escape report may not be registered in particular in the following cases:

- 1- If the concerned worker on whom a report is to be filed had a compla
- 2- If the worker was on a sick leave, maternity leave, annual leave, or absent  
for any other legitimate reason and seven successive days have not passed  
since the date the mention
- 
- 4- If the worker was not abs
- 5- If the work relation was terminated for any reason and three months or  
more have not passed since its termination, whether
- 6- If the absence was a result of a force majeure, or an emergency that did not  
enable the worker from notifying the employer, whether this was  
immediatel
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- 8- If the report was malicious in accordance with the Twelfth Article of t
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If the worker was apprehended in a situation violating the conditions of the work permit issued for him, and it was proved that the facility authorized to employ him had not informed the Ministry of his escape or absence from work for more than three months, the worker's sponsorship shall be cancelled by deprivation and the facility shall be obliged to provide his travel ticket and the payment of the due fine until the date of the cancellation. In addition to moving the facility to category (c) and obligating the latter to pay ten thousand Dirham as late fines for not amending its status in accordance with the table attached to the First Article of the mentioned Ministeria

If the work relation was continuous and the facility was aware of the escape of the worker and had submitted a request to register the report of his escape after three months or more from the date it find that out, the request will be accepted after the payment of the fine if it was due, or the sponsorship of the worker will be cancelled by deprivation, and the facility shall be obliged to pay ten thousand Dirham for the delay in settling its

**The competent officer shall refer the application to register the escape report prior to its r**

1- If the escape reports submitted by the facility are repeated wit

2- If it was found out that the facility had permitted the worker

3- If it was found out that the facility had not appointed the worker to the work allowed to him and left him unemployed. The delay made by the facility to r

1- If the worker was absent from work, his place was known, and can only prove his escape through actual apprehension, the fac

2- If it was proved that the facility had not contacted the Department of Labour Inspection in accordance with the provisions of Paragraph (1

- 1- The Ministry may cancel the escape report if it was proved that the report was re
- 2- The escape report shall not be cancelled if it was proved that the facility is fictitious, and the competent department in such case shall cancel the sponsorship of the worker as permanent deprivation obligating the facility to pay ten thousand Dirham in late fines for amending its status in accordance with the table attached to the First Article of the mentioned Ministerial Resolution No. (19) for 2005, and impose a ban o
- 3- The Ministry, when cancelling the escape report or apprehending the worker in a position violation the conditions of his work permit, shall deprive the worker from working in the state for a minimum of one year if it was proved that he violated the provision of the (Eighth) Article of

- 1- If the facility submitted proof that the worker had left the co

In all cases, the banking surety shall not be refunded

Any worker whose wo

1- If it was proved

2- If it was proved that the facility abused the escape report procedures to repudiate  
the pay

3- If the escape report was fictitious or malicious, the facility shall be obliged to pay  
ten thousand Dirha

The Ministry may ban the facility and all other  
facilities owned by any of the owners

Employers shall affirm the validity and accuracy of the information and data presented to the Ministry, whether on the ready forms or other applications. The employer shall bear the criminal liability if it was proved that he was aware of the inaccuracy of the data provided to register

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Department Heads at the Ministry in Abu Dhabi and Dubai, as well as the Directors of the competent Labour Offices are authorized to cancel the escape report and implement the procedures on the violating facilities and workers in accordance with the provisions of this Ministerial Resolution and the resolutions, decisions and regulations issued in implementation of the provision

The competent department shall move the penal procedures in the event of any indication of truth misrepresentation made by anyone when filling any of the forms and applicable applications for the

Without prejudice to the criminal liability mentioned above, anyone violating the provisions of this Ministerial Resolution shall be punished according to the penalties stipula

The Undersecretary of the Ministry shall issue the necessary directives and instructions to enforce this Ministerial Resolution.

This resolution is effective after fifteen days from its issuance date and shall be published in the Official Gazette.

**Dated 10/**

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\*Federal Resolution No. (10) for 2006

\*Cabinet of Ministers Resolution No. (19) for 2005 regarding the fee

\* Cabinet of Ministers

\*Ministerial Resolution No. (1151) for 2005 on Labour Cards F

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\*Ministerial Circular No. (14) for 1995 on deduct

**It was decid**

**a- The sponsorship of the worker shall be cancelled upon the request of the concerned parties and without the consent of the sponsor or the worker, according to the situation, in the following cases and under the fol**

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2- If the worker was found unemployed, or if it was proved that he has been unemployed for more than three months and does not have a complaint or claim regard

3- If it was proved that the worker has been employed for more than six months, during which he had not contacted the Ministry, whether he had a complaint or claim b

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**b- The sponsorship shall not be cancelled in the mentioned cases until the following conditions**

1- If the application to cancel sponsorship was not submitted from the employer, he shall be notified to present himself within a week from the notification date to respond to the request and pay the fees if it is due. If he did not come o

2- If the employer came to respond to the application to cancel the sponsorship within the time constraint given above, and contested that the employee is accused, or wanted in judicial procedures, the competent department shall give him another week to provide the latter with the travel ban order issued by the court or the competent authority. If he failed to provide the ban order within the

3- If the cancellation application was not submitted by the worker, he shall be notified to present himself within a week from the notice date to listen to his dues. If he did not come, his dues will be calculated according to the available data from the competent labour directorate, and his sponsorship shall be cancelled without the necessity to listen to him, preserving his right t

**The sponsorship shall be cancelled upon the request of the competent authority without the consent of the employer or the worker, and without the**

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2- If it was proved that the worker has contacted a communicable disease or was dismissed by an order from the competent authority, a court ruling, or in accordance with the rules and procedures of the Department of Labour

## Inspection in cases other than those menti

In all cases mentioned in the First and Second Articles above, if there were any fees payable for a delay in the issuance or renewal of the labour card, or if it was payable but not settled by the employer within one week despite asking him to settle it as mentioned in Paragraph b (1) of the First Article above, and the worker does not desire to settle the same, it shall be transferred to the account of the violating facility. The Ministry may, until the settlement of the requested fees, cease approving any foreign or local work permits submitted by the violating facility and all other facilities owned by the owners, partners or in which they are partners, provided that they do not include any partner whose name was not mentioned in the violating facility. The Ministry may also distress the balance of the banking surety for the mentioned facility or facilities, or take any other action to collect the requested fees in

Without prejudice to the above-mentioned, the rules and procedures stipulated in the law and executive resolutions and regulations regarding the facilities that do not

The heads of the competent departments and the directors of Labour Offices, each in his capacity, shall approve the cancellation without referring to the spon

This resolution is effective after fifteen days from its issuance date and shall be published in the Official Gazette.

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## **Regarding the amendment of Mi**

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\*After reviewing Federal Law No. (1) for 1972 A.D. regarding the ministries competencies and min

\*Ministerial Resolution No. (707) for 2006 regarding the procedures and rules of the employment o

### **It was decided:**

**Adding a new article under No. (fourteen, reiterated) to Ministerial Resolution No.**

(The Directors of Departments of work permits, and Directors of labour offices in the state (each within his respective competence) are authorized to approve granting a new work permit for a worker and to exem

1- The deprivation effect on the worker under the provisions of Articles (128),  
(129) of Federal law No. (8) for 1980, as referred to or on the basis of the  
cases of

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In the absence of the manager, his deputy is authorized to sub

**Mi**

**Ministerial Resolution No. (1186) for 2010**

**Rules and Conditions of Granting a New Work Permit to an  
Employee after Termination of the Work Relationship in Order  
to Move from One Establishment to Another**

The Minister of Labour:

- After reviewing Federal Law No. (1) for 1972 and the amendments thereto regarding ministry competencies and ministerial powers,
- Federal Law No. (8) for 1980 and the amendments thereto regarding the regulation of work relationships,
- Cabinet of Ministers Resolution No. (25) for 2010 regarding internal work permits applicable at the Ministry of Labour,
- Minister of Labour Resolution No. (826) for 2005 regarding the executive regulation for transfer of sponsorship,
- Ministerial Resolution No. (707) for 2006 regarding the procedures and rules of the employment of non-citizens in the State,
- And Ministerial Resolution No. (724) for 2006 regarding the administrative cancellation of sponsorship;

It Was Decided:

Article (1)

The Ministry may issue a new work permit to an employee after the termination of his labour relationship with the employer to move from one establishment to another without needing to wait six months from the date of cancelling the labour card, as

stipulated in the Minister of Labour Resolution No. (826) for 2005, according to the regulations stipulated in this decision.

#### Article (2)

The following two conditions must be met in order to grant the work permit mentioned in Article (1) of this resolution:

- 1- Agreement between the employee and the employer to conclude the work relationship.
- 2- The employee must have spent at least two years with the employer.

#### Article (3)

As an exception to the provision of Item No. (1) of Article (2) of this Resolution, the Ministry may issue the work permit without requiring the consent of the employer to end the relationship in the following cases:

- 1- The violation on the part of the employer of his obligations, whether legal or consensual, (for example but not limited to: non-payment of wages for more than sixty days).
- 2- Cases in which the employee is not the cause for ending the relationship, for example:
  - a) The case of a complaint submitted by the employee against the establishment where he works for not being hired as a result of the closure of that establishment. In this case, a report from the Inspection Department of the Ministry is necessary to prove that the establishment has not exercised its activity for more than two months, provided that the employee had been referred to the Ministry during such period.

- b) The case of a labour complaint referred by the Ministry to the court. In this case, a final ruling in favour of the employee is necessary, stating his fair dismissal or termination of the limited contract prior to its expiry, and any other rights the employer had not given the employee, provided that the ruling does not include anything to the effect that the employee had left work of his own accord for no reason recognised by the law, or that he was deprived of the end of service bonus.
- c) In the event that the employer, of his own accord, terminates or neglects to renew the work relationship, and without the resignation of the employee.

#### Article (4)

As an exception to the provision of Item No. (2) of Article (2) of this Resolution, the Ministry may issue a work permit to the employee without requiring the two year period in the following cases:

- a. In the event that the employee is starting his new position at the first, second or third professional levels after fulfilling the conditions for joining any of these levels according to the rules in force at the Ministry, and provided that his new wage is not less than (12) thousand Dirham at the first professional level, (7) thousand Dirham at the second professional level and (5) thousand Dirham at the third professional level.
- b. In the event that the employer violates his legally stipulated obligations to the employee, or in the event that the employee is not the cause for terminating the work relationship as mentioned in Article (3) of this Resolution.

- c. In the event that the employee moves to another establishment owned solely or jointly by the same employer.

Article (6)

Renewed work permits granted in accordance with this Resolution shall be revoked if the Ministry discovers that the data upon which the permit was based is incorrect, or if it discovers that the conditions necessary for permit renewal mentioned in this Resolution no longer exist.

Article (7)

Any text or provision contrary to this Resolution shall be null and void.

Article (8)

This Resolution shall be published in the Official Gazette and shall be put into force as of 1/1/2011.

Saqr Ghobash

Minister of Labour

Issued by us in Abu Dhabi on: 29/11/2010

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# Punishments and Penalties

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\* Having reviewed the

\* Federal Law No. (8)

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The fines deducted from workers in every facility shall be recorded in a special register showing the name of the worker against whom the fine was applied, his wage, the value of the applied fine, and stating the reason for applying it or why it was applied. The sum of these fines

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employer in consultation with the

Upon the request of the employer, a representative of the competent labour director

As for the facilities where the number of workers is under fifteen, the sums of the fines deducted from its workers shall be dispensed by the employer in consideration of the provisions of article

It is necessary for all the members of the committee to be present to meet the legal quorum and it shall issue its decisions with the approval of the employer, who represents him and one

The committee shall be responsible for estimating how to dispense the fines funds by reviewing the social aspects in the facility, documenting this in minutes, then decide to distribute the fines on them or spend them in any new social aspect intended to entertain the workers or treat them in the cases when the employer is not committed to treating them in accordance with the resolution issued in this respect. Alternatively, it can be used in establishing a sporting club, mosque, library, cooperative, or implement

It is not permitted to spend any of this money as a bonus or to purchase any living necessities such as food or clothes, nor can they be invested in any work

If the facility had one or more branches, each branch shall have a special register to record the fines deducted from its workers, and benefiting from the money shall be limited to the workers of

In this case, a committee comprised of two workers selected by the employer from all the branches of

The committee may postpone the dispensing of the said funds for one or more months

If the committee decides to dispense the fines funds in one of the previously mentioned social projects, it must explain in the commi

To implement the committee decision, it must be approved by the competent labour  
directorate (in which jurisdiction the facility headquarters lies) or

The fines funds shall be distributed upon the liquidation of the facility for any  
reason equally on the workers present at the facil

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**Minister of Labour and Soc**

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\*After reviewing Federal Law No. (1) for 1972 A.D. regarding the ministries competencies and ministers' capacities

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Financial differences benefiting the employer as a result of deprivation of promotion and deprivation or postponement of bonus shall be recorded in a special register showing the name of the worker, his wa

The committee formed in accordance with the provisions of Resolution No. (45/1) for 1980 regarding defining the means of spending the sum of the fines deducted from workers, shall be responsible for dispensing the financial differences mentioned in the previous article and in accordance

The mentioned committee in the previous article shall determine the means of spending the financial differences benefiting the employer as a result of deprivation from promotion or the deprivation or postponement of bonus, taking into account the need of workers to establish a saving fund, assistance fund, or loans, provided that the sum of these differences, or parts thereof, shall be allocated to the assistance that are decided to be given to some of the facility workers who are going through circumstances that necessitate giving them these assistance. In this case, everything rela

This Resolution shall be published in the Official Gazette and shall be put into force as of the da

the

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**Arti**

Every employer must present to the competent labo

He shall also approve any amendments that

Every employer must hang, in a visible location at the work place, the sanctions regulation after ratification by the competent labo

**Seif** -

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**1- Violation related to working hours**

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Deductio

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2- Delay in arriving  
to work for up  
to 15 minutes  
without a

2- If the same  
violation was

3- Delay in arriving  
to work for  
more

4- Delay in arriving to work for more than 15 minutes without an acceptable excuse or justification (if the delay

5- Delay in arriving to work for more than 30 minutes and up to 60 minutes without

6- Delay in arriving to work for more than 30 minutes and up to 60 minutes without an acceptable excuse or justification (if the delay resulted in d

1- If the violation was repea

2- If the same violation was repeated more than four times within six months from the date o

7- Delay in arriving to work for more than

The worker may be prevented from entry and shall be considered absent without permission, or he may be allowed entry, provided t

3- With respect to violation No. 9, if he had left work before the end of working hours by more than one ho

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Deduction  
of

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departing before the end of working hours without permission or

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Deducti

4- The worker should be warned in writing when punishing him for committing a violation for the fourth time that he will be fired if he c

**b- Violations related to the employment system**

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Deduction -  
of two  
days

12- Receiving visitors  
other than facility  
workers at the  
work place  
without  
permission from  
t

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2- If the same  
violation was  
repeated more  
than four  
times within  
six months  
from the date  
of the first  
violation, the  
penalty shall  
be to dismiss  
the worker  
with a  
termination  
bonus ex

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The penalty for the  
fo

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3- The worker should  
be warned in  
writing when  
punishing him  
for committing a  
violation for the  
fourth time that  
he will be fired if  
he committed the  
same violation  
for a fifth time  
within six  
m

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18- Entry of  
publications or  
printed matter and  
distrib

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The same penalty as the previous

- The same penalty as the pr

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22- Writing data or  
statements, or  
sticking  
advert

1- If the  
violation  
was  
repeated

- Deducti

24- Make false  
claims against  
sup

2- If the violation  
was repeated  
more than four  
times within six  
months fro

25- Violating the  
instructions  
pertaining to  
proving the  
stamp of the  
worker's daily  
card when  
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of one

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29- Violating the implementation of work related instructions provided that the instructions are in Arabic with another language understood by the workers and are displayed in a clear place

30- Incitement to violate orders or instructions related to work and workers safety if they were hung in a clear place in Arab

31-

3- The worker should be warned in writing when punishing him for committing a violation for the fourth time that h

1- If the violation was repeated after six months from the date of the previous violation

32- The worker's refusal  
without justification to  
do h

2- If

33- The use of raw  
materials

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3- The worker should  
be warned in  
writing when  
punishing him for  
committing a  
violation for the  
fourth time that he  
will be fired if he  
committed the  
same violation

## Typ

### **1- Violation related to working hours**

### **c- Violations related to the worker's conduct**

- 1- Introducing things  
not per

- 1- If the violation  
was repeated  
after six  
months from  
the date of th

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- 2- If the violation  
was repeated  
more than four  
times within  
six months  
from the date  
of the first  
violation,  
firing the  
worker with a  
termination  
bonus for the  
violations the  
penalty for  
which does not  
reach firing  
after the fourth

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\*Federal Law No. (8) for 1980 in regards to organizing the work relationships  
and the

\*Cabinet of Ministers Resolution No. (3) for 1977 on the regulation for  
recruiting

\*Cabinet of Ministers

\*Cabinet of Ministers

\*The meeting of the Supreme Committee of Labour Affairs No. (38) on  
6/1

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**The**

Means not granting the facility any new work permit, or transferring a sponsorship to the latter. The suspens

Means not granting the violating facility or any facility owned by the same or in which it is a partner any new work permit, transferring a sponsorship to it, o

Means the work license mentioned in Article (13) of the Federal Law

a- Dealing with facilities in violation of the Federal Law

b- All arrangements and procedures mentioned in the Ministerial Resolutions in effect at the time of issuance of this regulation shall remain in force and effective unless it is explicitly stated that they shall be voided or amended in the articles

## Article

Dealing will be ceased with the facilities in accordance with this Resolution without any liability to the Ministry in that respect, even if it assigned projects to them, provided that the Ministry informs the Ministries, Project Committees, competent directorates, and other authorities concerned with the cease, in accord

|   |  |                                                                                                                                                                                                                               |
|---|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|   |  |                                                                                                                                                                                                                               |
| 1 |  | Banning the facility upon affirmation of the violation and notifying the competent authorities according to the penalty mentioned in the Naturalization and Residency Law. The suspension shall not be                        |
| 2 |  | Banning the facility and its branches upon affirmation of the vio                                                                                                                                                             |
| 3 |  | Complete suspension upon affirmation o                                                                                                                                                                                        |
| 4 |  | a- Banning the<br>b- Banning the facility without renewing the labour cards, if the surety was requested for the renewal. The suspension shall stay in force as long as the violation exists, and the facility shall bear all |

|    |                     |                                                                                                                                                         |
|----|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
|    |                     | the responsibilities arising th                                                                                                                         |
| 5  |                     | Suspend the facility until                                                                                                                              |
| 6  |                     | Suspend the facility and its branches upon the expiry of the deadline, and the facility shall bear the responsibility arising under the laws. The suspe |
| 7  |                     | Suspend the facility and its branches in the                                                                                                            |
| 8  | -                   | Suspend the facility                                                                                                                                    |
| 9  | Stopping work or cl |                                                                                                                                                         |
| 11 |                     |                                                                                                                                                         |
| 11 |                     |                                                                                                                                                         |
| 12 |                     | -<br>-                                                                                                                                                  |

It is not permitted to open a new facility card if the facility had an expired license with sponsored workers, unless it wa

It is permitted to stop dealing with any facility in accordance with the provisions of this regula

### **Artic**

If the facility was suspended for more than three months from the date the violation was proved, or if it committed a similar violation before a year had passed since the suspension decision for the first violation, hence a complete suspens

When it had exercised the summons, orders, and procedures mentioned in this decision, the Ministry shall be considered to have exhausted all means to amend the situations mentioned in Article (

**Without prejudice to Article (8) above, the Ministry shall need to tak**

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3- If the violation persists after exhausting the actions stipula

Dealing shall be suspended or lifted based on a written report on the situation prepared by the Directorate of the competent Labour Office. The Inspection Directorate at the Ministry Offices in Abu Dhab

**The suspension shall be lifted off the violating facility in accordance**

-

b- The facility shall be inspected, a

c- Afte

This resolution is effective as of the date of its publishing in the Official Gazette, and  
all the concer

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**The table attached to Ministerial Resolution No. (851) for**

|    |   |                                                                                 |                                               |
|----|---|---------------------------------------------------------------------------------|-----------------------------------------------|
|    |   |                                                                                 |                                               |
| 1  |   |                                                                                 |                                               |
| 2  |   |                                                                                 | Federal law No. (6) for 1973 on the entry and |
| 3  |   |                                                                                 | Law No. (8) for 1980 in                       |
| 4  |   | Imprisonment for six months and a fine from (3,000 to 10,000) Dirham, or either |                                               |
| 5  |   | Imprisonment for 3 months and a fine (one thousand                              | Cabinet of Ministers                          |
| 6  |   |                                                                                 | Cabinet of Ministers Resolution               |
| 7  |   |                                                                                 |                                               |
| 8  | - |                                                                                 | Federal Law No. (8) for 19                    |
| 9  |   |                                                                                 |                                               |
| 11 |   | Imprisonment for 6 months and a fine from (3,000 t                              |                                               |

|    |  |                                                                            |  |
|----|--|----------------------------------------------------------------------------|--|
|    |  |                                                                            |  |
| 11 |  | Imprisonment for 6 months and a fine from (3,000 to 10,000) Dirham, or eit |  |

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\*Federal Law No. (6) for 1973

\* Ministerial Resolution No. (707) for 2006 on the rules and procedures of  
working in the country for non-residents

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An escape report is applied on the case of the worker who has stopped  
working for more than seven consecutive days if the employer pledged that he does

not know his whereabouts or has a legitimate reason for his absence in accordance with the provisions

1- The facility shall complete the data of the escape report form, signing and stamping the attache

2- The facility requesting the registration of the escape report shall submit a  
b

If the facility had paid the banking guara

The competent employee shall confirm, at his own responsibility, when looking into the request to register an escape report or its cancellation, and that the conditions for an escape report are met in general. An escape report may not be registered in

-

2- If the worker was on a sick leave, maternity leave, annual

3- If the facility is aware of the place where the worker is and the competent  
officer sees

-

5- I

6- If the absence was a result

7- If the report was fictitious in accordance with the Twel

-

9- In any other case if the competent officer is not convinced with the  
justifications of th

If the worker was apprehended in a situation violating the conditions of the work permit issued for him, and it was proved that the facility authorized to employ him had not informed the Ministry of his escape or absence from work for more than three months, the worker's sponsorship shall be cancelled by deprivation and the facility shall be obliged to provide his travel ticket and the payment of the due fine until the date of the cancellation. In addition to moving the facility to category (c) and obligating the same to pay ten thousand Dirham in late fines for not amending its status in accordance with the table attached to the First Article of the mentioned Cabinet of Ministers

If the work relation was continuous and the facility was aware of the escape of the worker and had submitted a request to register the report of his escape after three months or more from the date it find that out, the request will be accepted after the payment of the fine if it was due, or the sponsorship of the worker will be cancelled by deprivation, and th

**The competent officer shall refer the application to register the escape report prior to its registration in the Department of Inspection, and the mentioned department shall take the necessary action against the violators, whether workers or employers in the following cases:**

1- If the escape reports submitted by the facility are repeated within a short period of time, or if the numbers of workers reported missing at one time or in several instances within the same period exceed 25% of the workers it is al

-

3- If it was found out that the facility had not appointed the wor

1- If the worker was absent from

2- If it was proved that the facility had not

-

- 2- The escape report shall not be cancelled if it was proved that the facility is fictitious, and the competent department in such case shall cancel the sponsorship of the worker as permanent deprivation obligating the facility to pay ten thousand Dirham in late fines for amending its status in accordance with the table attached to the First Article of the mentioned Ministerial Resolution No. (19) for 2005, and impose a ban on the facility and on all other facilities owned by any of the owners or partners in which any of them is a partner, provided that they do not include a p
- 3- The Ministry, when cancelling the escape report or apprehending the worker in a position in violation of the conditions of his work permit, shall deprive the worker from working in t

**The Ministry shall refund the banking guarantee**

-

- 2- If three years have passed from the date of the escape cir

In all cases, the banking surety shall not be refunded in case of cancellation or withdrawal of the escape report in accordance with the provisions of this Ministerial Resolution, whether it

Any worker whose work relation ended in escape, and against whom a final escape circular was issued, shall be permanently deprived from working in the s

- 1- If it was proved that the facility abused the escape report procedures to repudiate its obligations towards the worker, and hence the report shall b
- 2- If it was proved that the facility abused the escape report procedures to repudiate the payable fees or its obligations under the rules and procedures for foreigners work in the state, and the report shall be considered
- 3- If the escape report was fictitious or malicious, the facility shall be obliged to pay ten thousand Dirham in fees for the delay in amending its status in accordance with the table attached to the First Article of the mentioned Mini

The Ministry may ban the facility and all other facilities owned by any of the owners or partners or in which any of them are partners, provided they do not include a partner whose name was not mentioned in the

Employers shall affirm the validity and accuracy of the information and data presented to the Ministry, whether on the ready forms or other application

-

Department Heads at the Ministry in Abu Dhabi and Dubai, as well as the Directors of the competent Labour Offices are authorized to cancel the escape report and implement the procedures on the violating facilities and workers in accordance

The competent department shall move the penal proced

Without prejudice to the crim

Also the rules and regulations  
mentioned in the decisions and ex

The Undersecretary of the Ministry shall issue the necessary directives and instructions to enforce



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After reviewing Federal Law No. (1) for 1972 A.D. regardi

\*Federal Decree No. (10) for 2006 A.D. to

\* Federal Law No. (8) for 1980 in regards to organizing the work  
relationships.

|||||\*Cabinet of Ministers Resolution No. (19) for 2005 regarding the fees system  
and bank surty.

**It was decided:**

Without prejudice to the provisions of Ministerial Resolution No. (851) for  
2001 regarding c

|   |                              |  |   |                                                      |                                                                    |  |
|---|------------------------------|--|---|------------------------------------------------------|--------------------------------------------------------------------|--|
|   |                              |  |   |                                                      |                                                                    |  |
| 1 |                              |  | - | Stop and transfer the violating facility to Category |                                                                    |  |
|   |                              |  |   |                                                      |                                                                    |  |
| 2 |                              |  | - |                                                      | Stop and transfer the violating facility to Category (C) for one y |  |
|   |                              |  |   |                                                      | Stop                                                               |  |
| 3 | Employ a worker sponsored by |  | - |                                                      | Stop and transfer the violating facility to                        |  |

|   |                                                                                        |  |   |  |                                            |                                                     |
|---|----------------------------------------------------------------------------------------|--|---|--|--------------------------------------------|-----------------------------------------------------|
|   | another facility<br>belonging to the<br>same sponsor, or<br>1                          |  |   |  | Category (C) fo                            |                                                     |
|   |                                                                                        |  |   |  |                                            |                                                     |
| 4 | Employ a worker<br>who has a work<br>permit issued<br>from the free<br>zones or the li |  | - |  |                                            | Stop and transfer the violating facility to<br>Cate |
|   |                                                                                        |  |   |  | Stop the violating<br>facility for two yea |                                                     |

|          |                                                                                                                                                                                                                                                |  |   |  |                                             |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---|--|---------------------------------------------|
|          |                                                                                                                                                                                                                                                |  |   |  | <b>Third</b>                                |
| <b>5</b> | <b>Employ a worker<br/>on a personal<br/>sponsorship<br/>(domestic help or<br/>the like) and all<br/>those who enter<br/>the country with<br/>an entry permit<br/>issued by the<br/>Department of<br/>Naturalization<br/>and Residency and</b> |  | - |  | <b>Stop and transfer the violating faci</b> |
|          |                                                                                                                                                                                                                                                |  |   |  | <b>St</b>                                   |

|   |                                                                                                                |  |   |                       |  |                                                    |
|---|----------------------------------------------------------------------------------------------------------------|--|---|-----------------------|--|----------------------------------------------------|
|   | who are not permitted to work and those on their                                                               |  |   |                       |  |                                                    |
| 6 | on the sponsorship of a government or local establishment or authority without the approval of the Ministry of |  | - |                       |  | Stop and transfer the violating facility to Catego |
|   |                                                                                                                |  |   |                       |  | Stop the violati                                   |
| 7 |                                                                                                                |  |   | Stop and transfer the |  | Stop and transfer the violating facility to        |

|  |  |  |   |               |  |                                                                                              |
|--|--|--|---|---------------|--|----------------------------------------------------------------------------------------------|
|  |  |  | - | violating fac |  | Category (C) for two years and transfer all facilities of the owner to Category (C)          |
|  |  |  |   |               |  | Stop the violating facility for 3 years and transfer all facilities of the owner to Category |

It is important to consider implementing the provisions of Article (174) of Federal Law No. (8) for 1980 regarding organizing the work relations with respect to writing a report to prove a violatio

- 1- The violating facilities and violators shall be referred to the competent auth
- 2- In addition to the procedures that should be taken against the violators under this Decision, the Department of Nationality and Residency shall be addressed regarding the sponsored peopl
- 3- In addition to the procedures in this Resolution, the Department of Nationality and Residence shall be addressed with respect to the investor or non-national license holders in the event of apprehending a violating worker working for them, allowing a work
- 4- The Ministry may cancel the work permit of a foreign worker who shall be directly responsible for employing violating workers in the cases shown in this Decision on

-

6- In the event the worker escapes from the facility during the inspection, the facility shall be obliged to apprehend him and prove his identity, and if it does not, the facility shall be treated as having employed a violating worker and shall be subject to the mentioned procedures in Paragraph Three of the table annex

7- In addition to the procedures that need to be taken regarding the violators under the same resolution, the Ministry shall have the right not to issue any work permit for at least one year for those entering the co

8- It is not considered a violation to employ the worker in another facility (whether in the same Emirate or n

-

10- It should be taken into consideration wh

11- The heads of the Department o

This decision shall be effective as of 1/10/2007 A.D., and all competent workers shall im

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- 
- - Federal Law No. (8) for 1980 in regards to organizing the work relationships and the am
  - 
  - Cabinet of Ministers
  - Upon what was presented by the Acting Director

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All facilities registered at the Ministry shall pay the salaries of their workers at least once a month, or at the times stated in the employment contract, if less than one

The facilities, stated in Article (1) of this decision shall begin - as of 1/9/2009 - transferring all salaries of its workers to banks and financial establishments in the State through the Wage Protection System (WPS), provided that they complete this within the periods s

The facilities, stated in Article (1) of this decision shall be given the necessary periods of time to complete the transfer of the salaries of their workers through the (W

|  |  |            |
|--|--|------------|
|  |  |            |
|  |  | 30/11/2009 |
|  |  | 28/2/2010  |
|  |  | 31/5/2010  |

1. The facility prohibited from issuing work permits at the time of the issuance of this decision as a result of the non-payment
- 2.

The facilities mentioned in Items (1, 2) of this pa

All work permits shall be suspended from the facility if it does not transfer salaries as mentioned in Article (2) of this Decision, within the periods specified in Article (3) thereof, and the suspension shall be lifted from the beginning of the month

Until the facilities transfer the salaries of its workers in accordance with Article (2) of this Decision, the facilities, in which the number of workers is fifty o

It is possible, through a decision made by the Director General of the Ministry, or his delegate, to add or dismiss facilities of what was mentioned in the First Pa

The statement mentioned in Article (5) of this Decision must be submitted within two weeks from the date the salary is due and in accordance with the procedures approved by the Director General of th

Without prejudice to Articles (8 and 9) of this Decision, the authorized signatory at the facility shall undertake to submit the statement stipulated in Article (5) of this

Decision, being civilly and criminally

- a)
- b) Not submitting the statement, stipul

Without prejudice to any Ministerial Resolutions imposing other administrative penalties, the facility, where the violation took place, shall not be granted any new work permit

- 
- 
- Two months, after the violation is amended if committed f
- 

The Ministry, if it decided that the above mentioned situation was not feasible, may suspend the granting of any new work permits to all facilities belonging to the owner of the facility in violation, provided the full unity of partners, and refer all those responsible for the violation to the judicial entities to take action. The said suspension shall continue until the claim is settled or the

If the Ministry confirms that the statement, mentioned in Article (5) of this Decision, included incorrect data, it may suspend granting any new work permits to the facility,

where

The mentioned Ministerial Resolution No. (156) for 2003, and its obliging the facilities to submit an auditor's certificate shall be cancelled once this r

This resolution shall be published in the official Gazette and put into force as of

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## **Ministerial Resolution No. (255) for 2010**

### **Sub-Contracting Construction Contracts**

#### **Minister of Labour:**

- After reviewing Federal Law No. (1) for 1972 and the amendments thereto regarding ministry competencies and ministerial powers,
- Federal Law No. (8) for 1980 regarding the regulation of work relationships and the amending laws thereto,
- Federal Law No. (5) for 1985 and the amendments thereto regarding civil transactions,
- Ministerial Resolution No. (496) for 2002 regarding construction contracts and sub-contracting,
- And in the interest of labour;

#### **It was decided:**

##### **Article (1)**

#### **Definitions:**

In the implementation of the provisions of this Resolution, the following words and phrases shall have the following definitions unless otherwise specified in the context:

**Ministry:** The Ministry of Labour

**Local Authorities:** Economic Development Directorates and Municipalities.

**Contracting:** A contract signed between a project owner and a contractor, wherein the latter pledges to manufacture something or perform work in exchange for the compensation promised by the former.

**Subcontracting:** A contract signed between the primary contractor and a secondary contractor, wherein the latter pledges to perform work for the former in exchange for the promised compensation, with the approval of the project owner.

**Sub-subcontracting:** A contract concluded between the subcontractor and another subcontractor, under which the latter pledges to perform work for the former in exchange for the promised compensation, with the approval of the primary contractor or the project owner.

**The Competent Department:** The Department of Labour Inspection at the Ministry.

**The Activity in Question:** Construction Activity or any other activity specified by the Ministry.

### **Article (2)**

The project owner may conclude a contractual agreement with an primary contractor whereupon the latter pledges to manufacture something or perform work, and the primary contractor may assign all or some of the jobs assigned to him to a subcontractor under a subcontracting agreement, and the subcontractor may assign all or some of the jobs assigned to him to a sub-subcontractor.

In all cases, subcontracting is not permitted if prevented by a stipulation of the contract or if the agreement depends on the personal sufficiency of the primary contractor.

### **Article (3)**

No person may employ any worker, under any capacity, unless that employment is in accordance with the rules and regulations in force and approved by the Ministry.

#### **Article (4)**

The contracting agreement or subcontracting agreement must be written in Arabic. In the event of the presence of a foreign language in addition to the Arabic, the Arabic text shall be the officially recognized text.

#### **Article (5)**

The subcontracting agreement must include a description of the subject of the contract, showing its type, value, method of execution, phases of execution if any, the necessary duration for completion, the beginning and end, and method of payment.

#### **Article (6)**

The subcontractor must be licensed to practice the activities in the contracting agreement in accordance with the terms and details of the license to practice the activity, which shall be in agreement with the contracting works for implementation, taking into account the type and significance of the activity.

#### **Article (7)**

The primary contractor and subcontractor shall be liable alone for their workers who are carrying out the job at the site, with respect to all commitments as stipulated in the law regulating work relationships and the work contracts signed between the two parties, without extending the liability to the project owner, as these workers do not work under the supervision and authority of the latter.

#### **Article (8)**

In case the primary contractor assigns all or part of his works to a subcontractor, the former shall be prohibited from applying for work permits for workers to work on the same subcontracted works.

#### **Article (9)**

If the Ministry becomes aware of the presence of any manipulation of information in the contracts submitted to it, for example: if the contracts contain falsified data, the labour force is found to have been hired by illegal means, or the use of a fictitious subcontracting contract, the issuing of any new work permits to the establishment where the violation took place shall be halted, referring all those responsible for the said violation to the competent authorities to take punitive measures. The suspension shall continue until the case is settled or for the period specified by the Ministry.

#### **Article (10)**

Ministerial Resolution No. (496) for 2002 is null and void, as is any other resolution contrary to or inconsistent with the provisions of this Resolution.

#### **Article (11)**

The contract shall be revised and the authenticity of the signatures shall be verified in

,

#### **Article (12)**

The Undersecretary of the Ministry shall issue any decrees necessary to implement the provisions of this resolution, including the review procedures and verification of the authenticity of contracts.

**Article (13)**

This Resolution shall be published in the Official Gazette and shall be put into force as of its publication date.

Saqr Ghobash

Minister of Labour

Issued by us in Abu Dhabi

Date: 30/3/2010

## **Ministerial Resolution No. (256) for 2010**

### **Statutes and Regulations for Penalties**

The Minister of Labour:

- After reviewing Federal Law No. (1) for 1972 and the amendments thereto regarding ministry competencies and ministerial powers,
- Federal Law No. (8) for 1980 regarding the regulation of work relationships and the amending laws thereto,
- And as required in the interest of labour,

**It was decided:**

#### **Article One**

The employers who employ fifteen workers or more must:

1. Establish a statute and a list of penalties without prejudice to the provisions and regulations stipulated in the law regulating work relationships, the resolutions issued in its implementation, and the provisions of this Resolution. They may, for that purpose, be guided by the Labour Statute and List of Sanctions attached to this resolution.
2. Display the statutes and list of sanctions, after ratification by the Ministry of Labour, in a visible location at the workplace in Arabic and another language spoken by the employees if necessary.

#### **Article Two**

The statutes must address daily work hours, weekends, holidays, and the measures and precautions that should be taken into consideration to avoid work injuries and fire risks.

### **Article Three**

The list of sanctions must include the sanctions that can be applied to the employees in violation, the conditions and cases of their implementation, in addition to the adherence with the provisions mentioned in this respect as stipulated by the law regulating work relationships.

### **Article Four**

Employers should submit the statute and list of sanctions and any amendments thereto to the Ministry of Labour for ratification and implementation.

### **Article Five**

The Undersecretary of the Ministry shall be assigned to prepare the work plan, certification mechanisms for the statutes and lists of sanctions submitted by the establishments to the Ministry, and form committees for such purposes.

Saqr Ghobash

Minister of Labour

Issued by us in Abu Dhabi

Date: 30/3/2010

**Cabinet of Ministers Resolution No. (10) of 2012 A.D.**

**To Amend some Provisions of Cabinet of Ministers Resolution No. (27) of 2010**

**A.D.**

**Regarding Fees and Fines on Services Provided by the Ministry of Labour**

**The Cabinet of Ministers:**

- After reviewing the Constitution,
- Federal Law No. (1) for 1972 A.D. regarding the ministries competencies and ministers' capacities and the amending laws thereto,
- Federal Law No. (8) for 1980 regarding organising the work relationships and the amending laws thereto,
- Federal Law No. (1) for 2011 A.D. regarding the general revenues of the state,
- Cabinet of Ministers Resolution No. (27) for 2010 A.D. regarding fees and fines for services provided by the Ministry of Labour as amended,
- Based upon what was presented by the Minister of Finance and approved by the Minister of Labour and the Cabinet of Ministers.

**It was decided:**

**Article One**

The following tables

“

”

Article (1) of the Cabinet of Ministers Resolution No. (27) for 2010 A.D. regarding fees and fines on services provided by the Ministry of Labour as amended:

**Eighth: Administrative Fines**

| <b>Paragraph</b> | <b>Description of the violation</b>                                                             | <b>Value of the fine per category (in Dirham)</b> |
|------------------|-------------------------------------------------------------------------------------------------|---------------------------------------------------|
| 1                | Issue or renew a labour card 60 days after the date of entry or the date of expiry of the card. | 1000 per month or part thereof of delay           |
| 2                | Issue a work mission card 30 days after the date of entry.                                      | 100 per day of delay                              |
| 3                | Renew a mission card 7 days after the expiry date.                                              | 100 per day of delay                              |
| 4                | Fictitious nationalism                                                                          | Twenty thousand per worker                        |

| <b>Paragraph</b> | <b>Description of the violation</b>                                                                                                          | <b>Value of the fine per category (in Dirham)</b>                                  |
|------------------|----------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| 5                | Entry of incorrect information in the wages protection scheme for the purpose of evading or circumventing the provisions of this regulation. | Twenty thousand per case                                                           |
| 6                | Non-payment of wages payable to the worker for 60 days or more                                                                               | Five thousand per worker to a maximum of fifty thousand in case of several workers |
| 7                | Signature of workers on false documents to the effect of receiving their accruals                                                            | Five thousand per worker to a maximum of fifty thousand in case of several workers |
| 8                | The residence does not fully conform to the approved standards in this respect                                                               | Twenty thousand per case regardless of the number of workers                       |
| 9                | Not using, appointing, or assigning the worker to work for more than two months                                                              | Twenty thousand per worker                                                         |
| 10               | Holding the worker responsible for the recruitment and employment fees stipulated at                                                         | Twenty thousand per case                                                           |

|    |                                                                                                                                                      |                            |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
|    | the Ministry and the entities responsible for recruitment, deducting or withholding from the<br>,                                                    |                            |
| 11 | Not abiding by the procedures for employing citizens                                                                                                 | Twenty thousand per case   |
| 12 | Not responding to summons from the Ministry pertaining to work affairs during the times specified by the minister                                    | Twenty thousand per case   |
| 13 | Not taking the procedures necessary to register an escape report against the escaped worker in accordance with the procedures on the matter          | Twenty thousand per worker |
| 14 | Submit a malicious or false escape report                                                                                                            | Twenty thousand per worker |
| 15 | Violate the decision banning work at noon                                                                                                            | Fifteen thousand per case  |
| 16 | Provide incorrect documents or data to the Ministry                                                                                                  | Twenty thousand per case   |
| 17 | Not subscribing to the wage protection scheme                                                                                                        | Ten thousand per case      |
| 18 | Not adhering to the occupational health and safety standards or not following the procedures set to avert threats to occupational health and safety. | Ten thousand per case      |
| 19 | Not informing the ministry of work injuries, professional illness or the death of the worker                                                         | Ten thousand per case      |

| <b>Paragraph</b> | <b>Description of the violation</b>                                                                                                                                                                                 | <b>Value of the fine per category (in Dirham)</b>  |
|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|
| 20               | Not removing the violation of housing standards within the time specified by the ministry.                                                                                                                          | Ten thousand per case                              |
| 21               | Any other cases including not abiding by the law regulating work relationships or the decisions issued according to it and not included in this table ( <b>a cabinet decision shall be issued for these cases</b> ) | The value of the fine shall be determined per case |

### **Article Two**

The following text shall substitute Article (6) of Cabinet of Ministers Resolution No. (27) for 2010 A.D. regarding fees and fines on services provided by the Ministry of Labour as amended:

#### **Article (6):**

This Resolution shall be published in the Official Gazette and its provisions shall be implemented as follows:

- 1) With respect to nationals fishing boats establishments, as of 1/2/2011 A.D.
- 2) With respect to the remaining establishments, as of 1/1/2011 A.D.
- 3) “ ”

shall be put into force as follows:

- a. Paragraphs (1, 2 and 3), as of 1/1/2011 A.D.
- b. Paragraphs (4 to 21), as of 1/8/2012 A.D.

### **Article Three**

Any provision in violation with or contradicts the provisions of this Resolution shall be null and void.

### **Article Four**

This Resolution shall be published in the Official Gazette and shall be put into force as of the date of its publication.

Mohammed Bin Rashid Al Maktoum  
Prime Minister

Issued by us:

On 15/Jumada Al Aakhera/1433 H

Corresponding to 01/May/2012 A.D.

# Private Recruitment Agencies

**Ministerial resolution**

**No. (1283) for 2010**

**Licensing and Regulation of Private Recruitment Agencies**

The Minister of Labour:

- After reviewing Federal Law No. (1) for 1972 and the amendments thereto regarding ministry competencies and ministerial powers,
- Federal Law No. (8) for 1980 and the amendments thereto regarding the regulation of work relationships,
- And Minister of Labour Resolution No. (233) for 1998 regarding licensing rules for mediation in using or recruiting non-national workers

It was decided:

**Article (1)**

The following words and statements, whenever mentioned in this Resolution, shall have the meanings provided next to them unless otherwise specified in the text:

The State : The United Arab Emirates.

The Ministry : Ministry of Labour.

The Minister : Minister of Labour.

Private Recruitment Agency : Any natural or legal person for whom a permit was issued to practice all or some of the activities mentioned in Article (2) of this Resolution.

Agency : Private Recruitment Agency.

|             |                                                                                                                                                                                          |
|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| License     | : The written permit issued by the Ministry in accordance with the provisions of this Resolution and the regulations or decisions pertaining thereto to exercise the work of the Agency. |
| Employer    | : Any natural or legal person who employs or wishes to employ one or more people for a wage, whatever its type.                                                                          |
| Employee    | : Any natural person looking for work or working at any employer.                                                                                                                        |
| Employment  | : Employing any worker present inside the State in accordance with the relevant regulations.                                                                                             |
| Recruitment | : The introduction of a natural person into the country for the purposes of employing him in accordance with the regulations in force.                                                   |

## Article (2)

The exercise of each or some of the following activities shall be considered exercising the work of an Agency:

- (a) Mediation between the parties of the work or their representatives and negotiating on their behalf in relation to the conditions of the contract and the employment, whether this may or may not lead to a work relationship, and without the Agency becoming a party in the work relationship that might arise as a result of such mediation. This activity includes the collection and maintenance of a database or information on the employees, work opportunities available, employment requests, and any other related information, to be put at the disposal of the interested party.

- (b) “Temporary Employment” by using the employee for the purpose of enabling a third party (employer), whether that third party was a natural or legal person, to execute a job or service under the supervision and management of that employer. In this case, the Agency becomes an employer with a direct work relationship with the concerned employee.

The two cases mentioned in items (a, b) of this Article apply regardless of whether the employee is recruited from abroad or is initially present in the country.

### Article (3)

- a) It is prohibited to exercise any of the Agency activities mentioned in Article (2) of this Resolution without acquiring written and express permission from the Ministry specifically for this purpose and in accordance with the provisions of this Resolution and the regulations and instructions pertaining thereto.
- b) A person may acquire two independent permits to practice the two activities mentioned in Items (a, b) of Article (2) of this Resolution, provided he meets the conditions of practising each of them separately.

### Article (4)

The following conditions must be met by all those applying for a permit to practice any of the activities of an Agency:

- a- Must be a fully competent Emirati national if a natural person, or that every partner in the company applying for that permit is an Emirati national.
- b- That the natural person, or any of the partners in the legal entity, had not been sentenced in a crime involving moral turpitude, dishonesty, human trafficking, or any of the crimes

mentioned in the law regulating work relationships or the resolutions issued for its implementation, unless such an individual has been rehabilitated (if the conviction against him was to restrict freedom), or after one year from the date of the ruling if it was a fine.

- c- To provide the Ministry with a bank guarantee for a value no less than three hundred thousand Dirhams throughout the period of permit validity if practising any of the mediation activities, and no less than one million Dirhams if practising temporary employment activities. This guarantee must be automatically renewable.

The Ministry may allocate all or part of the guarantee stipulated in this article to settle any sum that may be payable by the Agency as a result of its default in its obligations under the provisions of this system and not abiding by the instructions and Decisions issued under it.

- d- Shall have a headquarters with a clearly defined address solely for practising Agency business, and this headquarters must be licensed for that purpose in accordance with the criteria stipulated in the instructions and executive procedures issued based on this Resolution. Agency work may only be practiced through the specified headquarters.
- e- To submit a written pledge not to make any changes to the body of associates, whether by addition or withdrawal, without the written consent of the Ministry.
- f- The Agency shall employ a sufficient number of administrators and supervisors, who will have appropriate experience in their field of work.
- g- The Agency manager, as well as the authorised signatory for legal matters, must be Emirati nationals, with university degrees and appropriate experience in this field.

- h- To pay the legally requested fees upon the initial approval of license to practice the requested activity.
- i- Must not be the owner or partner of an establishment that has repeatedly defaulted on its payment of employees' wages in accordance with the conditions and regulations at the Ministry, or be found to have owned fictitious establishments, or had committed a fundamental violation of the housing requirements.
- j- To submit a written pledge, if applying for a license to practice the activity of a temporary employment Agency, of the following:
  - 1- The employer shall implement all the obligations imposed by the regulations in force in the country (such as the payment of wages, housing, etc.), and pay two thousand Dirhams as insurance for every recruited employee, in addition to what is stipulated in Cabinet of Ministers Resolution No. (27) for 2010, regarding the fees and fines for services provided by the Ministry of Labour.
  - 2- The total number of employees working for third parties at any time must not be less than twenty employees, and the durations of their employment with their employers must not exceed the durations specified by the Ministry for this purpose.

The Minister may exempt the applicant from some of the conditions mentioned in this Article, without violation of the guarantee of employee rights, if the Agency works mostly in employing nationals.

#### Article (5)

- a. The Ministry may revoke the license of an Agency or temporarily suspend it from operating for a maximum of one year, in any of the following cases:
- 1- If the license holder does not meet any of the conditions upon which his license was issued under this Resolution.
  - 2- If any of the documents or data submitting for licensing purposes are found to be untrue.
  - 3- If the Agency violates the provisions of this Resolution, the regulations and instructions pertaining thereto, or related legislation.
  - 4- If the Agency commits any act involving some form of forced labour or human trafficking.
  - 5- If the license is not renewed according to the instructions pertaining thereto.
- b. The decision to revoke the license shall be issued by the Minister. With the exception of the cases mentioned in Item (4) of this Article, revocation shall not take place without prior warning to the Agency to amend the violation within the specified period.

## Article (6)

The Agency is prohibited from:

- a- Employing or recruiting any worker who falls under the category of children not permitted to work according to applicable laws in the country.
- b- Acquiring, directly or indirectly, from the worker himself or through mediation, any sums, monies, rights or gains under the name of commission, fees, or anything else for any reason and through any means whatsoever. The Ministry may oblige the Agency to submit a pledge to such effect, while obliging it to refund to the worker any amounts paid to any entity or person inside or outside the country with whom the Agency had dealt on the matter.
- c- Exercising its activity to serve any employer for the purpose of providing him with labour force or substituting employees for others at a time when the employer is facing group labour disputes, or if a decision has been issued to suspend his establishment.
- d- Conducting business with any person or other Agency, whether in the country or abroad, for the purposes of recruiting labour force and using them temporarily, unless that person or Agency is licensed to exercise that activity in accordance with applicable laws in the country providing the labour force or in the United Arab Emirates.
- e- The temporary employment Agency shall not employ its workers at another Agency regardless of the latter's activity.

## Article (7)

The Agency may open branches within the same Emirate where it is licensed or in any other Emirate after obtaining a new permit from the Ministry.

#### Article (8)

The Mediation Agency shall be responsible for returning the worker to his country at its own expense, as well as being responsible for the harm it may cause to others as a result of its activity, without prejudice to the authority of the Ministry to impose any applicable administrative procedures on the Agency, in any of the following cases:

1. The Agency's failure to adhere to the conditions of the agreement reached with the employer.
2. The worker's failure to pass the medical examination, or if he is found to be unfit to work according to official medical reports.
3. The failure of the worker to meet the qualifications, level of skill, or specialisation required for employing him.
4. The worker's failure to sign the draft contract to be endorsed by the Ministry prior to his recruitment.

#### Article (9)

The Agency shall adhere to the following:

1. The contracts it signs with the employer and employee shall be written and specifically recognize the obligations of each party. If the text of the contract overlooks any obligation, the Agency shall be responsible for said obligation in such case.

2. It shall provide proof that the worker signed the draft contract prior to the final commitment with him and before being assigned to work.
3. It shall keep records for the employees who were employed by the Agency for a minimum of three years, including all details of each worker, where he was hired, the details of the hiring establishment, the wage, copies of the contracts, and other details specified by the Ministry.
4. It shall provide the Ministry with quarterly lists of the employment contracts it has signed, including all data pertaining to each worker, where he was hired, the details of the hiring establishment, the wage and copies of the contracts as requested.

#### Article (10)

The temporary employment Agency shall adhere to the following:

- To implement, at all times, all legally stipulated obligations on any employer towards the employee, except for what has been excluded by special text in this Resolution or in the other Decisions issued by the Ministry. The Agency may not, in any way, fail to implement these obligations due to the employer's failure to fulfil its obligations with the Agency, and it shall be the main party responsible, in all cases, for the implementation of these obligations.
- To not keep the employee with an employer in a way that would exceed the duration of employment specified by the Ministry.
- To provide the employee with a copy of the employment conditions as agreed upon with the employer, and explain the duties required of that employee.

- To provide the employing establishment with employees throughout the agreed upon period without any violation of this Resolution and the decisions issued based thereupon, and at the necessary level of qualifications and skills.

### Article (11)

The employer shall be obligated to the employee as follows:

- a- Payment of wages and other gains to the employee in case the Agency delays in payment.  
This does not negate the Ministry's authority to take action against the Agency through the stipulated administrative and judicial procedures.
- b- Ensure all proper occupational health and safety conditions for the worker, in line with the nature of the work and job hazards in accordance with the applicable laws.
- c- Not assign the employee any jobs or services that fall outside the general framework of the work or service agreed upon with the Agency.
- d- Not work the employee for more than the hours agreed upon with the Agency, except in accordance with the provisions pertaining to overtime according to applicable laws.
- e- Provide the employee with the instructions for the duties he is to undertake in writing within the general work framework as agreed with the Agency.
- f- Show the employee the attendance sheet prior to sending it to the Agency, and include in it any reservations the employee may have had regarding the content.
- g- Notify the Ministry and Agency immediately of any work accidents or injuries the employee sustains.
- h- Meet all his obligations to the Agency, provided that the said obligations are due to the provision of labour force.

- i- Not employ the worker at any other party except in accordance with the regulations and instructions issued by the Ministry.

#### Article (12)

The Agency license shall be valid for one year, and renewed annually in light of the continued fulfilment of the conditions required for licensing. It must be renewed within one month from the date of its expiry; otherwise that license shall be considered null and void, unless the license holder provides the Ministry with an acceptable excuse within the thirty days following that month. If the license is considered null and void, a new license meeting all the required conditions shall be necessary to resume activity.

#### Article (13)

The Ministry shall set regulations for the fees the Agency is authorised to obtain from employers in exchange for the services it provides.

#### Article (14)

All agencies that have already been licensed by the Ministry must meet these conditions within a maximum of six months from the date this Resolution's entry into force, in accordance with the terms and conditions mentioned therein, and as per the instructions pertaining thereto.

#### Article (15)

The Minister shall specify the competent body within the Ministry for issuing the regulations, instructions and forms necessary to implement the provisions of this Resolution, as well as the procedures that need to be followed to in order to issue permits and resume Agency activities.

#### Article (16)

Any violation of the provisions of this Resolution shall be considered a violation of the peremptory norms of the decisions issued to execute the aforementioned law regulating work relations. The penalties mentioned in this law shall be implemented in addition to the administrative procedures taken by the Ministry in this respect.

#### Article (17)

The implementation of the aforementioned Cabinet of Ministers Resolution No. (233) for 1998 shall render any decisions and provisions contrary to or inconsistent with that Resolution null and void.

#### Article (18)

This Resolution shall be published in the Official Gazette and shall be put into force one month following its publication date.

Saqr Ghobash

Minister of Labour

Issued by us in Abu Dhabi on: 23/12/2010

Facilities

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**In emphasis by the Ministry of its commitment to simplify the procedures and provide assistance to the business owners in a way that achieves their interests and f**

1- The national owner of the facility, the authorised partner, or the authorised manager may assign anyone at his discretion to sign on the facility card without requesting tha

2- The services agent may delegate the owner of the facility or any of the

3- In all cases, it is necessary that the agent has a valid residency in the country and the delegation for authorisation and the written statement

-  
**Minister of**

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~~~~~Dated on: 25/1/2006 A.D.~

Minister of Labour and S

*Federal Decree No. (10) for 2006 A.D. to form the Ca

* Fe

* Ministerial Resolution No. (52) for 1989 regarding recruiting non-na

- 1- The application for a facility card shall not be accepted unless the national, who is the owner, partner, shareholder, or services agent of the facility lists his data and signature sample first, and then list the signature samples of the authorised signatories, if any, in accordance with the rules and regulations in force. The signature of the national and the authorised signatories shall be regarded as their acceptance of their personal commitment to the rights of the workers and the Ministry against the facility. The Ministry's approval to open a facility card shall
- 2- A non-national authorised to work at a facility registered at the Ministry may not be an owner or partner in another facility, unless the labour card is cancelled first as a precondition. This shall exclude the purchase of or subscription in the

The national and authorised signatories shall be personally liable for the facility commitment towards the Ministry and the workers in accordance to the sponsorship provisions, w

In case of the facility's violation of its commitments towards

In case the national or the authorised signatories violate their commitments, the Ministry may cease dealing with all other facilities owned or represented by the national or the authorised signatories, or take any other appropriate actions at i

In case of a change in the facility that necessitates changing the name of the national or the authorised signatories, the facility or the mentioned individuals must submit an application for the requested amendment, the Ministry must ensure that the commitments resulting on the facility are met prior to accepting the application, and the competent labour directorate, prior to making the requested amendment, must audit the documents attached to the application for amendment and confirm the presence of an original contract notarized by a notary public, an original certificate from the licensing authority, and any other necessary documents. It may also request

the presence of the national registered owner or agent

Anyone who wishes to purchase the facility, share in the same or represent it, must check, in his own interest and at his responsibility, its labour status at the Ministry, prior to taking any action, by requesting the all-in-one report about the facility. For such certificate to be issued by the Ministry, the owner registered at the Ministry must apply for its issuance, and the mentioned certificate shall be issued, signed by the Di

Significance in determining responsibility shall be according to the data registered in the facility card, with the responsibility for confirming that the d

In case of any action or change that would amend any of the data of the registered facility, the compe

Elevent

The Ministry shall not be obliged to accept the application to open a facility card, or the request for any amendments to the data of the owners, services agent, or

any other amendments to the facility data, unless it ensures that the conditions mentioned in that decision have been met as requested, and that the applicant or his other parties have no other facilities, nor are they responsible for facilities that are suspended, in violation, or with expired licenses at the level of a

It is not permitted to make any amendments to the registered data of the owners, national sponsor, commercial name, or activity if there were unsettled restrictions, unl

The statuses of the workers shall be settled either by cancelling sponsorship, transferring sponsorship, or the pledge of the new facility owner that the

If the acceptance of the amendment necessitated the cancellation of the registered facility card, or the application t

The owner may not dismiss the services agent registered at the Ministry, unless he receives a certificate

The competent parties shall confirm an

Th

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*Federal

*and for the business i

An application for a collective work permit shall not be granted, nor its procedures completed and the applications for individual permits submitted in deduction of the balance of the collective permit, unless the authoris

This Ministerial Resolution is effective as of 7/1/2007, where all the competent authorities should implement the

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In affirmation by the Ministry of its commitment to simplify the procedures and assist Gulf businessmen to achieve their interests and complete their procedures readily, and in implementation of the Federal Decree No. (55) for 2002 regarding the Unified Economic Agreement between the Gulf Cooperation Council Countries (GCC) and the Cabinet of Ministers

* A Gulf owner of facility or a delegated partner may assign anyone at his discret

* It is necessary that the agent has a valid residency in the country and that the delegation for authorisation and the written statement are in accordance with the attached forms, certified by the notary public in accordance with Ministerial Circular No. (2) for 2006

Dr./ Ali bin Abdulla -

Mi

After reviewing Federal Law No. (1) for 1972 regarding the ministries
competencies and ministers' capacities and the amending laws thereto,

*Federal Law No. (8) for 1980 in regards to o

* and based on what was presented by His Excellency the acting Director
General of the Min

(A non-na

Second article

Sagr Ghobash

Issued by us in Abu-Dhabi

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*Federal Law No. (8) for 1980 in regards to orga

*Cabinet of Ministers

*Ministerial Resolution No. (154) for 2007 on electro

Each facility adhering to the terms, conditions, and

Ministerial Resolution No. (254) for 2007 on electronic facilities

This resolution shall be published in the Official Gazette, and shall be put into force as of its issuance date, and all provisions contrary to or in violation of the provisions of this resolution

~~~~~Issued by us at the Ministry headquarters in Abu Dhabi~~~~~

# Manual for Conditions and Procedures for the Provision of Facilities Services

**\*\* Definition**

These are the electronic services provided by the Ministry to the facilities adhering to the rules and regulations specified in this manual for granting these services, as they provide their transactions electroni

**\*\* Phases of the Service**

**P**

**Apply to subscribe to the electronic facilities service**



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- 2- The number of workers at the facility shall be (50) workers or
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- 4- The facility shall not be part of any collective labour conflicts (strike) for not paying salaries or not providing adequate accommodati
- 
- 6- The facility shall commit to submitting a report on the
- 7- That there would not be any expired labour cards for more than (3) mo

1- Group permit applications for projec

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etc.), sending all the required documents and the lack of clarity of the sent documents

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\* List of the consolidated properties of the owner under one private number<sup>٢٢٢٢</sup>

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1- Print the application for subscription to the electronic facilities service at print-houses or the Smart Forms

2- The application shall be submitted to the receipt counter at the Labour Licenses Department (or what substitutes for it) at the Ministry Office in Abu Dhabi and Dubai or one of the competent labour office

3- The application shall be referred to the Director of the Licenses Directorate, the Directors of the competent labour offices, or who represents them

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### **Defining**

a- If Facility A, and achieves

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c- If Facility B, it shal

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The Director General may exempt the facility from the conditions mentioned in this manual and grant the facility a share (quota) higher than

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### **Electronic work permit**

Means that the facility submits an application for a work permit to recruit a worker from abroad. This application shall be sent electronically to the Ministry over the internet, and the Ministry shall conduct an electronic checking of the application data, deducting it from the share (quota) allocated to the facility (in case of approval), notifying the facility of the matter, or n

\* The facility must be a subscriber to the electronic

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\* The application shall be sent electronically with its a

\* The competent employee at the Ministry shall audit the worker's data and confirm that the worker does no

- \* The client shall access the Ministry's electronic services site (www.emol.ae), enter the transaction number (IN) to inquire about the

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”””

- \* The client shall settle the fees -

- \* The client shall hand over the approval notification to the receipt counter at the Labour Permits Department or what substitutes for it at the Ministry Offices in Abu Dhabi and the Labour Permits S

- \* With respect to the Dubai Labour Office, the computer system at the Ministry shall refer the work permit electronically to the Naturalisation and Residency Directorate, the client shall access the Ministry's electronic services site (www.emol.ae), enter (IN), and print the notice

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3- In the event of not paying the fees

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**Minister of Labour**

**Cabinet of Ministers Resolution no (26) of 2010**

**On regulating labour relations and determined**

**Banking guarantees**

**The cabinet:**

- Upon consulting the Consulting the constitution and law no . (1) of 1972 on the competences of ministries and powers of ministers, as amended:
- Federal law no (8) of 1980 regulating labour relations, as amended
- Cabinet of Ministers Resolution no (18) of 2005 on transfer of sponsorship and secondment of sponsored employees and determined fees:
- Cabinet of Ministers Resolution no (19) of 2005 on the system for fees and banking guarantees : and
- Based on the motion the minister of labour and approval of the cabinet ,

**Resolved as follows:**

**Article (1)**

The firms governed by the provisions of the aforementioned Federal law no. (8) of 1980 shall be grouped into categories :

- 1- Category (1);
- 2- Category (2) which is subdivided into (A), (B) and (C)
- 3- Category (3). the classification referred to in clause (1) hereof shall be made according to the extent of compliance of such firms with legislations and legal regulations and standards stated herein, particularly:
  - a. Adhering to cultural diversity stipulated in the decision of the minister of labour made in this regard .

- b. Abiding by the payment of wages on its duly fixed or agreed dates according to the prescribed procedures.
- c. Providing labour accommodation as per the standards and requirements approved in this regard.
- d. Adhering to the emiratization percentages defined by the concerned bodies.
- e. ,  
enterprises sponsored by youth business supporting establishments.
- f. Any such other standards conditions, curbs and periods as may be issued by the minister of labour.

### **Article (2)**

Subject to Article (4) hereof, fishing boat firms of UAE nationals shall be classified in category (a).

### **Article (3)**

Subject to articles (2) & (4) hereof, firms employing more than three workers shall fall under category (2/b).

### **Article (4)**

Firms may be transferred from a category to or from another level per the standards stipulated in article (1) hereof.

### **Article (5)**

**Firms that are subject to the labour law shall pay the bank guarantee before the**

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1. Firm classified under category “ - ”  
a maximum of one million and half dirhams.

2. “ -B”  
a maximum of three million dirhams.
3. “ - ” dirhams per employee at  
a maximum of five million dirhams.
- 1- “ ”  
at a maximum of ten million dirhams.

### **Article (6)**

**The following entities shall be excluded from the payment of the bank guarantee set forth in article (5) hereof:**

1. “ ” ;
2. Industrial projects licensed under an industrial license issued by the ministry of Economy, which have priority to privileges and exemptions under Federal Law No (1) of 1979 regulating Industry affairs;
3. Companies or firms established or co-owned by the Federal Government or local governments :
4. Public utility societies , cooperative societies and national private institutions operating under the supervision of the Ministry of Social Affairs; and
5. Any other firms governed by the rules, curbs and standards by the minister of labour in coordination with Minister of Finance.

**Mohamed bin Rashid Al Maktoum**  
**Prime minister**

**Date of signature: 11/08/2010: 01 Ramadan 1431 a.h.,**

**Date of publication: 31/08/2010**

**Effective date: 01/12/2010**

Nationalization

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\*After reviewing Federal law No. (1) for 1972 A.D.

\*Federal Law No. (8) for 1980 in regards to organizing the work relationships,  
the amending resolutions, and the regulations and amending la

\*Cabinet of Ministers Resolution No. (202/2) for 2003 on setting the  
nationalization pe

\*Cabinet of Ministers

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Companies working in the field of trade and employing 50 or more workers  
shall employ nationals at the rate of 2% annually in accordance with Cabinet of  
Ministers

This resolution shall apply on all the companies

**Th**

The companies working in the limi

The Ministry of Labour shall update the companies list every three months upon the  
recommendation of  
the “ ”

The concerned companies on which the resolution applies shall provide the  
“ ” Authority with updated information on employment in the companies, and  
the nationals employment records (name, date of appointment, occupatio

In light of the reports sent by the “ ” Authority, the Ministry of Labour  
halts dealing with companies that do not abide by the first and sixth articles of this  
resolution till proving the achievement of the requested percentage of nationalisation  
as per the recommendation of the “ ”

This resolution is effective from its issuance

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### **On occupational quota**

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\*After reviewing Federal L

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\* Federal Law No. (27) for 1999 on Establishing the Development and Employment Au

\* Cabinet of Ministers Resolution (202/2) for 2003 on determining the nationalisation percentages in the insurance sector<sup>¶</sup>

\*Cabinet of Ministers Resolution No. (259/1) for 2004 on supporting the pa

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Companies working in the field of insurance in the state are obliged to employ nationals at the rate of 5% annually in accordance with Cabinet of Ministers

**Thi**

The companies working in the insurance sector shall provide the “ ”

et

In light of the reports submitted by the “ ” Authority, the Ministry of Labour halts dealing with companies working in the insurance sector that do not abide by the first and third articles of this resolution till proving the achievement of the requested percentage of nationalisation as per the recommendation of the “ ”

This resolution is effective from its issuance date a

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## **Minis**

\*After reviewing Federal L

\*Federal Law No. (8) for 1980 in regards

\*Cabinet of Ministers Resolution No. (10) for 1998 on increasing the  
percentage of nationals at banks in the country<sup>٥٥</sup>

\*Cabinet of Ministers

## **It was decided**

Companies working in the state are obliged to employ nationals at the rate of  
4% annually in accordance with Cabinet of Ministers

The public banks working in the country shall provide the “ ”

etc.) and any other  
information requested by the Authority according to forms it pre

In light of the reports sent by the “ ” Authority, the Ministry of Labour  
halts dealing with banks that do not abide by the first and third articles of this  
resolution till proving the achievement of the requested percentage of nationalisation  
as per the recommendation of the “ ”

The competent entities shal

**Dr. Ali** -

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**Minister of Labo**

\*After reviewing Federal L

\*Federal Law No. (8) for 1980 in regards to organizing th

\*Cabinet of Ministers

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The employment of nationals shall be in accordance with the rules, regulations  
and employment contract model specified in

The facility shall print the data requested in the employment contract and labour card application on the screen through the transactions processing offices, or through subscribing to the web site [www.uaesmartforms.com](http://www.uaesmartforms.com)

In case of new contracts, the competent administration and the Ministry shall receive the labour card and new employment contract after the signature of the

The facility shall deliver the receipt of the labour card number and the employment contracts to the General Authority for Pensions and Social Securities or the Pensions and Retirement Benefits Fund for the Emirate of Ab

The General Authority for Pensions and Social Securities or the Pensions and Retirement Benefits Fund for the Emirate of Abu Dhabi, as necessary, shall have the right to access and view the employment contract and the requests related to it at the web site [www.uaesmartforms.com](http://www.uaesmartforms.com)

The General Authority for Pensions and Social Securities or the Pensions and Retirement Benefits Fund for the Emirate of Abu Dhabi, as necessary and according to the competencies and responsibilities stipulated in their laws, shall link the facility subscription number and the employee's security nu

After the General Authority for Pensions and Social Securities or the Pensions and Retirement Benefits Fund for the Emirate of Abu Dhabi links the facility

The steps and procedures mentioned in the articles ab

The General Authority for Pensions and Social Securities or the Pensions and Retirement Benefits Fund for the Emirate of Abu Dhabi may, as necessary, suspend the facility file at the Ministry temporarily on the network by entering the subscription number, in case the facility does not pay the due subscriptions inclu

At the te

In the event the employer does not meet this  
commitment, the work r

If the Authority or Fund received a notification from the Ministry or the  
facility to the termination of the work relationship, it shall conclude the procedures  
related to the pension rights of the worker and notify the M

The unified employment contract system for nationals in the private sector as  
published on the website of National Resources Development and Emplo

The labour cards of nationals shall be exempt from the fees mentioned in cells from (6) to (16) of the table in the First Article of the mentioned Cabinet of Ministers

Late fees mentioned in cells (21), (22) and (23) of the table in the First Article of the mentioned Cabinet of Ministers

**Dr. Ali Abdullah -**

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\*After reviewing Federal Law No. (1) for 1972 A.D.

\*Federal L

\* Cabinet of Ministers Resolution No. (259/2) for 2004 on supporting the participation of nationals in the private sector<sup>٢٥٢٥٢٥</sup>

\*Cabinet of Ministers

\* Cabinet of Ministers Resolution No. (202/2) for 2003 on setting the nationalization percentages in the insurance sector<sup>٢٥٢٥٢٥</sup>

\* Cabinet of Ministers

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The facilities shall adhere to the global specific

The Ministry shall grant the privileges linked to the nationalisation percentages on the basis of considering that any facilit

The Undersecretary of the Ministry shall issue the necessary directives and instructions to enforce this pr

**and Officials of Employees Affairs in the private se**

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\*After reviewing Federal L

\*Federal Law No. (8) for 1980 in

\*Federal Law No. (27) for 1999 on Establishing the Development and  
Employment Authority of the National Labour F

\*Cabinet of Ministers

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**F**

Private Sector facilities grant a period of maximum 18 months from the date of this resolution to work in coordination with the Development and Employment Authority of the National Labour Force (Tanmia) to employ nationals to substit

Coordination with the Authority providing the necessary training programs for nationals to carry out the duties of the jobs required in the field of human resources and employees affairs, and coordinating this with each of the

Occupational Rehabilitation Program for the Labour Market in the Emirate of Abu Dhabi, the Emirates Program for the Development of National Cadres in the Emirate of

The Undersecretary shall set the rules and regulations necessary for the implementation of this resolution in cooperation and coordinati

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\*After reviewing Federal L

\*Federal Law No. (8) for 1980 in regards to organi

\* Cabinet of Ministers

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The granting of any labour permit for the job of male or female secretary to any facility in the private sector in the country shall be halted. This shall include not granting the transfer of the sponsorship or labour card to residents on the visas

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Those who currently hold secretariat posts and those holding valid work permit under work contracts certified by th

Private sector facilities that wish to employ a male or female secretary to replace the current male or female secretary after the expiry of the employment contract or labour card as specified in the Second Article above, shall contact the Development and Employment Authority of the National Labour (Tanmia) to nominate nationals looking to work in these posts at the expense of the competent facilities, coordination in this field with each of the Occupational Rehabilitation

The provisions of Ministerial Resolution No. (286) for 2006 dated 5/4/2006 on the balance of the nationalisation account at private sector utilities in this state and in particular with respect to the monthly salaries received by male and female n

The Undersecretary of the Ministry shall set the regulations necessary to implement this resolution.

The competent authorities shall implement it each in its own competence.

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\*After reviewing Federal Law No. (1) for 1972 A.D. rega

\*Federal L

\*Cabinet of Ministers Resolution No. (28/7) for 2007 regarding treating the  
citizens of the GCC in the private sector in the state as the local citizens.

\*Ministerial R

\* and based on what was presented b His Excellency

**It was decided**

All establishments employing more than 100 workers, according to what is  
regis

The public relations of

All employees of the ministry shall not

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All violating or conflicting rules with this resolution are

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Issued by us in Abu-Dhabi

باب

منازعات العمل

## قرار وزاري رقم (307) لسنة 2003م

### بشأن منازعات العمل الجماعية

بتاريخ 2003/5/31

#### وزير العمل والشؤون الاجتماعية:

\* بعد الاطلاع على القانون الاتحادي رقم (1) لسنة 1791 في شأن اختصاصات الوزارات وصلاحيات الوزراء والقوانين المعدلة له.

\* وعلى القانون الاتحادي رقم (8) لسنة 1781 في شأن تنظيم علاقات العمل والقوانين المعدلة له.

\* وعلى قرار مجلس الوزراء رقم (11) لسنة 1781 في شأن تنظيم إجراءات حل منازعات العمل الجماعية.

\* وعلى القرار الوزاري رقم (1/88) لسنة 1781 بشأن تشكيل لجان التوفيق لتسوية المنازعات الجماعية.

\* وبناء على ما عرضه وكيل الوزارة لقطاع العمل.

\* وللصالح العام.

#### قرر ما يلي:

##### **مادة أولى**

منازعة العمل الجماعية هي كل خلاف بين صاحب عمل وعمالة يتصل موضوعه بمصلحة مشتركة لجميع العمال أو لفريق منهم في منشأة أو مهنة أو حرفة أو قطاع معين.

##### **مادة ثانية**

يجب على العمال وأصحاب العمل حل منازعاتهم الجماعية بالتفاوض المباشر فالوساطة فالتوفيق فالتحكيم وفقاً للإجراءات المنصوص عليها في هذا القرار.

### **مادة ثالثة**

يجب على صاحب العمل إخطار دائرة العمل المختصة فور وقوع نزاع عمالي كتابياً وذلك في نفس يوم وقوعه، فإذا استحال ذلك وجب إبلاغ الدائرة المذكورة بالنزاع في يوم العمل التالي مباشرة، ولا يجوز التوقف عن العمل أو إغلاق المنشأة بالمخالفة لأحكام هذه المادة.

### **مادة رابعة**

إذا لم تتم تسوية النزاع من خلال التفاوض المباشر بين الطرفين خلال أسبوع من تاريخ نشوئه كحد أقصى يجوز لأي طرف طلب وساطة مدير دائرة العمل المختصة لتسويته كما يجب على مدير الدائرة من تلقاء نفسه أن يستدعي أطراف النزاع للمثول أمامه وأن يباشر الإجراءات الضرورية للوساطة لحل النزاع.

### **مادة خامسة**

إذا كان سبب النزاع هو عدم سداد الأجور المستحقة للعاملين أو مخالفة واجبات صاحب العمل أو العمال التي يفرضها القانون الاتحادي رقم (8) لسنة 1781 المشار إليه أو لوائحه التنفيذية فيجب على مدير دائرة العمل أن يتخذ الإجراءات القانونية اللازمة لضمان تنفيذ أحكام القانون.

### **مادة سادسة**

مع مراعاة ما نص عليه في المادة الخامسة أعلاه إذا لم تتم تسوية النزاع خلال عشرة أيام من تاريخ نشوئه وجب على مدير دائرة العمل أن يحيل النزاع إلى لجنة التوفيق المختصة للبت فيه مع إخطار الطرفين كتابة بذلك.

### **مادة سابعة**

إذا تمت تسوية النزاع عن طريق الوساطة وجب على مدير دائرة العمل أن يحرر محضراً من ثلاث نسخ بالمسائل التي تم الاتفاق عليها ويقوم بتوقيعها كل من مدير الدائرة والعمال وصاحب العمل ويسري ذلك الاتفاق للمدة التي يتفق عليها الطرفان بشرط ألا تقل عن سنتين.

## التوفيق

### مادة ثامنة

يجب على مدير دائرة العمل المختصة فور إبلاغه بوقوع نزاع عمالي أن يعقد برئاسته لجنة للتوفيق يتم تشكيلها على النحو التالي:

1- مدير دائرة العمل. رئيساً

1- أحد أعضاء الغرفة التجارية في المنطقة عضواً

أو أي ممثل آخر يختاره صاحب العمل

طرف النزاع

3- أحد أعضاء جمعية التنسيق للجمعيات عضواً

المهنية في المنطقة أو أي ممثل آخر

يختاره العمال طرف النزاع.

8- أحد الباحثين القانونيين مقررًا وناصحاً دون أن يكون له صوت معدود.

### مادة تاسعة

يجب على صاحب العمل والعمال طرفي النزاع أن يرشخوا ممثلاً ينوب عنهم لعضوية لجنة التوفيق متى ما طلب مدير دائرة العمل ذلك.

### مادة عاشرة

تختص لجنة التوفيق بتسوية المنازعة الجماعية التي تحال لها من مدير دائرة العمل وتطبق الإجراءات والقواعد المنصوص عليها في القانون رقم (8) لسنة 1781 وقرار مجلس الوزراء رقم (11) لسنة 1781 المشار إليهما.

### مادة حادي عشر

لرئيس اللجنة استدعاء من يراه من العمال أو الأشخاص طرف النزاع أو المختصين ومناقشته أمام اللجنة كما يجوز للجنة طلب الإطلاع على الأوراق والمستندات والسجلات وسائر الأدلة وإلزام حائزها بتقديمها

ودخول المنشأة لإجراء التحقيق المطلوب واتخاذ ما تراه من الإجراءات للفصل في النزاع.

### مادة ثاني عشر

يتولى مدير إدارة علاقات العمل بديواني الوزارة بأبوظبي أو دبي كل في دائرة اختصاصه رئاسة لجنة التوفيق في أي من الحالات الآتية:

أ- إذا وقع مقر العمل لأطراف النزاع في اختصاص أكثر من دائرة عمل.

ب- في أي حالة أخرى يطلب فيها الوكيل المختص ذلك.

### مادة ثالث عشر

دون المساس بأحكام قرار مجلس الوزراء رقم (11) لسنة 1781م المشار إليه إذا لم يؤد قرار لجنة التوفيق إلى حل النزاع جاز لأي طلب إحالة النزاع للتحكيم خلال ثلاثين يوماً من تاريخ صدوره كما يجوز لدائرة العمل المختصة أن تحيل النزاع للتحكيم من تلقاء نفسها.

### مادة رابع عشر

لا يجوز التوقف عن العمل أو إغلاق المنشأة بسبب نزاع عمالي قبل استنفاد سبل وإجراءات حل المنازعات الجماعية المنصوص عليها في هذا القرار.

### مادة خامس عشر

إذا وقع نزاع عمالي بسبب انتهاك صاحب العمل أو العمال لبنود الاتفاقية الناتجة عن الوساطة أو التوفيق فيجب على دائرة العمل أن تتخذ الإجراءات القانونية الضرورية لضمان تنفيذ أحكام القانون ولوائحه التنفيذية.

### مادة سادس عشر

يعتبر متسبباً في النزاع الجماعي ومسئولاً وفق القوانين السارية في الدولة على المستوى الاتحادي والمحلي:

- كل من خالف نصاً صريحاً من نصوص القانون ولوائحه التنفيذية إذا نشب النزاع بسبب تلك المخالفة.
- كل من أخل باتفاق ناتج عن الوساطة أو التوفيق.
- كل من لم يستجب لأي طلب أو أمر استدعاء صادر من مدير دائرة العمل أو لجنة التوفيق.
- كل من لا يلتزم بقرار لجنة التوفيق رغم موافقته على قبول قرارها كتابة.
- كل من لا يلتزم بقرار لجنة التوفيق بعد أن يصبح نهائياً حتى وإن لم يوافق على قبوله كتابة.
- كل من لا يلتزم بقرار لجنة التحكيم العليا.
- كل من لا يخالف الإجراءات المنصوص عليها لتنفيذ قرارات لجان التوفيق والتحكيم.

### مادة سابع عشر

تطبق العقوبات المنصوص عليها في القانون الاتحادي رقم (8) لسنة 1781 المشار إليه ولوائحه التنفيذية في شأن المخالفات لهذا القرار بالإضافة للعقوبات التي تنص عليها القوانين الاتحادية والمحلية السارية بالدولة.

### مادة ثامن عشر

يلغى القرار الوزاري رقم (1/88) لسنة 1781 المشار إليه.

### مادة تاسع عشر

ينشر هذا القرار في الجريدة الرسمية ويعمل به بعد ثلاثين يوماً من تاريخ نشره.

مطر حميد الطاير

وزير العمل والشؤون الاجتماعية

**قرار وزاري رقم (707) لسنة 2006**  
**فى شأن قواعد وإجراءات مزاولة العمل بالدولة**  
**لغير المواطنين**  
**بتاريخ 2006/9/6**

**وزير العمل:**

- \* بعد الاطلاع على القانون الاتحادي رقم (1) لسنة 1791م في شأن اختصاصات الوزارات وصلاحيات الوزراء والقوانين المعدلة له.
- \* وعلى المرسوم الاتحادي رقم (11) لسنة 1112م بتشكيل مجلس وزراء دولة الإمارات العربية المتحدة.
- \* وعلى القانون الاتحادي رقم (8) لسنة 1781 في شأن تنظيم علاقات العمل والقرارات واللوائح التنفيذية الصادرة وفقاً لأحكامه والقوانين المعدلة له.
- \* وعلى القانون الاتحادي رقم (2) لسنة 1793 والقوانين المعدلة له في شأن دخول وإقامة الأجانب ولائحته التنفيذية.
- \* ولأجل الصالح العام.

**قرر**

**مادة أولى**

لا يجوز لغير المواطنين ممارسة العمل داخل الدولة إلا بعد الحصول على تصريح عمل من الوزارة وفقاً للقواعد والإجراءات المرعية وذلك باستثناء الفئات المستثناة بموجب المادة (3) من القانون الاتحادي رقم 8 لسنة 1781 المشار إليه.

## مادة ثانية

يجب على غير المواطنين المصرح لهم بالعمل في الدولة التقيد بشروط تصريح العمل وبطاقة العمل وأحكام هذا القرار.

## مادة ثالثة

لا يجوز للمقيمين في الدولة لغير العمل الارتباط بعلاقة عمل لدى منشأة خاضعة لأحكام القانون الاتحادي رقم (8) لسنة 1781 ما لم يقوموا قبل ذلك بالحصول على تصريح عمل من الوزارة كما تقع عليهم مسؤولية القيام بتوفيق أوضاعهم لدى السلطة المختصة وفقاً للقانون الاتحادي رقم (2) لسنة 1793 في شأن دخول وإقامة الأجانب ولائحته التنفيذية.

## مادة رابعة

على العامل غير المواطن المصرح له بالعمل أن يقوم بإخطار الوزارة حال انتهاء علاقة العمل لأي سبب حتى ولو كانت بطاقة عمله سارية المفعول من حيث التاريخ وذلك خلال مدة أقصاها ثلاثة أشهر من تاريخ انتهاء علاقة العمل.

## مادة خامسة

دون المساس بعموم حكم المادة الرابعة أعلاه يجب على العامل غير المواطن أن يقوم خلال مدة أقصاها ثلاثة أشهر بإخطار إدارة علاقات العمل أو إدارة التفتيش ويلتزم بما تصدره من توجيهات حال حدوث أيّا من الآتى:

- إغلاق المنشأة المصرح له بالعمل فيها أو إفلاسها أو توقف أعمالها لأي سبب.

- انتهاء علاقة العمل باتفاق الطرفين وذلك بعد إكمال فترة الاختبار.

- إنتهاء علاقة العمل بالاستقالة.

- عدم إلحاقه بعمل لدى الجهة المصرح له بالعمل لديها.

- انتهاء علاقة عمله أثناء فترة الاختبار.
- تركه العمل بسبب إخلال صاحب العمل بالتزاماته أو بسبب وقوع اعتداء عليه من صاحب العمل أو من يمثله.
- حصوله على حقوقه التي أحالتها دائرة العمل المختصة لأجلها إلى المحكمة سواء حصل عليها بحكم قضائي أو بطريق ودي.

### مادة سادسة

على من انتهت صلاحية بطاقة عمله من العمال أن يقوم بإخطار الوزارة بذلك خلال مدة أقصاها ثلاثة أشهر من تاريخ انتهاء البطاقة ما لم يكن موجوداً على رأس عمله لدى المنشأة المصرح له بالعمل لديها لتكون المسؤولية في هذه الحالة على المنشأة.

### مادة سابعة

على كل عامل أحالت الوزارة شكواه إلى المحكمة المختصة أن يراجع دائرة العمل التي قامت بإحالة الشكوى وموافاتها بما تم من إجراءات وذلك خلال مدة أقصاها ستة أشهر من تاريخ الإحالة.

### مادة ثامنة

يعتبر غير المواطن مخالفاً لأحكام القانون الاتحادي رقم (8) لسنة 1781 والقرارات واللوائح الصادرة وفقاً لأحكامه في الحالات الآتية:

- 1- العمل دون تصريح من الوزارة أو لدى منشأة غير مصرح له بالعمل فيها.
- 1- إذا كان مقيماً للعمل وتعطل عن العمل لأي سبب ولم يقيم بإخطار الوزارة بواقعة انتهاء عمله أو واقعة عدم التحاقه بعمل لمدة تزيد على ثلاثة أشهر.
- 3- عدم قيامه بمراجعة الوزارة خلال مدة أقصاها ستة أشهر من تاريخ إحالة دائرة العمل المختصة الشكوى المقدمة بشأن حقوقه أو التزاماته للمحكمة المختصة.
- 8- إذا كان مقيماً لغير العمل وارتبط بعمل لدى منشأة خاضعة لأحكام القانون الاتحادي رقم (8) لسنة 1781 دون تصريح من الوزارة.

5- إذا تم ضبطه في أي مكان داخل الدولة في وضع يخالف شروط تصريح العمل الممنوح له وفقاً لأحكام القانون والقرارات واللوائح التنفيذية.

2- إذا لم يتم بإخطار الوزارة بما هو مطلوب منه خلال المدة اللازمة وفقاً لأحكام هذا القرار.

### مادة تاسعة

على الإدارة المختصة إذا طلب العامل إلغاء تصريح عمله ومغادرة الدولة أن تستدعي الكفيل للحضور والرد على الطلب خلال مدة أقصاها سبعة أيام.

### مادة عاشر

إذا لم يحضر الكفيل بعد سبعة أيام من تاريخ إخطاره أو إذا حضر ولم يقدم سبباً مقبولاً لاعتراضه على طلب الإلغاء تقوم الإدارة المختصة بإلغاء تصريح العمل والكفالة دون اعتداد برفضه أو غيابه وذلك وفقاً للقواعد والإجراءات المرعية.

### مادة حادية عشرة

لا تفرض على العامل أي رسوم أو غرامات عن إلغاء تصريح العمل أو الكفالة أو غير ذلك من رسوم أو غرامات إذا كان العامل يرغب في مغادرة الدولة وقد بادر بإخطار الوزارة خلال المدة الزمنية اللازمة وفقاً لأحكام هذا القرار.

### مادة ثانية عشرة

يجوز للوزارة في غير الحالات المنصوص عليها في المادتين الثالثة عشرة والرابعة عشرة من هذا القرار وبدلاً عن إلغاء تصريح العمل وترحيل العامل إلى بلده أن تسمح للعامل بناءً على موافقته وطلب صاحب عمل جديد بالحصول على تصريح عمل داخلي أو خارجي وفقاً للقواعد والإجراءات المرعية وبشرط أن يكون العامل قد بادر بإخطار الوزارة بواقعة انتهاء عمله خلال مدة لا تزيد على ثلاثة أشهر من تاريخ تحقق سبب الإخطار.

### مادة الثالثة عشرة

لا يجوز للوزارة قبل مضي سنة على الأقل من تاريخ المغادرة منح تصريح عمل جديد لاستخدام من انتهت علاقة عمله في أي من الحالات الآتية:

1- انتهاء علاقة العمل بسبب يرجع للعمال وفقاً لأحكام المادة (111) من القانون الاتحادي رقم (8) لسنة 1781.

1- إلغاء أو انتهاء إقامة العامل في الدولة بموجب أمر إبعاد من السلطة المختصة أو بحكم قضائي.

3- انتهاء علاقة العمل بسبب الدخول في إضراب غير مشروع أو التحريض عليه.

8- إلغاء تصريح العامل أو الكفالة بسبب المرض المعدي أو وفقاً لإجراءات إدارة التفتيش العمالي.

5- مخالفة العامل لحكم المادة الثامنة من هذا القرار.

### مادة رابعة عشرة

يجوز للوزارة أن تمنح تصريح عمل للعامل بعد مضي سنة من تاريخ إلغاء كفالته إذا انتهت علاقة عمله السابقة بسبب الانقطاع عن العمل وفقاً لأحكام المادتين (118) و (117) من القانون أو بسبب انتهاء علاقة العمل أثناء فترة الاختبار وذلك وفقاً للقواعد والإجراءات المرعية وبشرط أن يكون قد تم إخطار الوزارة بواقعة انتهاء العمل خلال مدة لا تزيد على ثلاثة أشهر.

### مادة خامسة عشرة

على وكيل الوزارة إصدار اللوائح والتوجيهات اللازمة لتنفيذ هذا القرار.

### مادة سادسة عشرة

يطبق هذا القرار من تاريخ صدوره وينشر في الجريدة الرسمية.

د/ علي عبد الله الكعبي

وزير العمل

## قرار وزاري رقم (1186) لسنة 2010

### في شأن ضوابط وشروط منح تصريح عمل جديد للعامل بعد انتهاء علاقة العمل للانتقال من منشأة إلى أخرى

#### وزير العمل:

\* بعد الإطلاع على القانون الإتحادي رقم (1) لسنة 1791 ، وتعديلاته، في شأن اختصاصات  
الوزارات وصلاحيات الوزراء.

\* وعلى القانون الاتحادي رقم (8) لسنة 1781 ، وتعديلاته، في شأن تنظيم علاقات العمل.

\* وعلى قرار مجلس الوزراء رقم (15) لسنة 1111م في شأن تصاريح العمل الداخلية المعمول بها  
في وزارة العمل.

\* وعلى قرار وزير العمل الصادر برقم (812) لسنة 1115 في شأن اللائحة التنفيذية لنقل الكفالة.

\* وعلى القرار الوزاري رقم (919) لسنة 1112 في شأن قواعد وإجراءات مزولة العمل في الدولة  
لغير المواطنين.

\* وعلى القرار الوزاري رقم (918) لسنة 1112 في شأن إلغاء الكفالة الإداري،

#### قرر:

#### **المادة (1)**

يجوز للوزارة منح تصريح عمل جديد بعد انتهاء علاقة عمله مع صاحب العمل للانتقال من منشأة إلى أخرى  
دون التقيد بمضي مدة الستة أشهر من تاريخ إلغاء بطاقة العمل، والمنصوص عليها في قرار وزير العمل  
الصادر برقم (812) لسنة 1115، وفقاً للقواعد المنصوص عليها في هذا القرار.

#### **المادة (2)**

يجب، لمنح تصريح العمل، المشار إليه في المادة (1) من هذا القرار، توافر الشرطين الآتيين:

1. انتهاء علاقة العمل بين العامل وصاحب العمل بالاتفاق.

1. أن يكون العامل قد أمضى سنتين على الأقل لدى صاحب العمل.

### المادة (3)

استثناء من حكم البند رقم (1) من المادة (1) من هذا القرار، يجوز للوزارة منح تصريح العمل دون اشتراط موافقة صاحب العمل على إنهاء العلاقة في الحالات الآتية:

1. حالة إخلال صاحب العمل بالتزاماته المقررة قانوناً أو اتفاقاً (على سبيل المثال لا الحصر: حالة عدم سداد الأجور لمدة تزيد على ستين يوماً).

1. الحالة التي لا يكون فيها العامل سبباً في إنهاء العلاقة مثل:

أ. حالة الشكوى المرفوعة من العامل على المنشأة التي يعمل لديها بسبب عدم إحقاقه بالعمل لإغلاق تلك المنشأة، ويُشترط في هذه الحالة وجود تقرير من قطاع التفتيش بالوزارة يثبت عدم مزاوله المنشأة لنشاطها لمدة تزيد على شهرين، على أن يكون العامل قد راجع الوزارة خلال هذه المدة.

ب. حالة الشكوى العمالية المحالة من الوزارة للمحكمة، ويُشترط في هذه الحالة صدور حكم نهائي لصالح العامل متضمناً أحقيته في رواتب شهرين على الأقل، أو التعويض عن الفصل التعسفي أو فسخ العقد المحدد قبل نهايته أو أية حقوق أخرى لم يعطها صاحب العمل للعامل على ألا يتضمن الحكم ما يفيد ترك العامل للعمل من تلقاء نفسه دون سبب يقره القانون، أو حرمانه من مكافأة نهاية الخدمة.

ج. حالة قيام صاحب العمل من تلقاء نفسه بإنهاء أو عدم تجديد علاقة العمل وبدون تقديم استقالة من العامل.

### المادة (4)

استثناء من حكم البند رقم (1) من المادة (1) من هذا القرار، يجوز للوزارة منح تصريح عمل للعامل دون اشتراط مدة سنتين في الحالات الآتية:

أ. حالة أن يكون إلتحاق العامل بعمله الجديد في المستوى المهاري الأول، أو الثاني، أو الثالث، بعد استيفاء شروط الإلتحاق بأحد هذه المستويات طبقاً للقواعد المعمول بها لدى الوزارة، وبشرط أن لا يقل أجره الجديد عن (11) ألف درهم في المستوى المهاري الأول، و (9) آلاف درهم في المستوى المهاري الثاني، و (5) آلاف درهم في المستوى المهاري الثالث.

ب. الحالة التي يُخل فيها صاحب العمل بالتزاماته المقررة قانوناً تجاه العامل أو الحالة التي لا يكون فيها العامل سبباً في إنهاء علاقة العمل، على النحو المنصوص عليه في المادة (3) من هذا القرار.

ج. حالة إنتقال العامل إلى منشأة أخرى يملكها أو يشارك فيها صاحب العمل الذي كان يعمل لديه هذا العامل.

### المادة (6)

يُلغى تصريح العمل الممنوح طبقاً لهذا القرار، والذي تم بموجبه منح تصريح عمل جديد العامل، إذا تبين للوزارة عدم صحة البيانات التي مُنح التصريح بناءً عليها، أو تبين لها عدم استمرار بقاء شروط وحالات المنح الواردة في هذا القرار.

### المادة (7)

يُلغى كل نص أو حُكم يخالف ما جاء بهذا القرار.

### المادة (8)

يُنشر هذا القرار في الجريدة الرسمية ، ويُعمل به اعتباراً من 1111/1/1 .

صقر غباش  
زوي ال عمل

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صو عن لبسوظبي  
لموعلق: 20/11/29

## قرار وزاري رقم (1188) لسنة 2010 بشأن ضوابط وشروط منح تصاريح العمل الداخلية

### وزير العمل:

- \* بعد الإطلاع على القانون الإتحادي رقم (1) لسنة 1791 ، في شأن اختصاصات الوزارات وصلاحيات الوزراء ، والقوانين المعدلة له ،
- \* وعلى القانون الإتحادي رقم (2) لسنة 1793م في شأن دخول وإقامة الأجانب، وتعديلاته، ولائحته التنفيذية،
- \* وعلى القانون الاتحادي رقم (8) لسنة 1781 ، في شأن تنظيم علاقات العمل ، والقوانين المعدلة له ،
- \* وعلى قرار مجلس الوزراء رقم (15) لسنة 1111م في شأن تصاريح العمل الداخلية،
- \* وعلى قرار مجلس الوزراء رقم (19) لسنة 1111 في شأن الرسوم والغرامات المقررة على الخدمات التي تقدمها الوزارة،

### قرر

#### **المادة (1)**

لا يجوز للوزارة الموافقة على منح تصريح عمل داخلي لغير المواطنين إلا بعد التأكد من أنه لا يوجد من يستطيع أن يشغل الوظيفة المطلوبة من بين المواطنين الباحثين عن عمل.

#### **المادة (2)**

- لا يجوز منح جميع التصاريح الواردة في هذا القرار إلا بعد تقديم ما يفيد:
- أ. أن رخصة المنشأة -مقدمة الطلب- سارية المفعول.
- ب. تقييد المنشأة بالأحكام الواردة بنموذج العقد الخاص المعتمد من الوزارة في شأن التصريح المطلوب.

ج. سداد الرسم المقرر لهذا التصريح.

د. إستمرار سريان الإقامة للعامل غير المواطن، وإقامة ذويه في حالة تصريح العمل على كفالة ذويه.

هـ. موافقة الجهة التي يعمل لديها طالب التصريح في حالة العمل ببعض الوقت أو العمل المؤقت، إذا كان يعمل في جهة أخرى.

### المادة (3)

أ. يُمنح تصريح العمل المؤقت، والتصريح للعمل بعض الوقت للفئات الآتية:

1. العمال المسجلين بالوزارة ولديهم بطاقات عمل سارية المفعول.

1. الأشخاص الذين تتوفر فيهم شروط منح تصاريح العمل على إقامة ذويهم.

3. الطلبة ممن تزيد أعمارهم على 18 سنة.

8. العاملين في الحكومة.

ب. لا يجوز منح التصاريح المنصوص عليها في هذه المادة للعامل غير المواطن الذي يجاوز عمره خمسة وستين عاماً.

### المادة (4)

يجوز للوزارة الموافقة على منح العامل تصريح عمل مؤقت دون إشتراط موافقة الجهة التي يعمل بها العامل ودون إشتراط سريان إقامته وبطاقة عمله إذا ثبت أنَّ للعامل قضية عمالية مُحالة من الوزارة إلى المحكمة.

### المادة (5)

يجوز للوزارة، في الحالات التي تقدرها، منح العامل تصريح للعمل بعض الوقت لدى أكثر من منشأة.

### المادة (6)

يُمنح تصريح عمل لمن هم على إقامة ذويهم للفئات الآتية:

1. الإناث من سن 18 سنة.

1. زوج المواطنة.

3. أبناء وبنات المواطنات.

### المادة (7)

يستحق العامل الذي يعمل بأي نظام من الأنظمة المنصوص عليها بهذا القرار المستحقات الواردة للعمال طبقاً لقانون تنظيم علاقات العمل، المُشار إليه، إذا توافرت شروطها في هذا العامل ومع مراعاة الأجر الذي يُمنح له ومدد عمله.

### المادة (8)

يصدر بقرار من وكيل الوزارة المساعد لشؤون العمل الإجراءات اللازمة لمنح تصاريح العمل الداخلية المشار إليها في هذا القرار.

### المادة (9)

على كل منشأة ترغب بإستخدام عامل وفقاً للتصاريح الواردة في هذا القرار أن تتحمل تكاليف إصدار التصاريح والموافقة عليها، ولا يجوز بأي حال من الأحوال إلزام العامل بدفع نفقات تشغيلية، بما فيها إصدار التصاريح والموافقة عليها، أو الخصم من أجره مقابل ذلك.

### المادة (10)

تستمر تصاريح العمل الداخلية، التي منحها الوزارة، وما زالت سارية المفعول وقت العمل بهذا القرار، لحين إنتهاء المُدد الواردة فيها، ولا يتم تجديدها أو منح تصاريح جديدة إلا وفقاً لأحكام هذا القرار.

### المادة (11)

لا يجوز تجديد التصاريح الداخلية التي تمنحها الوزارة وفق أحكام هذا القرار حال إنتهاء المدد الواردة فيها، ويجب تقديم طلب جديد في حالة الرغبة في الاستمرار في العمل بأي من أنظمة هذه التصاريح.

## المادة (12)

يُلغى كل حُكم يخالف أو يتعارض مع أحكام هذا القرار .

## المادة (13)

ينشر هذا القرار في الجريدة الرسمية ، ويُعمل به اعتباراً من 1111/1/1 .

صقر غباش

وزير العمل

صدر عنا بأبوظبي

الموافق: 2010/11/29

# Occupational safety and health

**Ministerial Resolution No. (4/1) for 1981 A.D.**

**on defining works that are hazardous or in which it is permissible**

**to reduce the legally decided working hours**

**Minister of Labour and Social Affairs:**

After reviewing Federal Law No. (1) for 1972 A.D. regarding the ministries competencies and ministers' capacities and the amending laws thereto

\*Federal Law No. (8) for 1980 A.D. in regards to organizing the work relationships

\*and based on what was presented by the Undersecretary of the ministry

**It was decided:**

**Article (I)**

**Workers may not be made to work for more than seven hours a day in the following works and industries:**

1- Working in front of ovens at bakeries

2- Oil refining

3- Manufacturing cement

4- Manufacturing ice

5- Working at cooling stores and warehouses

6- Manufacturing fertilizers, mineral acids coefficients, chemical crops

7- Working in filling cylinders with pressurised gases

8- Processes for melting fat and making wax

9- Work at mines and quarries

¶10- Manufacturing dyes and varnish¶

¶11- Foundry¶

¶12- Making glue¶

¶13- Making glass¶

¶14- Sugar manufacturing and refining¶

¶15- Making and packaging bleach and chalk¶

¶16- Oil squeezing industry using mechanical methods¶

#### Article (2)

¶This Resolution shall be published in the Official Gazette and shall be put into force as of the date of its publication¶

Seif Ali Al-Jarwan

Minister of Labour and Social Affairs

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Issued on 6/1/1981 A.D.

**Ministerial Resolution No. (5/1) for 1981 A.D.**

**on defining works that are hazardous, arduous or**

**harmful to the health and where minors are prohibited to work**

**Minister of Labour and Social Affairs:**

\*After reviewing Federal law No. (1) for 1972 A.D. regarding the ministries competencies and ministers' capacities and the amending laws there to

\*Federal Law No. (8) for 1980 A.D. on organising work relationships and after seeking the opinion of the competent authorities in the country in that respect

\*and based on what was presented by the Undersecretary of the ministry

**It was decided:**

**Article (1)**

**It shall be strictly prohibited to employ minors under the age of seventeen in the following industries:**

- 1- Working underground in mines, quarries, and all work related to the excavation of metals and stones
- 2- Working at furnaces prepared for incinerating, refining, or maturing metalling substances
- 3- Oil refining factories
- 4- Working in front of ovens at bakeries
- 5- Cement factories
- 6- Ice and cooling factories
- 7- Silvering mirrors using mercury

- ¶8- Making explosives and related works¶
- ¶9- Melting and maturing of glass¶
- ¶10- Welding with oxygen, acetylene and electricity¶
- ¶11- Painting using Duco (auto-paint)¶
- ¶12- Treatment, preparation and reduction of ash containing lead and extracting silver from lead¶
- ¶13- Tin industry and the mineral compounds containing more than 10% lead¶
- ¶14- Manufacturing lead monoxide (golden spirit) or yellow lead oxide, lead dioxide (sulphonamides), lead carbonates, orange lead oxide, and lead sulphates, chromate, and silicates.¶
- ¶15- Mixing and making paste in the manufacture or repair of electric batteries¶
- ¶16- Cleaning the workshops where works mentioned in items (12, 13, 14 and 15) take place¶
- ¶17- Managing or monitoring driving machines, or their repair or cleaning during operation¶
- ¶18- Manufacturing asphalt¶
- ¶19- Oil squeezing using mechanical methods¶
- ¶20- Manufacturing fertilizers, mineral acids coefficients, chemical crops or working at their warehouses¶
- ¶21- Working at tanneries¶
- ¶22- Skinning, cutting and scalding animals, melting their fats¶
- ¶23- Manufacturing rubber¶
- ¶24- Working in filling cylinders with pressurised gases¶
- ¶25- Loading and unloading cargo in basins, platforms, ports and warehouses¶
- ¶26- Transporting passengers over land or in internal waters¶
- ¶27- Manufacturing coal from animal bones, with the exception of sifting bones before burning¶

¶28- Bleaching, dyeing, and printing textiles¶

¶29- Lifting, pulling, or pushing heavy loads if their weight exceeded what is shown in the table  
attached to this resolution¶

¶30- Working as waiters at clubs¶

¶31- Working at bars¶

#### Article (2)

¶This Resolution shall be published in the Official Gazette and shall be put into force as of  
the date of its publication¶

Seif Ali Al-Jarwan

Minister of Labour and Social Affairs

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Issued on 6/1/1981 A.D.

**Ministerial Resolution No. (6/1) for 1981 A.D.**

**on defining work that is hazardous, tiresome, or harmful to health**

**or morals, and where women should not be employed therein**

**Minister of Labour and Social Affairs:**

\*After reviewing Federal Law No. (1) for 1972 A.D. regarding the ministries competencies and ministers' capacities and the amending laws thereto

\*Federal Law No. (8) for 1980 A.D. on organising work relationships and after seeking the opinion of the competent authorities in the country in that respect

\*and based on what was presented by the Undersecretary of the ministry

**It was decided:**

**Article (1)**

**It is not allowed to employ women in the following occupations:**

- 1- Working underground in mines, quarries, and all work related to the excavation of metals and stones
- 2- Working at furnaces prepared for incinerating, refining, or maturing metalling substances
- 3- Industry of explosives and related works
- 4- Welding with oxygen, acetylene and electricity
- 5- Melting and maturing of glass
- 6- Silvering mirrors using mercury
- 7- Painting using Duco (auto-paint)
- 8- Treatment, preparation and reduction of ash containing lead and extracting silver from lead

¶9- Tin industry and the mineral compounds containing more than 10% lead¶

¶10- Manufacturing lead monoxide (golden spirit) or yellow lead oxide, lead dioxide (sulphonamides), lead carbonates, orange lead oxide, and lead sulphates, chromate, and silicates.¶

¶11- Mixing and making paste in the manufacture or repair electric batteries¶

¶12- Cleaning the workshops where works mentioned in items (8, 10, and 11) take place¶

¶13- Managing or monitoring driving machinery¶

¶14- Repairing or cleaning driving machinery during operation¶

¶15- Manufacturing asphalt¶

¶16- Working at tanneries¶

¶17- Working at fertilizers warehouses that are extracted from animal substances, faeces or blood¶

¶18- Skinning, cutting and scalding animals, melting their fats¶

¶19- Manufacturing rubber¶

¶20- Loading and unloading cargo in docks, platforms, ports and warehouses¶

¶21- Manufacturing coal from animal bones, with the exception of sifting bones before burning¶

¶22- Working at bars¶

## Article (2)

¶This Resolution shall be published in the Official Gazette and shall be put into force as of the date of its publication¶

Seif Ali Al-Jarwan

Minister of Labour and Social Affairs

Issued on 6/1/1981 A.D.

**Ministerial Resolution No. (27/1) for 1981 A.D.**

**on determining remote areas**

**as mentioned in the law regulating work**

**relationships No. (8) for 1980 A.D.**

**Minister of Labour and Social Affairs:**

\*After reviewing Federal Law No. (1) for 1972 A.D. regarding the ministries competencies and ministers' capacities and the amending laws thereto

\*Federal Law No. (8) for 1980 A.D. in regards to organizing the work relationships

\*and based on what was presented by the Undersecretary of the ministry

**It was decided:**

**Article (I)**

1- Remote areas are areas far from cities in the interpretation of Article 101 of Law No. (8) for 1980 A.D. as mentioned and for the purpose of its implementation shall be the following locations

**First: Abu Dhabi**

1- Delma Island

2- Das Island

3- Ghayathi Area

4- Al-Saadiyat Area

5- Al-Dhafra Area

6- Al-Sila Area

7- Al-Samha Area

8- Al-Hir Area

9- Al-Wagn Area

10- Medsis Area

11- Umm Ghafa Area

12- Al-Hamdaniya Area

13- Al-Shoaib Area

14- Al-Bahr Area

15- Bou Rahma Area

16- Mazyad Area

17- Remah Area

18- Al-Ruwais Area

19- Jebel Al Dhanna Area

20- Tarif Area

21- Bahariya Islands

22- Zerkouh, Maizer Area

23- Sweihan Area

and others

## Second: In the Northern Emirates

1- Al Hamraniyah Area

2- Al-Maliha Area

3- Al Manaeh Area

4- Masafi Area

5- Abu Musa Island

6- Al-Hamidiya Area

7- Hatta Area

8- Masfout Area

9- Al-Siji Area

10- Khatt Area

11- Al-Khazna Area

12- Ethn Area

13- Ghalila Area

14- Al-Mudam Area

15- Al-Bathna Area

16- Al-Tawyeen Area

2- Remote areas are considered also any work area that is twenty five kilometres away from the nearest city or village and cannot be reached by public transport

## Article (2)

Any employer who uses workers in the areas specified in the previous article must provide them with the following services

- |                                           |                                                        |
|-------------------------------------------|--------------------------------------------------------|
| 1- Appropriate means<br>of transportation | 2-Appropriate housing                                  |
| 3- Potable water                          | 4- Appropriate food stuff                              |
| 5- Means of medical aid.                  | 6- Facilities of entertainment and sport<br>activities |

With the exception of food materials, the services mentioned in this article shall be at the expense of the employer and the worker must not bear any of it

#### Article (3)

Public buses for the paid use of the public and communal taxis are considered some of the ordinary means of transport mentioned in Article (1) of the resolution

#### Article (4)

This Resolution shall be published in the Official Gazette and shall be put into force as of the date of its publication

Seif Ali Al-Jarwan

Minister of Labour and Social Affairs

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Dated on: 19/4/1981 A.D.

**Ministerial Resolution No. (37/2) for 1982**

**Regarding the level of medical attention the**

**employer is obliged to provide to his workers**

**Minister of Labour and Social Affairs:**

\*After reviewing Federal Law No. (1) for 1972 A.D. regarding the ministries competencies and ministers' capacities and the amending laws thereto

\*Federal Law No. (8) for 1980 in regards to organizing the work relationships and upon agreement with the Minister of Health

\*and based on what was proposed by the Undersecretary of the Labour Sector

**It was decided:**

**Article (1)**

The commitment of the employer to treating the workers must be according to the levels of medical attention shown in the articles of this resolution and within the limitation of the methods available for treatment in the country

**Article (2)**

The employer in whose facility the number of workers doesn't exceed fifty workers at one place, one country, or a radius of twenty kilometres must provide first aid means at the work places in his facility

### Article (3)

The employer whose number of workers exceeds fifty workers but less than two hundred workers in one place, one country, or a radius of twenty kilometres, in addition to his commitment to provide first aid means, shall use a nurse holding a nursing certificate recognised by the Ministry of Health who shall administer the said aid, and shall assign a physician to the workers clinic and their treatment at the place prepared by the employer for that purpose, providing them with the necessary medications for treatment for free.

If the treatment requires a specialist physician, the facility doctor shall advise in writing to treat the worker at a specialist physician, with the costs of treatment in this case shared equally between the employer and worker.

### Article (4)

The employer who has two hundred workers or more in one place, one country, or a radius of twenty kilometres must provide the means of treatment stipulated in articles (2) and (3) of this resolution, in addition to his commitment to provide all other means of treatment in the cases where treatment requires specialist physicians, surgeries, or other, as well as the necessary medications, all at the expense of the employer.

If the worker was treated at a government, private, or charity hospital or treatment home, the employer shall pay to the management of the hospital or home the cost of treatment, medication, and accommodation as specified by the Ministry of Health with respect to government hospitals and treatment facilities, and in accordance with what is decided by the managers of the private or charity hospital or home, or the institution affiliated to that hospital or care facility with respect to treatment at private or charity hospitals or treatment facilities.

#### **Article (5)**

The facility physician where the number of workers is two hundred or more must treat any of the illnesses in an ordinary way and decide to dispense the necessary medications, as well as refer the worker to a specialist or to the hospital in the cases where treatment requires that

In this case, the worker may not ask to be treated at a specialist, to have a surgery, or to be treated at a hospital unless based on the decision of the facility physician or according to a certificate necessitating this issued by a specialist and approved by the competent medical administration or medical area at the Ministry of Health under which jurisdiction the facility falls

A worker also may not request to be treated at a specialist other than those chosen by the employer or at hospitals not decided by him

#### **Article (6)**

When selecting the place for the workers clinic and treatment, it should be taken into consideration that it would be as close as possible to the place of work and to have good ventilation and lighting, with health and comfort conditions. It should also be equipped with the necessary machines and equipment

#### **Article (7)**

The costs for transporting the worker to the clinic should be at the expense of the employer at the times he specifies for treatment or checking

¶¶The worker shall not be entitled to these expenses unless he follows the directions of the employer with respect to the times set for treatment or checking at the clinic, except in emergency and urgent situations.¶¶

¶¶The employer should allocate a mode of transportation for the sick and injured workers, in which case the worker may not refuse transportation as long as they are suitable for what it has been assigned for. The worker's right to any transportation expenses shall cease to exist using the transportation means allocated by the employer without reasonable justification.¶¶

#### ¶¶¶¶¶Article (8)¶¶

¶¶If the facility has a fund or a system for providing medical services and the worker subscribe to it so that he would have the right to treat himself and the members of his family, the employer shall lower the worker's subscription fee to that fund or system in a way equivalent to the costs of his treatment at the expense of the employer in accordance with the provisions stipulated in this resolution.¶¶

#### ¶¶¶¶¶Article (9)¶¶

¶¶Each employer using fifty workers or more must display the following data on the main doors used by workers to enter into the place of work.¶¶

¶¶a- Place of the workers' clinic.¶¶

¶¶b- The treatment days and times at that clinic.¶¶

¶¶c- The address of the hospital and specialist physicians assigned to treat the workers and the times for that whenever the employer is obliged to them according to the provisions of this resolution.¶¶

¶¶The labour inspection section inspectors at the Ministry may order to hang all or some of the aforementioned data, depending on the case, in another place and in the appropriate places at the facility whenever they find it necessary¶¶

¶¶These data must be hung in a way that is easy for the workers to view¶¶

#### ¶¶¶¶¶Article (10)¶¶

¶¶The employer who uses foreign workers must affirm their physical fitness for work by a certified medical certificate proving that and that is certified by the competent official authorities¶¶

¶¶In all cases, the employer must confirm the physical fitness of the worker he shall use before hiring him through a medical investigation, and the result of that must be proved in a written report certified by the competent authority at the Ministry of Health¶¶

#### ¶¶¶¶¶Article (11)¶¶

¶¶**Every employer must prepare a medical for every worker showing the following:**¶¶

¶¶- The results of the medical investigation of the worker upon joining work¶¶

¶¶- The results of the medical investigation and decided treatment whenever the worker takes a medical investigation and the date of each investigation¶¶

¶¶- The results of the medical tests carried out for investigation or treatment as well as the X-rays prepared for the worker for the same reason, if any¶¶

¶¶- The result of the investigation to affirm the absence of parasites and respiratory and skin diseases if any¶¶

¶ The period during which the worker was absent from work because of illness, provided that the days of absence because of ordinary illness, occupational illness or work accidents are explained separately.¶

These files shall be confidential with only the treating physician, employer or who represents him having access to them.¶

#### Article (12)

¶ The employer who uses fifty workers or more must send a statement of two copies once every three months to the competent work directorate showing the number of workers who were treated at the expense of the employer, the types of their illnesses, and the days of absence during which they did not come to work because of illness.¶

#### Article (13)

¶ The implementation of the provisions of this resolution shall not jeopardise or disable the other systems of treatment at the facilities if these systems were better to realise the medical treatment organised under this resolution.¶

#### Article (14)

¶ This Resolution shall be published in the Official Gazette and shall be put into force as of the date of its publication.¶

¶ Seif Ali Al-Jarwan ¶

Minister of Labour and Social Affairs

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**Date:** 17/7/1982

**Ministerial Resolution No. (32) for 1982 A.D.**

**on determining prevention means and measures**

**to protect workers from work hazards**

**Minister of Labour and Social Affairs:**

\* Having reviewed the temporary constitution

After reviewing Federal Law No. (1) for 1972 A.D. regarding the ministries competencies and ministers' capacities and the amending laws thereto

\* Federal Law No. (8) for 1980 in regards to organizing the work relationships

\* Upon the Ministry of Health poll

\* and based on what was presented by the Undersecretary of the ministry

**It was decided:**

**Article (1)**

Every employer must provide suitable means of prevention to protect the workers from the hazards of occupational injuries and illnesses that could happen during working hours as well as the hazards of fire and the remaining hazards that may result from the use of machines and other work equipment, and should also follow all other means of prevention decided by the Ministry of Labour and Social Affairs

The worker should use the preventive equipment and clothes he is provided for that purpose and to carry out all the instructions of the employer that aim to protect him from hazards and to abstain from doing anything that would obstruct these instructions

**Article (2)**

¶Every employer should display in a visible and obvious place at the work site detailed and clear instructions on fire prevention methods and the protection of workers from the hazards they may be exposed to while doing their work, the method of prevention, and how to handle any accidents as a result of that, provided that the instructions are written in Arabic as well as another language understood by the workers when necessary¶

¶The employer must put warning signs in front of dangerous places¶

### ¶¶¶¶Article (3)¶

Every employer or who represents him must inform his worker of the hazards of the profession they practice such as the hazards of fire, machines, falling, occupational illnesses and others before they start work¶

### ¶¶¶¶Article (4)¶

¶Every employer must assign the supervision of the first aid to a specialist in providing medical assistance and provide the contents in Table (3) attached to this resolution in every first aid kit¶

### ¶¶¶Article (5)¶

¶The employer must take all necessary means to confirm that the existing circumstances at work place provide sufficient protection for the health and safety of the workers hired at the facility, and should especially take the following into consideration¶

¶a- The size of space assigned to each person shall not be less than four hundred square feet, provided the calculation of this space does not include any height exceeding fourteen feet¶

¶b- Avoid any shortage of fresh air or slowness in its renewal, avoid bad or harmful currents and sudden changes in temperature, and get rid of excess humidity and heat as much as possible¶

¶c- Provide sufficient and appropriate light, whether natural or artificial, by taking into account to keep the outlets, skylights, and other natural light openings and for the natural or artificial sources of light to provide homogeneous illumination, avoiding direct glare and reflected light, as well as considerable variations in light in close areas.¶

¶d- Provide suitable lighting for operations with various degrees of accuracy, guided by the attached Table (1)¶

¶¶e- Prevent or reduce noise and vibrations that are hazardous to the health of the worker according to the practically permitted level\$¶

¶¶f- Prepare a place for eating food at the times when it is forbidden for the worker to eat food at the work place. It is prohibited to eat food at the work places in the following circumstances\$¶

¶¶¶1- The works that include the use or handling of poisonous or harmful substances that may disperse in the air at work in the form of dust, smoke, vapour or other¶¶

¶¶¶2- The works in which the workers are exposed to harmful radiation\$¶

¶¶¶3- The works in which the workers are exposed to the contamination of the visible parts of the body such as hands and head, or in which the work clothes are contaminated with harmful material\$¶

¶¶Provide basins for washing hands that are sufficient and suitable to the number of workers present at the work places in general, providing them with the necessary cleaning equipment, as well as providing the sufficient number of toilets for the use of workers, as well as appropriate places for changing and keeping the workers' clothes, taking into account to clean and maintain

them regularly, and in all cases, each of the different genders of workers must have independent facilities§¶

#### Article (6)

The employer shall use the practical and suitable means to prevent or reduce the health hazards at the work places, shall take the following into consideration in particular¶¶

a- The practice of the industrial and other operations shall not be hazardous to the health and safety of the workers§¶

b- The operations that are hazardous to health shall be undertaken in separate bodies to prevent the workers' touching the hazardous substances, and prevent the leaking of spreading and thickening gas or vapours, dust, fibres, or smoke to the atmosphere of work in quantities that are harmful to health¶¶

c- Block harmful radiations from workers§¶

d- Dispose of the materials hazardous to health that are present during industrial operations so that they do not exceed the required limits as mentioned in the attached Table (2)¶¶

e- Regularly dispose of the harmful dust, spreading or thickening vapours, gases, and fibres at their source or close to it using suction devices, through another suitable engineering method, or find a suitable ventilation system¶¶

f- Provide workers with protective clothes equipped with devices and other appropriate tools to protect the person if the preventive methods followed were impractical or insufficient to secure the health of the workers, provided that the workers are trained to use these machines and means, and to appropriately store and provide the necessary capabilities to clean, disinfect and maintain them at the possibility of their contamination with poisonous or

hazardous substances during work, each according to the requirements of the nature and conditions of every work.

#### Article (7)

The following should be taken into consideration at the work place:

- a- The flooring of the work room shall be level and made of a substance suitable for the work carried out in it.
- b- Leave distances around machines or units to allow workers to pass through and carry out the ordinary works without obstacles, and in a way that allows the operations of compressing or repairing machines or transporting the substances used in work.
- c- The passages should be clear of holes, unsecured sewage covers, protruding nails and pipes, and the gauges fixed vertically, or any other installations that constitute a danger of collision and the material must not subject those walking on it to the danger of slipping.
- d- The passages must not be crowded with raw materials, work equipment, products, or materials in a way that constitutes an obstacle to the workers in their walking and subject them to the danger of collision or tripping.
- e- Stairs, high walkways, and similar places shall be equipped with slip free materials.
- f- The opening of land ladders shall be surrounded from all sides by a fence with the exception of the stair entrance, and this fence shall be made of bars placed close to each other to prevent passage, or these openings shall be covered with metal covers on hinges that prevent the fall of anything that would subject those below to the danger of injury.
- g- The steps of the stairs shall be strong enough and of sufficient width to allow safe passages. The sides shall have guards on both sides if one was not against the wall.
- h- The mobile ladders must be sturdy with the steps at appropriate distances and the bases and heads provided with appropriate focal methods that prevent their slipping. mobile ladders made of wood must not be painted with any type of paint.

#### **Article (8)**

The employer shall provide the necessary means to prevent fire, as well as the appropriate extinguishers for the materials existing at the facility and the materials used in industries, and shall take the following into account:

- 1- Provide entrances, exits, and stairs at the work place to facilitate the exit of workers in case of a fire in them or in any part of them without crowding.
- 2- The fire methods and equipment shall always be suitable to serve their purpose, in addition to training a sufficient number of workers on using them. They must be free of any obstacles and put in appropriate places for easy reach.
- 3- There should be an alarm in the event of a fire, and workers shall be trained on responding to it in the case of a danger alarm.
- 4- In the event of numerous work rooms connected by openings, there must be fire separating doors to prevent its spread from one room to the next.
- 5- Hang indicative signs to prevent fire or its causes in flammable areas in the work place, stating in the said signs how to exit and the locations of the exits in a clear place in Arabic as well as another language understood by the workers when necessary.

#### **Article (9)**

The employer must take the necessary precautions to protect the workers from the dangers of falling, falling objects, flying debris, sharp materials, caustic liquid materials, hot materials, flammable materials, explosives, or any other materials with a harmful effect, as well as the necessary precautions to protect the workers from the hazards of pressurized gases and electricity, either by using suitable safety equipment suitable for that purpose or by personal

methods such as glasses, gloves, belts, suits, masks, or other protective clothes, provided that they are appropriate to the nature of the operations exercised in it and the materials used in every operation.

#### **Article (10)**

The employer must always and continuously surround the moving parts of movement generators, transmission equipment, and the dangerous parts of machines, whether fixed or mobile with suitable protective barriers, unless it was taken into account when designing and installing these parts to provide full protection as it covered by protective barriers.

#### **Article (11)**

The employer must take the following into consideration when erecting the barriers mentioned in the previous article:

- 1- To work on the full protection from the hazard it was put to prevent
- 2- To prevent the worker or any part of his body from reaching a dangerous part during the performance of work and not obstructs its performance
- 3- Not to be cause for hindering production or machines
- 4- Not to prevent the calibration or repair of the machine or inspecting it with the least possible maintenance
- 5- To resist fire and rust
- 6- Not to cause accidents for having sharp parts, sharp edges, or rough edges, nor will it be the source of any accidents

#### **Article (12)**

¶¶The employer, when installing new machines, operating equipment or parts thereof, shall take into account to provide them with protective methods to comply with the necessary preventive system.¶¶

#### ¶¶¶¶¶Article (13)¶¶¶¶¶

¶¶The employer may not allow any person to remove or install any barrier or any of the preventive equipment, unless the machine was not working, and it may not be operated except after it is returned to its place.¶¶

#### ¶¶¶¶¶Article (14)¶¶¶¶¶

¶¶The employer should hang guiding signs in the place where the machines are or where the various operations take place in which he shows the type of the necessary technical operations in Arabic as well as another language understood by workers when necessary.¶¶

#### ¶¶¶¶¶Article (15)¶¶¶¶¶

¶¶Every worker must adhere to the orders and instructions related to the work safety precautions and his safety, and should use preventive methods and pledge to care for what he has. The worker is prohibited to attempt any action that might lead to the non-implementation of the mentioned instructions, the misuse of the methods placed to protect the health and safety of the workers, or damage or destroy these methods.¶¶

¶¶The employer shall guarantee the penalties list include penalties for all those violating the provisions stipulated in the previous paragraph.

## Article (16)

In case of using the steam boilers, the employer must take the following into consideration:

- 1- Every boiler must be equipped with a suitable safety valve, suitable valves, a measure of the water level, and a measure of steam pressure, and all these machines must be working in good conditions throughout the use of the boiler.
- 2- An appropriate and sturdy room must be allocated for the boiler, provided that that room is separate and at least three metres away from any other building in the facility, with good lighting.
- 3- A competent person must be assigned to watch the boiler, with a suitable place prepared for him inside and outside the boiler room so that he is able to watch effectively.
- 4- The boiler must be stopped for maintenance once every two months at least for cleaning and maintenance, with the maintenance operation assigned to a competent person who observes all safety procedures during maintenance.
- 5- The boiler must be inspected at least once a year by a competent person licensed by the competent labour directorate.
- 6- The person conducting the inspection must prepare a report showing the state of the boiler and the inspection steps followed, provided that the facility owner sends a copy of that report to the competent labour directorate keeping at copy at the facility.
- 7- In case of using pressure vessels, they should be of materials that do not react with chemicals and rust, and shall be inspected annually to determine their validity by a competent person who is licensed by the competent labour directorate, preparing a report at each inspection a copy of which shall be sent to the labour directorate.

#### **Article (17)**

Workers shall be prevented from entering the areas in which the machines are operated unless wearing clothes suitable to the nature of the work as specified by the facility to guarantee the safety of workers.

#### **Article (18)**

The employer shall take the necessary precautions to protect workers from hazardous substances by storing them safely in special places or by surrounding them with suitable barriers or fences. It shall be observed in case of storing them in containers that they are tightly shut, with a label bearing their names, the correct method of using them, and methods of protection, with a warning of their hazards, which shall be written in Arabic as well as another language understood by the workers if necessary.

#### **Article (19)**

The employer must take the necessary precautions to protect the workers carrying out the construction, demolition, and digging jobs from work hazards as follows:

a- With respect to digging and demolition:

1- When digging a trench or hole, the digging must always begin from top to bottom, confirming that it is at an incline suitable to the soil being dug. Also the sides of the holes with depths exceeding 1.5 metres must be re-enforced with sturdy wooden beams to prevent the collapse of the soil in the hole, as well as provide safe passages for the workers to haul the soil with warning signs put at the edges of the holes to prevent against falling into them.

¶2- The hauled soil from the holes must not be accumulated next to the holes, but should be placed at a suitable distance from these holes that would not allow their sliding in the direction of the holes¶

¶3- Demolition should start from the upper levels, while taking the necessary procedures to support the walls protruding from the buildings that are feared might fall, with the need to separate them technically before starting demolition. It is necessary for an experienced supervisor to be present throughout the demolition¶

¶4- Demolition debris must not be thrown from above, but must be removed either by lever machines or through inclined walled passages with the need to fence the place where debris is collected¶

¶b- With respect to construction work¶

¶1- Scaffolds and walkways must be of sufficient width to allow the passage of workers safely without falling. These Scaffolds and walkways must also have side barriers if they were more than eight metres higher than the surface of earth, with the need to provide workers with protective belts against falling and to confirm the sturdiness of where they are secured¶

¶2- The roofs of the work area must be fenced if the nature of work necessitates climbing to them, also the skylights through these roofs must be fenced or covered in a way that prevents people or equipment to fall.

¶3- It should be observed to make solid protective overhead shields of sufficient width and barriers of suitable height to protect the workers or passers-by from the hazard of things falling on them¶

## **Article (20)**

The following should be taken into consideration regarding the lifting and dragging machines and tools

- 1- Each lift, or passenger or cargo elevator must be well made, with sufficiently solid parts, and shall have the necessary technical maintenance, it should also be tested periodically, at least once a year, by an expert
- 2- The elevators ascending and descending areas must be surrounded by a solid and high fence to prevent any person from approaching or jumping over the moving parts of the elevator, and the doors must not open unless the elevator is stationary
- 3- An indication of the maximum load must be put at an obvious place on the machine or elevator
- 4- The worker must not be assigned to carry loads heavier than he could bear, and in all cases, the weight of the load must not exceed (50) Kilograms for a man and (20) Kilograms for a woman, taking into account to use the leverage when possible to carry weights instead of depending on the human effort only
- 5- The design of chains, ropes, or pulling wires and the like must be well made and shall be given full and continuous maintenance, shall not be used to carry more than their load, and shall be inspected at least once every six months regularly

## **Article (21)**

The facility that appoints a contractor to undertake any of the various construction and building operations must notify the competent labour directorate at least one week before starting the demolition through a statement that includes the following

¶a- Name of facility or original contractor¶

¶b- Name of subcontractor¶

¶c- Type of operation¶

¶d- The place where the work will be carried out¶

¶e- The date of beginning work and the duration of the execution¶

### ¶Article (22)¶

¶The responsibility of providing industrial safety equipment in contracting works with respect to the employer, original contractor and subcontractors shall be according to the following¶

¶a- Providing industrial safety conditions with respect to the work place and its equipment shall be the responsibility of the employer who owns their use¶

¶b- Providing personal protective equipment to the workers shall be the responsibility of who contracts them¶

### ¶Article (23)¶

¶The competent labour inspector may take a sample or samples of the materials used or circulated in industrial or other operations subject to inspections, which he believes has a harmful effect on the health and safety of the workers for the purpose of analysing them to find out the extent of that effect, notifying the employer or his representative of the result of the analysis, and take the necessary procedures on the matter. He may, if necessary, request conducting a medical examination on the workers at the facility as well as lab tests to confirm the appropriateness of the work conditions and their effect on the health and preventive levels of

the workers. This examination shall be carried out during working hours at the facility and after hours if carried out outside the facility in accordance with the procedures stipulated in Article (175) of Law No. (8) for 1980 A.D. on organizing work relationships

### **Article (24)**

The employer must notify the competent labour directorate of the accidents that might take place in any facility during working hours, or because of the work, and which causes any of the following damages:

a- The death of the worker

b- Fire or explosion

c- Preventing any worker from performing his job for three days or more

The employer must notify these accidents in accordance with the form shown in Table No. (4) attached to this resolution, provided that notification is as follows:

1- In cases of worker's death, fire or explosion, notification must be as soon as the accident occurs and using the fastest possible method of communication

2- In the event of preventing the worker from performing his job for three days or more, notification shall be within 24 hours from the incident

In all cases, every employer must notify the competent labour directorate of a statistic every three months of two copies on the work injuries and occupational illnesses according to the form prepared for this purpose provided that the time of sending it does not exceed fifteen days from the mentioned three months period

¶¶The employer shall keep a third copy at the facility to make it easier for the competent labour inspector to review when visiting the facility¶¶

#### ¶¶Article (25)¶¶

¶¶ The labour inspector assigned the missions specified in this resolution must be competent as follows¶¶

¶¶1- In case of exercising the duties pertaining to industrial security, he must be an engineer or a technician experienced in this field¶¶

¶¶2- In case of exercising the duties pertaining to occupational health, he must be a physician or technician specialising in the field of occupational health¶¶

#### ¶¶Article (26)¶¶

¶¶1- Every industrial facility that employ at least one hundred and fifty workers must appoint an industrial security officer who works full time for that purpose and shall assign him the duties of protection from the various hazards and supervise the implementation of the provisions of the law on that matter¶¶

¶¶2- It is necessary for the industrial security officer at the facility with more than one thousand workers to be an engineer or qualified technician in the field of industrial security. With respect to the facilities with less than one thousand workers, he must be a graduate of industrial high schools with an experience in the field of industrial security¶¶

¶¶3- The competent labour directorate shall ratify the competence of the industrial security officers that should be appointed under this article¶¶

### **Article (27)**

The Undersecretary may, by a decision, take some other precautions as necessitate by the nature of work in any industry, operation, or facility

The Undersecretary is assigned to make amendments to the tables attached to this resolution whenever there are scientific or technical developments that necessitate these amendments

In the two cases mentioned in the two previous paragraphs, directives or amendments are issued after polling the opinion of the Ministry of Health and the other competent authorities

### **Article (28)**

The Undersecretary may issue the forms necessary for the implementation of this resolution

### **Article (29)**

This Resolution shall be published in the Official Gazette and shall be put into force as of the date of its publication

**Seif Ali Al-Jarwan**

**Minister of Labour and Social Affairs**

**Table No. (1)**

**Appropriate lighting**

**Lighting level mentioned in the following table shall be the minimum in the operations mentioned across from it**

| <b>Serial Number</b> | <b>Operations</b>                                                                                                                                                                                                                                                                              | <b>candle/foot</b> |
|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 1                    | Non-accurate operations such as sorting large objects (scrap, bones and the like)                                                                                                                                                                                                              | 6                  |
| 2                    | Medium accuracy operations such as assembling machines, the grinding of grains and stones, and other primary operations in the industry and steam reservoir rooms, the packaging of large containers sections, warehouses for tools and equipment necessary for medium operations and the like | 11                 |
| 3                    | Assembly of medium accuracy parts, such as filing and turnings that do not require accuracy, grinding and testing of products, machines, sewing light coloured cloths, storing foods, and the industry of plywood and leather and the like                                                     | 21                 |
| 4                    | Accurate operations such as medium accuracy filing and turnings, accurate tests, office works, and the final operations of the products and the like                                                                                                                                           | 21                 |
| 5                    | The operations that require a lot of accuracy such as the assembly                                                                                                                                                                                                                             | 51                 |

|   |                                                                                                                                                                                                                            |     |
|---|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
|   | of precision machinery, precision filing and turnings, shaping glass, precision carpentry, office work, drawing and the like¶¶                                                                                             |     |
| 6 | ¶¶The work that requires extreme accuracy and long patience such as highly precise testing operations, machine testing, jewellery and watch making, letter assembly in printing, the sewing of dark clothes and the like¶¶ | 151 |

**Table No. (2)**

**Highest degrees of permitted concentration**

**during industrial operations**

| Name of material          | Highest degrees of concentration |
|---------------------------|----------------------------------|
| Ammonia                   | 111 parts in million             |
| Ethyl acetate or Butyl    | 411 parts in million             |
| Carbon disulphide         | 11 parts in million              |
| Carbon monoxide           | 111 parts in million             |
| Carbon tetrachloride      | 111 parts in million             |
| Chlorine gas              | 1 parts in million               |
| Diphenyl Chloride         | 1.5 mm per cubic metre           |
| Ethylene                  | 5 parts in million               |
| Arsine                    | 1.15 parts in million            |
| Naphthalene tetrachloride | 5 mg per cubic metre             |
| Chromic acid              | 1.11 mg per cubic metre          |
| Benzene dichloride        | 76 parts in million              |
| Ethyl dichloride          | 15 parts in million              |
| Ether                     | 411 parts in million             |
| Ethylene dichloride       | 211 parts in million             |
| Gasoline                  | 511 parts in million             |
| Hydrochloric acid         | 11 parts in million              |

|                  |                     |
|------------------|---------------------|
| Hydrogen Cyanide | 11 parts in million |
|------------------|---------------------|

| Name of material       | Highest degrees of concentration                                 |
|------------------------|------------------------------------------------------------------|
| Formalin               | 21 parts in million                                              |
| Fluoride acid          | 2.5 parts in million                                             |
| Hydrogen sulphide      | 21 parts in million                                              |
| Lead                   | 1.2 mg per cubic metre                                           |
| Mercury                | 1.1 mg per cubic metre                                           |
| Methanol               | 211 parts in million                                             |
| Benzene monochloride   | 75 parts in million                                              |
| Nitrobenzene           | 1 parts in million                                               |
| Nitrogen oxide         | 5 parts in million                                               |
| Nitrogen               | 1 parts in million                                               |
| Phosgene               | 1 parts in million                                               |
| Sulphur dioxide        | 5 parts in million                                               |
| Phosphine              | 1.5 parts in million                                             |
| Tetra chloro apsheline | 5 parts in million                                               |
| Toluene                | 111 parts in million                                             |
| Trientine              | 251 parts in million                                             |
| Coal tar naphthalene   | 211 parts in million                                             |
| Zinc oxide fumes       | 1.15 mg per cubic metre                                          |
| Ethylene dichloride    | 211 mg per cubic metre                                           |
| Ethylene tetrachloride | 51 mg per cubic metre                                            |
| Silica parts           | 151 million silica bodies per cubic metre                        |
| Asbestos (all types)   | 5 parts per cubic centimetre (part length more the 5 micrometre) |

**Table No. (3)**

**Contents of the first aid box**

**According to Article (4) of Ministerial Resolution No. (32) for 1982 A.D**

| Serial Number | Type                              | Quantity  |
|---------------|-----------------------------------|-----------|
| 1             | Half an inch bandage              | 12 pieces |
| 2             | Triangular bandage                | 12 pieces |
| 3             | Medical cotton                    | 12 roll   |
| 4             | Gauze                             | 6 roll    |
| 5             | Viscous linoleum pieces 0.5 x 1.5 | 2 boxes   |
| 6             | Viscous linoleum                  | 2 boxes   |
| 7             | Eye ointment                      | 6 tubes   |
| 8             | Picric acid                       | 6 ounce   |
| 9             | Potassium permanganate            | 6 ounce   |
| 11            | Sodium bicarbonate                | 6 ounce   |
| 11            | Uric solution                     | 8 ounce   |
| 12            | Silva Simaneed                    | 6 tubes   |
| 13            | Charvalavine solution             | 1 litre   |
| 14            | Iodin                             | 1 litre   |
| 15            | Talcum powder                     | 3 kg      |
| 16            | Burn ointment                     | 6 tubes   |

|    |                     |         |
|----|---------------------|---------|
| 17 | Sulphate powder     | 5 gm    |
| 18 | Penicillin ointment | 6 tubes |

| Serial Number | Type                     | Quantity |
|---------------|--------------------------|----------|
| 19            | Sulphathiazole pill      | 100 pill |
| 21            | Silva Traide pill        | 100 pill |
| 21            | Long lasting Sulfonamide | 60 pill  |
| 22            | Spasmo Cibalgin pill     | 60 pill  |
| 23            | Aspirin                  | 100 pill |
| 24            | Vitamin                  | 100 pill |
| 25            | Complex vitamin pill     | 100 pill |
| 26            | Cough pill               | 100 pill |
| 27            | Salt pill                | 100 pill |
| 28            | Ear drops                | 6 tube   |
| 29            | Nose drops               | 6 tube   |
| 31            | Throat ointment          | 6 tube   |
| 31            | Dettol                   | 1 litre  |
| 32            | Camphor ointment         | 6 ounces |
| 33            | scalpel change           | 1        |
| 34            | Eye dropper bath         | 1        |
| 35            | Solution bowl            | 1        |
| 36            | English pin              | 1        |
| 37            | Scissors                 | 1        |
| 38            | Tourniquet               | 1        |
| 39            | Ffinek Soap              | 1        |

**Table No. (4)**

**Notification of accident**

**According to Article (28) of Ministerial Resolution No. (32) for 1982**

**1- Name of Facility .....  
Owner**

**2- Address .....**

**3- Economic activity .....**

**4- Date of incident .....**

**5- Nature of incident .....**

**6-Mention the following  
data** .....

**a- Name of the part, equipment or machine that caused the incident with description**  
.....

**b- Mention how the incident took place**  
.....

**7- Mention the following data about the injured person or persons**

**a- Name** .....

**b- Male/Female** .....

**c- Age** .....

**d- Address** .....

**e- Salary** .....

**f- Date of appointment** .....

**g- Nature and extent of  
injury** .....

**8- Mention the following data on damage in the case of fire or explosion**

**a- The cause of the fire, explosion,  
or collapse** .....

b- The damage caused by the .....  
accident

c- Estimating the total loss: .....

Signature of the Employer

Date: / / 19 A.D.

# Employment of Juveniles and Women

**Ministerial Resolution No. (46/1) for 1980 A.D.**

**የፌዴራል አስተዳደር ስርዓት ለማሻሻልና ለማስፈጸም**

**የፌዴራል አስተዳደር ስርዓት**

**የፌዴራል አስተዳደር ስርዓት**

\*Having reviewed the provisions of the temporary constitution

\*After reviewing Federal Law No. (1) for 1972 A.D. regarding the ministries competencies and ministers' capacities and the amending laws thereto

\*Federal Law No. (8) for 1980 A.D. in regards to organizing the work relationships

\*and based on what was presented by the Undersecretary of the ministry

**የፌዴራል አስተዳደር ስርዓት**

**የፌዴራል አስተዳደር ስርዓት**

**የፌዴራል አስተዳደር ስርዓት**

1- working in hotels, restaurants, motels, coffee shops, buffet, theatres, cinemas, music and singing halls, and other similar shops

2- Working on transporting people and cargo using internal water ways, or by air, which includes tourism and aviation offices as well as airports

3- Annual inventory works, preparing budgets, liquidation, closing accounts, prepare to sell at reduced prices, and prepare to open the season, in which case it is conditional that the days during which women can be employed at night may not exceed fifteen days a year unless the competent labour directorate permits longer periods

Đoàn Văn Tấn

## Ministerial Resolution No. (47/1) for 1980 A.D.

exempting some institutions from some of the provisions stipulated in the law

mag d adiOmOvgd b Ong ad On owe an mg t b n O

s dOn e b gi n ng t a h gve eg m :

\*Having reviewed the provisions of the temporary constitution

\*After reviewing Federal Law No. (1) for 1972 A.D. regarding the ministries competencies and ministers' capacities and the amending laws thereto

\*Federal Law No. (8) for 1980 A.D. in regards to organizing the work relationships

\*and based on what was presented by the Undersecretary of the ministry,

ddog t Qt Q :

e m g nd hO

educational and charity institutions in the country, whose objectives include occupational rehabilitation or training of minors and women shall be exempted from the provisions of articles (22, 23, 27, and 35) of Law No. 8 for 1982 A.D. in accordance with the following provisions

### Second article

i On hgd gw g t h i g m d e d d d n O d O t di O n e n g m d h w n d  
n O d i O e w w a h t d i m t O d i O O d e m n di O e O n o d :

a- be registered at the competent official bodies of that description.

b- the actual objectives for which they are registered is occupational rehabilitation or training of minors or women.

It shall stipulate the following in the internal regulations of these institutions:

-the nature of the work carried out by minors and women in the institution;

-the working hours;

-work conditions;

the sex work and working hours and conditions must not contradict with the actual energy of minors and women.

#### **Article 10**

The actual activity of the institution must correspond to what is mentioned in its internal regulations and what was mentioned in the previous article.

#### **Article 11**

The exemption mentioned in this decision does not apply to the institution that transfers its actual activity from its objectives or work conditions stipulated in its internal regulations.

This provision shall apply if the institution changed its internal regulation in a way that changes its objectives or change the conditions stipulated in the Second Article of this resolution.

The competent ministry bodies shall monitor the institution and its activity in this respect.

#### **Article 12**

This Resolution shall be published in the Official Gazette and shall be put into force as of the date of its publication.

¶¶aeif Ali Al-Jarwān¶¶

¶¶¶¶¶¶s d¶¶¶¶¶¶ ¶¶gi n ¶¶¶¶ t¶¶a h ¶¶¶¶e eg m

**Ministerial Resolution No. (5/1) for 1981 A.D.**

It is also decided that the government shall

regulate the work of the Ministry of the Interior

the following:

\*After reviewing Federal Law No. (1) for 1972 A.D. regarding the ministries competencies and ministers' capacities and the amending laws thereon,

\*Federal Law No. 8 for 1982 A.D. on organising work relations and after seeking the opinion of the competent authorities in the country in that respect,

\*and based on what was presented by the Undersecretary of the Ministry,

the following:

and hereby

the following:

1- Working underground in mines, quarries, and all work related to the excavation of metal and stones.

2- Working at furnaces prepared for incinerating, refining, or maturing metallurgical substances.

3- Silica refining factories.

4- Working in front of furnaces at bakeries.

5- Cement factories.

6- Sintering and cooling factories.

7- Silvering mirrors using mercury.

¶8-¶laking ¶explosives and related works¶

¶9-¶lalti ng¶and¶matur ing¶of¶glass¶

¶12-¶s elding¶with¶ox ygen,¶acetylene¶and¶electricity¶

¶11-¶oainting¶using¶Duc o(auto-paint)¶

¶12-¶sr eatment,¶preparation¶and¶re duction¶of¶a sh¶co ntaining¶lead¶and¶e xtracting¶silver¶f rom lead¶

¶13-¶sini ndustry¶and¶the¶ mineral¶compounds¶c ontaining¶more¶than 12% lead¶

¶14-¶lanu facturing¶lea d¶monox ide(golden¶spirit )¶or¶y ellow¶le ad¶ox ide,¶lead¶diox ide

(sulphonamides), lead¶c arbonates, orange¶lea d¶ox ide, and¶lea d¶sul phates, chromate, and silicates.¶

¶15-¶li xing¶and¶making ¶paste¶in¶t he¶manuf acture¶or¶repair¶of¶e lectric¶batteries.¶

¶16-¶s leaning¶the¶workshops¶whe re¶works¶mentioned¶in¶t ems(12,¶13,¶14and¶15)¶take¶place.¶

¶17-¶lana ging¶or¶moni toring¶driving¶mac hines,¶or¶their ¶repair¶or¶c leaning¶during¶operation.¶

¶18-¶lanu facturing¶asphalt¶

¶19-¶sil¶sq ueezing¶using¶mechanical¶methods.¶

¶22-¶lanu facturing¶fertilizers,¶mineral¶ac ids¶coe fficients,¶chemical¶cr ops¶or¶w orking at their warehouses¶

¶21-¶s orking¶at¶t anneries.¶

¶22-¶y¶kinning,¶cutting¶and¶scalding¶animals,¶melting¶their ¶fats.¶

¶23-¶lanu facturing¶rubber.¶

¶24-¶s orking¶in¶fill ing¶c ylinders¶with¶pre ssurised¶g ases.¶

¶25-¶Loading¶and¶unloading ¶cargo in basins, platforms, ports and warehouses¶

¶26-¶sr ansporting¶passengers¶over¶land¶or ¶in¶i nternal¶wa ters.¶

¶27-¶lanu facturing¶coal¶f rom¶animal¶ bones,¶with¶t he¶e xception¶of¶sifti ng¶bone s¶before¶burning.¶

28- "g leaching, dyeing, and printing textiles"

29- "Lifting, pulling, or pushing heavy loads if the weight exceeds what is shown in the table" attached to his solution."

32- "working as waiters at clubs."

31- "working at bars."

~~~~~ **end h** ~~~~~

"This Resolution shall be published in the Official Gazette and shall be put into force as of the date of its publication."

~~~~~ **aeif Ali Al-Jarwan** ~~~~~

~~~~~ **One to give to the government** ~~~~~

~~~~~ **d n Q** 6/1/1981 **e .D.** ~~~~~

**Ministerial Resolution No. (6/1) for 1981 A.D.**

It is the aim of the Ministry of Industry to improve the

Ministry of Industry to improve the

Ministry of Industry to improve the

\*After reviewing Federal Law No. (1) for 1972 A.D. regarding the ministries competencies and ministers' capacities and the amending laws therefor,

\*Federal Law No. 8 for 1982 A.D. on organising work relations and after seeking the opinion of the competent authorities in the country in the specific

\*and based on what was presented by the Undersecretary of the Ministry,

Ministry of Industry to improve the

Ministry of Industry to improve the

Ministry of Industry to improve the

1- working underground mines, quarries, and all work related to the excavation of metal and stones.

2- working at furnaces prepared for incinerating, refining, or maturing metallurgical substances.

3- industry of explosives and related works.

4- welding with oxygen, acetylene and electricity.

5- melting and maturing of glass.

6- silvering mirrors using mercury.

7- painting using Duc o (auto-paint).

8- treatment, preparation and reduction of a solution containing lead and extracting silver from lead.

¶12-¶Manufacturing lead monoxide (golden spirit) or yellow lead oxide, lead dioxide (sulphonamides), lead carbonates, orange lead oxide, and lead sulphates, chromate, and silicates.¶¶

['22-'s ɔrkiŋg'atbɑr s.]

¶¶his Resolution shall be published in the Official Gazette and shall be put into force as of the date of its publication.¶¶

One ò gi n ng t'a h gvee eg m

|||||d nQ|6/1/1981|e .D.|

# Working hours and places

## Ministerial Resolution No. (49/1) for 1980 A.D.ⵓ

¶ri i Qoh didi esO e je ne s Qe jt fh nnerji edinO

The design's tgediti is ie e j dvOes Q it f Qnē tOf n' it t One jji ,iti i k ttdOt

It didn't do it in the first trial.

\*\*\*\*\* Having reviewed the provisions of the temporary constitution

After reviewing Federal Law No. (1) for 1972 A.D. regarding the ministries competencies and ministers' capacities and the amending laws thereto.

|||||\* Federal Law No. (8) for 1980 A.D. in regards to organizing the work  
relationships.

\*\*\*\*\*andba sed onwha t waspre sented by theU ndersecretary ofthe ministry,

deē tni Q̄diQ :

 $\overrightarrow{\text{et edg}}(Q)$ 

**Sit f h t d r i e d i n O d e s i n e t e t O f d i e s O j g g e d i r t n O n t i i k t j O n n l n :**

11- The jobs we rework must continue without halt while rotating the workers in three shifts (successive cohorts) daily or in two shifts a day system for female workers as well as for male workers if they agree to that in writing.

2- work on the public utility unit such as water, electricity, sewerage, cleaning and guarding.

3-<sup>rd</sup> working theme: generating driving forces.

maximum of five hours a day.

“5- For works related to transporting passengers and cargo through land, sea, or air, this includes a few at aviation companies offices and airports.”

¶6-¶r orksre latedtof he shi ppinga nd(unloading c argo(int anks,platforms,portsa nd warehouses, thisincludes the wor kersonspe edboa tsworking intransporting workers.

¶7-¶ro rks related to tying ships and flood lights.

¶8-¶r ork(int he storing andre pairing ships whe nthey dockatportsfor thatpur pose.

¶9-¶r orka tportsont ugboa ts,watera ndfu elbar ges, barges, manoeuvres, and cargo as captains, drivers, mechanics, and seamen, as well as cargo hangers seamen.

¶11-¶r orking inhos pitals, sanatoriumsand othertreatment facilities.

¶11-¶r orking(int hefieldof pre paredfur nishingsfor hire f orweddingsand celebrations.

¶12-¶r orking inpre paring andbur ying thedead.

¶13-¶plasticindust ry.

¶14-¶y inemaindust ry.

¶15-¶y ommercialre presentatives, operatorsa ndsa lespeoplew hoconductsale s, advertisingor distributionwor ksw hil eoutsidethe facilities.

¶16- Manufacture of China and Ceramics.

¶17-¶r orking atbake ries.

¶¶¶¶¶¶¶¶

## Article(2)

¶The employeror executivedire ctorina llthebusinesesa ndindustries mentionedinthepr eviousarticle may allowthe wor kerto pr ay, havea snack, orrest in a way that is organised by the facility during work, and shall be included in its basic regulations charter, if present, or the basis of which shall be set up by the public

relations department at the Ministry or the labour office under which jurisdiction the work place falls.

\*\*\*\*\*

### **Article (3)**

This Resolution shall be published in the Official Gazette and shall be put into force as of the date of its publication.

**aeif Ali Al-Jarwan**

\*\*\*\*\*p didnet b te jn tti i a jr dtgAffairs

**Ministerial Resolution No. (235) for 1981**

**ከፍተኛ ግብርና ሚኒስቴር የፍትሕ ሚኒስቴር ስም በደንብ ማረጋገጫ ስር**

**ጥቅምት 1981 ዓ.ም. የፍትሕ ሚኒስቴር የፍትሕ ሚኒስቴር**

**የፍትሕ ሚኒስቴር የፍትሕ ሚኒስቴር የፍትሕ ሚኒስቴር**

**የፍትሕ ሚኒስቴር የፍትሕ ሚኒስቴር የፍትሕ ሚኒስቴር**

\*After reviewing Federal Law No. (1) for 1972 A.D. regarding the ministries competencies and ministers' capacities and the amending laws thereto,

\*Federal Law No. (8) for 1980 in regards to organizing the work relationships,

\*Cabinet of Ministers Resolution No. (1) for 1977 on the system of the Ministry of Labour and Social Affairs and its amending resolution,

\*and based on what was presented by the Undersecretary for Labour Affairs,

**ሰርዓተ ሥራ ስር**

**የፍትሕ ሚኒስቴር**

**የፍትሕ ሚኒስቴር የፍትሕ ሚኒስቴር የፍትሕ ሚኒስቴር ስም በደንብ ማረጋገጫ ስር ጥቅምት 1981 ዓ.ም. የፍትሕ ሚኒስቴር የፍትሕ ሚኒስቴር**

the provisions pertaining to determining the working hours as mentioned in the par of one of the articles of our law no. (8) for 1981 as mentioned shall not apply to the following categories:

a- the members of the boards of directors and the acting members of the said boards,

b- the general managers.

Chief-Heads of departments.

Those who hold supervisory posts at the facility.

Article 2

Article 2 of the Law No. 1981 of 1971 concerning the  
the Law of the State

“It is required for the implementation of the exclusion mentioned in the previous article on the categories listed in it for the holders of these categories to exercise the authorities of the employer over the employees or to be delegated the said authorities.”

This Resolution shall be published in the Official Gazette and shall be put into force as of the date of its publication.

Minister Mohamed Al-Rouni  
Signature of the Minister of the Interior

GCC

Nationals

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\*After reviewing Federal L

\*Federal Law No. (8) for 1980 in regards to organizing the work relationships  
and the a

\*Cabinet of Ministers

\*Federal Law

\*Federal Law No. (2) for 2005 issued by H.H. the Minister of Finance and  
Industry regarding providing the General Authority for Pensions and Social  
Securities with the names of the workers who are nati

\*Cabinet of Ministers Resolution

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Nationals of Gulf Cooperation Council countries shall be registered by printing the data of the employment contract forms and apply for a labour card for nationals of Gulf Cooperation Council countries through the transactions clearance office or directly by subscribing to the website [www.uaesmartforms.com](http://www.uaesmartforms.com)

In case of new contracts, the competent administration at the Ministry shall receive the labour card and new employment contract after the signature of the employee and employer, in addition to a photograph of the employee

The facility shall deliver the receipt

In case of valid contracts and cards, the Ministry, upon receipt of the labour card application and the empl

The General Authority for Pensions and Social Securities shall have the right to access and view the employment contract and the requests related to it at the web site [www.uaesmartforms.com](http://www.uaesmartforms.com)

The General Authority for Pensions and Social Securities, according to the competencies and responsibilities assigned to it under the protectio

After the General Authority for Pensions and Social Securities assigns an owner subscription number according to what was mentioned in the Eighth Article above and approve the activation of the card, the Ministry shall print the card and send it to the facility by mail

The General Authority for Pensions and Social Securities may suspend the facility file at the Ministry temporarily on the network by entering the subscription number, in case the facility does not pay the due subscriptions including the employer's sha

The facilities shall complete the procedures of employing Gulf Cooperation Council countries nationals as stip

The labour cards of Gulf Cooperation Council countries nationals shall be exempt from th

Late fees mentioned in cells (21), (22) and (23) of the table in the First Ar

**Dr. Ali Abdullah -**

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In affirmation by the Ministry of its commitment to simplify the procedures and assist Gulf businessmen to achieve their interests and complete their procedures readily, and in implementation of the Federal Decree No. (55) for 2002 regarding the Unified Economic Agreement between the Gulf Cooperation Council Countries (GCC) and the Cabinet of Ministers

\* A Gulf owner of facility or a delegated partner may assign anyone at his discre

\* It is necessary that the agent has a valid residency in the country and that the delegation for authorisation and the written statement are in accordance with the attached forms, certified by the notary public in accordance with Ministerial Circular No. (2) for 2006

This Ministerial Circular

**Dr./ Ali bin Abdull -**

## **Cabinet of Ministers**

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Federal Law No. (1) for 1972 A.D. regarding the ministries competencies  
and ministers' capacities and the amending laws thereto,



\*Federal Law No. (5) fo

\*Federal Law No. (8) for 1984 in regards to commercial c

\* Federal Law No. (4) for 2000 regarding the Emirates Securities and  
Commodities Authority and Market and the amending laws

\*Federal Decree

\*Cabinet of Ministers Resolution No. (26) for 2005 on permitting the national  
of Arab Gulf Cooperation Council countries

\*Cabinet of Ministers

\*and based on what was presented by the Minister of Economy and the  
approval of the Council of Ministers

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**The nationals of the Gulf Cooperation Council countries shall practice**

- 
- 
- 
- 

\* Care homes

-

The Minister of Economy, in coordination with the competent ministers, each in his own capacity, and the competent authorities in the Emirates shall issued the rules and regulations necessary to implement the provisions of this decision. Ministerial Resolution No. (26) for 2005 on allowing nationals of Arab Gulf Cooperation Council countries to

**Mohammed bin Rashid Al**

**Makto**

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**Issued by usﷻ:**

**25 Dhil Hejja 1427 A.H.**

**14 January 2007 A.D.**

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\*After reviewing Federal L

\*Federal Law No. (8) for

\*Cabinet of Ministers Resolution No. (28/7) for 2007 regarding treating the  
citizens of the GCC in the private sector in the state as the local citizens.

\*Ministerial R

\* and based on what was presented b His Excellency

**It was decided**

All establishments employing more than 100 workers, according to what is  
registered in the database of the ministry, have to assign the works of the officials of  
public relations to one of the national citizens

The public relations officer, as enshrined in the first article of this resolution,  
is authorized to work for several establishments, as long as they belong

All employees of the ministry shall not accept any dealing from establishments that are subject to the provisions of this resolution, unless through the public relations

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This Resolution shall be put into force from its date of issuance, a

**Saq**

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Issued by us in Abu-Dhabi

# Subcontracting (Contracting Contracts)

## **Ministerial Resolution No. (255) for 2010**

### **Sub-Contracting Construction Contracts**

#### **Minister of Labour:**

- After reviewing Federal Law No. (1) for 1972 and the amendments thereto regarding ministry competencies and ministerial powers,
- Federal Law No. (8) for 1980 regarding the regulation of work relationships and the amending laws thereto,
- Federal Law No. (5) for 1985 and the amendments thereto regarding civil transactions,
- Ministerial Resolution No. (496) for 2002 regarding construction contracts and sub-contracting,
- And in the interest of labour;

#### **It was decided:**

##### **Article (1)**

#### Definitions:

In the implementation of the provisions of this Resolution, the following words and phrases shall have the following definitions unless otherwise specified in the context:

**Ministry:** The Ministry of Labour

**Local Authorities:** Economic Development Directorates and Municipalities.

**Contracting:** A contract signed between a project owner and a contractor, wherein the latter pledges to manufacture something or perform work in exchange for the compensation promised by the former.

**Subcontracting:** A contract signed between the primary contractor and a secondary contractor, wherein the latter pledges to perform work for the former in exchange for the promised compensation, with the approval of the project owner.

**Sub-subcontracting:** A contract concluded between the subcontractor and another subcontractor, under which the latter pledges to perform work for the former in exchange for the promised compensation, with the approval of the primary contractor or the project owner.

**The Competent Department:** The Department of Labour Inspection at the Ministry.

**The Activity in Question:** Construction Activity or any other activity specified by the Ministry.

### **Article (2)**

The project owner may conclude a contractual agreement with an primary contractor whereupon the latter pledges to manufacture something or perform work, and the primary contractor may assign all or some of the jobs assigned to him to a subcontractor under a subcontracting agreement, and the subcontractor may assign all or some of the jobs assigned to him to a sub-subcontractor.

In all cases, subcontracting is not permitted if prevented by a stipulation of the contract or if the agreement depends on the personal sufficiency of the primary contractor.

### **Article (3)**

No person may employ any worker, under any capacity, unless that employment is in accordance with the rules and regulations in force and approved by the Ministry.

#### **Article (4)**

The contracting agreement or subcontracting agreement must be written in Arabic. In the event of the presence of a foreign language in addition to the Arabic, the Arabic text shall be the officially recognized text.

#### **Article (5)**

The subcontracting agreement must include a description of the subject of the contract, showing its type, value, method of execution, phases of execution if any, the necessary duration for completion, the beginning and end, and method of payment.

#### **Article (6)**

The subcontractor must be licensed to practice the activities in the contracting agreement in accordance with the terms and details of the license to practice the activity, which shall be in agreement with the contracting works for implementation, taking into account the type and significance of the activity.

#### **Article (7)**

The primary contractor and subcontractor shall be liable alone for their workers who are carrying out the job at the site, with respect to all commitments as stipulated in the law regulating work relationships and the work contracts signed between the two parties, without extending the

liability to the project owner, as these workers do not work under the supervision and authority of the latter<sup>23</sup>.

#### **Article (8)**

In case the primary contractor assigns all or part of his works to a subcontractor, the former shall be prohibited from applying for work permits for workers to work on the same subcontracted works.

#### **Article (9)**

If the Ministry becomes aware of the presence of any manipulation of information in the contracts submitted to it, for example: if the contracts contain falsified data, the labour force is found to have been hired by illegal means, or the use of a fictitious subcontracting contract, the issuing of any new work permits to the establishment where the violation took place shall be halted, referring all those responsible for the said violation to the competent authorities to take punitive measures. The suspension shall continue until the case is settled or for the period specified by the Ministry.

#### **Article (10)**

Ministerial Resolution No. (496) for 2002 is null and void, as is any other resolution contrary to or inconsistent with the provisions of this Resolution.

**Article (11)**

The contract shall be revised and the authenticity of the signatures shall be verified in accordance with the Undersecretary of the Ministry's decision in this respect.

**Article (12)**

The Undersecretary of the Ministry shall issue any decrees necessary to implement the provisions of this resolution, including the review procedures and verification of the authenticity of contracts.

**Article (13)**

This Resolution shall be published in the Official Gazette and shall be put into force as of its publication date.

Saqr Ghobash

Minister of Labour

Issued by us in Abu Dhabi

Date: 30/3/2010