

**CABINET RESOLUTION NO. (1) OF 2022**  
**ON THE IMPLEMENTATION OF FEDERAL DECREE-LAW NO. (33)**  
**OF 2021 REGARDING THE REGULATION OF LABOUR RELATIONS**

**The Cabinet:**

- After reviewing the Constitution; and
- Federal Law No. (1) of 1972 regarding the Competencies of Ministries and Powers of Ministers, and its amendments; and
- Federal Decree-Law No. (33) of 2021 Regarding the Regulation of Employment Relationships; and
- And Federal Decree-Law No. (47) of 2021 Regarding the United Arab Emirates National Employment Standards;
- And based on the proposal of the Minister of Human Resources and Emiratisation, and the approval of the Cabinet,

**Has Decided:**

**Article (1)**  
**Definitions**

The same definitions set out in the Decree-Law shall apply hereto. In addition, the following terms and expressions shall have the meanings assigned to each, unless the context requires otherwise:

**Decree-Law** : Federal Decree-Law No. (33) of 2021 Regarding the Regulation of Labour Relations.

**Legal Regulations** : The resolutions, guidelines and circulars relate to the work of the Ministry of Human Resources and Emiratisation.

**Article (2)**  
**Classification of Establishments**

Subject to the provisions of Clause (1) of Article (70) of the Decree-Law:

1. Establishments shall be classified according to criteria that include their economic activity, the number of workers employed, the cultural and demographic diversity of workers, the compliance with relevant Legal Regulations and the establishment support to the implementation of the government objectives related to Emiratisation, training and skills development.

2. The Cabinet shall based on the Minister's proposal, issue the necessary resolutions for the classification of establishments and the privileges granted to each category of establishment in a manner that enhances the competitiveness of the labour market.

**Article (3)**  
**Classification of Workers**

Subject to the provisions of Clause (2) of Article (70) of the Decree-Law:

1. Workers governed by the provisions of the Decree-Law shall be classified into categories according to criteria that include skill, educational qualifications, productivity, professional or salary levels, according to residency status.

2. The Cabinet shall, based on the Minister's proposal, issue the necessary resolutions for the classification of the skill levels of workers in the labour

market and the privileges granted to each level for the purpose of enhancing labour market productivity.

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

##### **Process for the Employment of Juveniles**

1. Subject to the provisions of Article (5) of the Decree-Law, it is prohibited to employ juveniles in the following categories of work and occupations:
  - a. Work in hazardous or harmful industries.
  - b. Occupations which by its nature or the circumstances in which it is carried out is likely to jeopardise their health and safety
2. A decree of the Minister, in consultation with the concerned authorities, shall determine what constitutes dangerous work or arduous work or work which by its nature is detrimental to the health, safety or morals of juveniles
3. The employer of the juvenile shall comply with the following procedures:
  - a. Keeping a special record of the juveniles, including the name and age of the juvenile, the full name and contact details of his guardian or custodian, the place of residence of the juvenile and his custodian, the date of his employment and the work for which he is employed.
  - b. Insuring the juvenile like regular workers.
  - c. Training the juvenile to observe standards of occupational safety and health.
  - d. Making visible in the workplace the regulations relating to the employment of juveniles.
4. Charitable, educational and training institutions and the other entities that have the objective of professionally training and qualifying juveniles shall be exempted from some provisions of Article (5) of the Decree-Law and the provisions of this Article, pursuant to the following rules:
  - a. The institution shall be registered with the government authorities in charge thereof.
  - b. Its actual and registered objective shall be professional qualification or training or charity, educational or volunteer work.

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

##### **Work Types**

1. Subject to the provisions of Article (7) of the Decree-Law, the contract between the worker and employer shall be according to any of the work types set out therein, in addition to the following types:
  - a. **Remote work:** All or part of the work is performed outside the workplace, with electronic communication between the worker and the employer in lieu of physical presence, whether the work is part-time or full-time.
  - b. **Job sharing:** The tasks and duties are divided among more than one worker as agreed upon in advance, and this is reflected in the wages due to each of them. The workers are dealt with pursuant to the rules of part-time work.
2. The Ministry may set out other work types, according to the needs of the labour market.
3. Subject to the provisions of the Decree-Law and this Resolution, both the worker and the employer shall abide by the clauses of the employment

contract according to each of the work types set out in Clause (1) of this Article.

## Article (6)

### Types of Work Permits

1. Subject to the provisions of Article (6) of the Decree-Law, the types of work permits shall be determined as follows:

a. **Work permit (recruiting a worker from outside the State):** This type of permit allows establishments registered with the Ministry to recruit a worker from outside the State.

b. **Transfer work permit:** This type of permit is issued to allow a non-national worker to transfer from and to an establishment registered with the Ministry.

c. **Work permit for residents sponsored by their families:** This type of permit is issued to residents who are sponsored by their family and employed to work in an establishment registered with the Ministry.

d. **Temporary work permit:** This type of permit is issued to a worker who is employed for a job, the execution or completion of which is within a specific period at an establishment registered with the Ministry.

e. **One-mission permit:** This type of permit allows an establishment registered with the Ministry to recruit a worker from abroad to complete a temporary job or a particular project for a specific period.

f. **Part-time work permit:** This type of permit allows establishments registered with the Ministry to employ a worker under a part-time contract where his working hours or working days are less than his full-time counterparts. The worker may work for more than one employer after obtaining a permit to do so from the Ministry.

g. **Juvenile permit:** This type of permit is issued to a person who has reached 15 years of age but is not over 18 years and is employed at an establishment registered with the Ministry.

h. **Student training and employment permit:** This type of permit allows establishments registered with the Ministry to train or employ a student who is already in the State and has reached 15 years of age, pursuant to rules and conditions that ensure appropriate training and work environment.

i. **UAE / GCC national permit:** This type of permit allows establishments registered with the Ministry to employ UAE or GCC nationals.

j. **Golden visa holders permit:** This type of permit is issued upon the request of an establishment registered with the Ministry that wishes to employ a worker holding a golden visa in the State.

k. **National trainee permit:** This type of permit is issued upon the request of establishments registered with the Ministry that wish to train a UAE national, based on his approved academic qualification.

l. **Freelance permit:** This permit is issued to individuals wishing to undertake independent self-employment (without being sponsored by a specific organization or employer in the State and without the condition of having a valid employment contract, whereby the natural person earns money by providing his services for a specific period or performing a task or providing a specific service, whether to individuals or establishments,

whereas this natural person is in no way a worker for those individuals or establishments.

2. New work permits may be created by resolution of the Minister in accordance with the provisions of the Decree-Law.

### **Article (7)**

#### **Conditions, Rules and Procedures for Issuing, Renewing and Cancelling Work Permits**

##### **1. Conditions for issuing work permits:**

- a. Except for the juvenile permit and the student training or employment permit, the worker should be at least 18 years old,
- b. The worker shall meet the conditions provided for in the legislation in force in this regard, in specialised professions or any other jobs that require obtaining a licence to practise a profession.
- c. The occupation in which the worker will be employed, should be consistent with the activity of the establishment.
- d. The licence of the establishment shall be valid and there shall be no violations in respect thereof that lead to the suspension of its activity in accordance with the Legal Regulations.
- e. The application for the issuance of the permit shall be filed by the legally authorised signatory of the establishment.
- f. Any other conditions determined by the resolution of the Minister or whomever he delegates.

##### **2. Procedures for renewing work permits:**

- a. The submission of the application shall be through the channels specified by the Ministry
- b. Fulfilment of the conditions for issuance.
- c. Completion of the required documents and academic qualifications.
- d. Payment of the prescribed fees according to the type of permit and the category of the establishment, in accordance with the approved establishment classification system.
- e. Any other procedures determined by resolution of the Minister or whomever he delegates.

##### **3. Procedures for cancelling work permits:**

- a. The submission of an application for cancelling the work permit shall be through the channels specified by the Ministry:
- b. Completion of the required data and attached documents.
- c. Payment of the fines for delays in issuing the work permit or for failure to renew it, if any.
- d. Acknowledgment by the establishment of granting the worker all of his entitlements.
- e. Any other conditions determined by resolution of the Minister or whomever he delegates.

##### **4. The Ministry may refrain from issuing or renewing or may cancel work permits and take necessary legal action in cases where any of the below is proven:**

- a. That any incorrect documents were submitted.

- b. That the establishment is fictitious or does not exercise its registered activity.
- c. That the Wage Protection System or any other system adopted for the regulation of the national labour market is not complied with.
- d. Any other cases specified by resolution of the Minister or whomever he delegates.

### **Article (8)** **Free-Lance**

1. Free Lance is an independent and flexible work arrangement, whereby the natural person generates income by providing his services for a specified period of time or performing a task or providing a specific service, whether for individuals or establishments, whereas this natural person is in no way a worker for those individuals or establishments.
2. The Cabinet shall, based on the Minister's proposal, issue the necessary resolutions for determining the procedures, rules and mechanisms for registering freelancers in the Ministry's systems and for obtaining, renewing and cancelling the work permit, in a manner that ensures the enhancement of labour market flexibility and its requirements.

### **Article (9)** **The activity of Employment Agencies**

1. Subject to the provisions of Article (6) of the Decree-Law, engaging in the activity of mediation or temporary employment and outsourcing (singly or collectively) shall be considered as engaging in the activity of employment agencies. The following definitions shall be used within the scope of work for employment agencies:
  - a. **Mediation:** Which is the bringing together of both employment parties and their representatives, negotiating on their behalf the terms of the employment contract with the aim of establishing an employment relationship, without the agency becoming a party thereto.
  - b. **Temporary employment and outsourcing:** Employing the worker with the intention of making him available to a third party, whereas the worker's relationship becomes a direct one with the agency that outsourced his services to a third party (the beneficiary).
  - c. **Beneficiary:** Any natural or legal person for whom and under whose supervision the worker is assigned, in accordance with the temporary employment and outsourcing system, whether for a specific period or the performance of a task or the provision of a specific service.
  - d. **Agency:** Any sole proprietorship or legal entity that undertakes an activity relating to mediation or temporary employment and outsourcing and provides the services of one or more workers for a specific period or the performance of a task or the provision of a specific service to the beneficiary.
2. The following conditions shall be met to obtain a licence to engage in any of the agency activities:
  - a. The person in the sole proprietorship, or any of the partners in the legal entity, shall not have been convicted of a crime involving moral turpitude or dishonesty, a crime of human trafficking or the crimes set out in the

Decree-Law, unless he has recovered his civil rights if he was sentenced to a custodial penalty, or after the lapse of one year from the date of the ruling if he was sentenced to a fine.

b. The sole proprietorship or the legal entity shall render to the Ministry at all times throughout the validity of the licence a bank guarantee of a value not less than (300) three hundred thousand dirhams in the case of licensing an intermediation agency, and not less than one million dirhams in the case of licensing a temporary employment and outsourcing agency, or in the case of combining the two activities. The guarantee shall be automatically renewed or an insurance system shall be provided as an alternative thereto, and the Ministry may allocate all or some of the bank guarantee or insurance to pay any amounts owed by the agency for its failure to implement its obligations or for non-compliance with the instructions and resolutions issued thereunder.

c. The credit report that is issued by the competent authority for the licence applicant, or the person in the sole proprietorship and the partners in the legal entity, shall be submitted.

d. Any other conditions determined by the resolution of the Minister.

3. The licence issued by the Ministry to the employment agency shall be renewed annually, subject to verification of the continuous fulfilment of all licensing conditions.

4. Rules for engaging in temporary employment/ outsourcing activity:

a. The agency shall refrain from providing workers to a beneficiary if the beneficiary company is administratively suspended by the Ministry for committing violations relating to the application of the Decree-law and this Resolution.

b. The agency shall refrain from providing workers to another agency engaged in the activity of temporary employment with the aim of employing them at the beneficiary.

c. The person in the sole proprietorship or any of the partners in the legal entity shall be in charge of applying the provisions of the Decree-law and its Implementing Regulation to the workers registered therewith, and of notifying the competent authorities at the Ministry if they become aware of any violation or breach of the rights or the health and safety of the workers by the beneficiary.

d. Any other rules decided by the Ministry.

5. To ensure the proper governance of the relationship between the beneficiary and a worker who is registered with one of the employment agencies, a contract shall be concluded between the agency and the beneficiary.

6. The procedures for issuing a licence to the temporary employment and outsourcing or intermediation agency shall include:

a. Submission of an application through the channels specified by the Ministry.

b. Fulfilment of the conditions for issuing the licence.

c. Fulfilment of the required guarantees and insurances.

d. Payment of the prescribed fees.

e. Any other procedures determined by resolution of the Minister or whomever he delegates.

7. Procedures for suspending or revoking the licence of employment agencies:

The Ministry may temporarily suspend or revoke the agency's licence if one of the following cases is verified:

- a. If one of the conditions under which the licence was issued is not met.
- b. If any of the documents or data submitted for licensing purposes is proven to be incorrect.
- c. If the agency commits any act that involves any form of forced labour or human trafficking.
- d. In the event of non-payment of the workers' wages.
- e. In the event of the violation of any of the other conditions determined by the Ministry.

### **Article (10)**

#### **Employment Contract**

Subject to the provisions of Article (8) of the Decree-Law:

1. The employment contract should include the name and address of the employer, the name, nationality and date of birth of the worker, proof of his identity, his qualification, the job or occupation, the date of work commencement, the workplace, the working hours, the rest days, the probationary period, if any, the term of the contract, the wage agreed upon including the benefits and allowances, the annual leave entitlements, the notice period, the procedures for terminating the employment contract and any other data determined by the Ministry in order to regulate the relationship between both parties.
2. The worker and the employer may agree to introduce new clauses to the approved contract forms, provided that they are in agreement with the provisions of the Decree-Law, this Resolution and the Legal Regulations.
3. The contract may be changed from one work type to another subject to the following:
  - a. Approval of both the worker and the employer.
  - b. Payment of all the entitlements arising from the original contract.
  - c. Compliance with the procedures as set out by the Ministry.
4. The worker and the employer shall contract for the work type agreed upon using the contract forms in the Ministry's system, namely:
  - a. Full-time employment contract.
  - b. Part-time employment contract.
  - c. Temporary work contract.
  - d. Flexible work contract.
  - e. Remote work contract.
  - f. Job sharing contract.
  - g. Any other forms of employment contract determined by resolution of the Minister in accordance with the employment types and workers' classification approved by the Cabinet.

### **Article (11)**

#### **Issuance of New Work Permits after the Termination of an Employment Contract during Probationary Period**

Subject to the provisions of Clauses (4) and (6) of Article (9) of the Decree-Law, the Ministry may exempt some workers from the not to grant a work permit pursuant to the following rules:

1. The worker has the essential skill, professional or knowledge in demand.
2. The worker residency visa is sponsored by his family.
3. The worker is a golden visa holder.
4. Any professional categories according to the needs of the national labour market that are determined by resolution of the Minister in accordance with the workers' classification as approved by the Cabinet.

### **Article (12)**

#### **Rules for Non-Competition Clause**

1. Subject to the provisions of Article (10) of the Decree-Law, the following shall be observed in the application of the non-competition clause stipulated therein:

- a. The geographical scope of application of the clause.
  - b. The term of the clause, provided that it does not exceed two years from the contract expiry date.
  - c. The nature of the work, such that it causes significant harm to the legitimate interests of the employer.
2. If a dispute arises over the non-competition clause and it is not settled amicably, the matter shall be referred to the judiciary and the burden of proving the alleged damage shall lie with the employer.
3. The non-competition clause shall not apply if the reason for terminating the contract is attributed to the employer or the breach of his legal or contractual obligations.
4. It may be agreed in writing not to apply the non-competition clause after the termination of the employment contract.
5. The worker shall be exempted from the non-competition clause stipulated in Article (10) of the Decree-Law under the following conditions:
- a. If the worker or the new employer pays to the previous employer, compensation not exceeding three months of the worker's wage as agreed upon in the last contract, subject to the previous employer's written consent thereto.
  - b. If the contract is terminated during the probationary period.
  - c. Any professional categories that are in demand in the national labour market and determined by resolution of the Minister in accordance with the workers' classification approved by the Cabinet.

### **Article (13)**

#### **Assigning the Worker to Another Job**

1. Subject to the provisions of Article (12) of the Decree-Law, the worker may be assigned to alternative work that is fundamentally different in nature from the contractually agreed work, as an exception that is considered necessary, or to prevent an accident, or to repair damage caused by the worker. The maximum limit for assigning the worker to such work shall be of (90) ninety days per year.

2. In application of Clause (1) of this Article, “fundamental difference” shall mean that the work to which the worker is assigned is completely different from the nature of his profession or his academic qualification.

#### **Article (14)**

##### **Rules Regarding the Organisation of Work**

Subject to the provisions of Article (13) of the Decree-Law, establishments that employ 50 or more workers shall set rules regarding the organisation of work, such as the regulation of work instructions, penalties, promotions and rewards, and the procedures for terminating the employment relationship, subject to the following:

1. The rules shall be set in a manner that does not contradict the provisions and rules set out in the Decree-Law, the provisions of this Resolution and the Legal Regulations.
2. They shall include the regulation of penalties that may be imposed on violating workers and the terms and conditions for imposing these penalties.
3. The regulation of work instructions shall include the daily working hours, the weekly rest days, the official holidays and the necessary measures and precautions to be taken to avoid work injuries and fire hazards.
4. The regulation of promotions and rewards shall include the criteria and rules related to promotions and rewards.
5. The employer shall inform the worker of the regulations stipulated in this Article by any available means, and shall make him aware thereof, in a language he understands.

#### **Article (15)**

##### **Working Hours**

Subject to the provisions of Article (17) of the Decree-Law:

1. The periods spent by the worker commuting between his place of residence and the workplace shall be counted within the working hours in the following cases:
  - a. Any delay to the worker in transit in case of bad weather and in response to the warnings of the National Centre of Meteorology regarding weather changes and fluctuations.
  - b. Any delay of the worker in transit in employer-provided transportation in the event of a traffic accident or an emergency breakdown.
  - c. If the parties expressly agree thereon in the contract.
2. The regular working hours shall be reduced by two hours during the holy month of Ramadan.
3. The employer may instruct the worker to work overtime over the normal working hours, provided that the overtime does not exceed two hours per day unless the work is necessary to prevent the occurrence of a serious loss or a serious accident or to eliminate or mitigate the effects thereof. In any case, the total working hours shall not exceed (144) one hundred and forty-four hours every (3) three weeks.
4. The following categories shall be exempted from the provisions relating to the maximum working hours:
  - a. The chairpersons and members of the boards of directors.

- b. The persons occupying supervisory positions if such positions vest in them the powers of the employer.
  - c. The crews of naval vessels and the seafarers who enjoy special service conditions due to the nature of their work.
  - d. Those engaged in work which is required by reasons of technical nature to be carried on continuously by a succession shift, subject to the condition that the average working hours do not exceed (56) hours per week.
  - e. The preparatory or complementary works that should necessarily be carried out beyond the time limits laid down for the general working of the establishment.
5. The Minister may issue the necessary resolutions to determine the processes which are classed as being necessarily continuous as defined in this Article according to the needs of the labour market.

### **Article (16)**

#### **Wages**

Subject to the provisions of Article (22) of the Decree-Law:

1. The employer shall pay the wages of his workers on their due dates pursuant to the following conditions, rules and procedures:
  - a. The wages shall be paid on their due dates as agreed upon in the contract and in accordance with the regulations and standards set by the Ministry.
  - b. All establishments registered with the Ministry shall pay the wages of their workers on their due date through the Wages Protection System or through any other system approved by the Ministry.
  - c. All establishments shall submit whatever is required of them to prove payment of the wages of their workers if requested to do so.
2. The Ministry may take all the legal actions and measures provided for in the Decree-Law, this Resolution, and the relevant Legal Regulations against the establishment in the event of non-payment of the agreed wage.

### **Article (17)**

#### **Failure to Enable the Worker to Work**

Subject to the provisions of Article (26) of the Decree-Law:

1. The employer shall enable the worker to perform his work, otherwise, he shall be required to pay his agreed wage.
2. If the failure to enable the worker to perform his work is due to circumstances beyond the employer's control, the employer shall inform the worker thereof along with guaranteeing the payment of his wages.
3. If the worker wishes to quit his job, he shall notify the employer. In any case, the worker may file a labour complaint in accordance with the applicable Legal Regulations.
4. The Ministry may, upon submission of the complaint, communicate with the employer and grant him a grace period to enable the worker to perform his work. If the employer fails to respond, the Ministry may cancel the worker's work permit and allow him to transfer to another establishment without prejudice to his rights with the employer.

### **Article (18)**

#### **Annual Leave for Part-time Workers**

Subject to the provisions of Clause (2) of Article (29) of the Decree-Law, a part-time worker shall be entitled to an annual leave according to the actual working hours he spends with the employer. The duration of the annual leave shall be determined on the basis of the total working hours after converting them into working days, divided by the number of working days in the year, multiplied by the legally prescribed leaves, with a minimum of five working days per year for annual leave, and a fraction of a day considered as a full day in calculating the leave entitlements, according to the following:

1. The ratio of the employee's work under a part-time contract shall be equal to the employee's work under a full-time contract.
2. The actual working hours shall be equal to a maximum of (8) eight working hours per day.
3. The number of working hours of the employee under a part-time contract shall be equal to the number of the hours contracted.
4. The mathematical equation shall consist of the number of working hours under the employee's part-time contract per year divided by the number of working hours under the full-time contract per year multiplied by 100 equal to the percentage.

#### **Article (19)**

##### **Carrying Forward Annual Leaves or Receiving Cash Allowance Thereof**

Subject to the provisions of Clauses (8) and (9) of Article (29) of the Decree-Law:

1. The worker may carry forward not more than half of the annual leave to the following year, or he may agree with the employer to receive a cash allowance thereof, according to the wage he receives at the time of his entitlement to the leave.
2. If the worker's service ends, he shall be paid a cash allowance for the balance of his legally due annual leave, according to the basic wage.

#### **Article (20)**

##### **Non-entitlement to Wages during Sick Leave Resulting from Worker's Misconduct**

Subject to the provisions of Article (31) of the Decree-Law:

1. The worker shall not be entitled to a wage during sick leave:
  - a. If the disease resulted from the worker's misconduct, such as his consumption of alcohol or drugs.
  - b. If the worker violated the safety instructions in accordance with the legislation in force in the State, such as the instructions related to crises and disasters, traffic regulations or any safety procedures and rules set out in the establishment's regulations that the worker was informed of and he has acknowledged his understanding thereof and compliance therewith.
2. A report from the concerned authorities in the State proving that the disease resulted from the worker's misconduct is a prerequisite for the implementation of the provision of Paragraph (a) of this Article.

#### **Article (21)**

##### **Various Leaves**

Subject to the provisions of Article (32) of the Decree-Law:

1. The worker may be granted a study leave to sit for exams, provided that he has obtained an admission from one of the institutes or colleges accredited in the State indicating the type of study, the specialisation and the duration of the study. The establishment may request proof of the dates of his sitting for the exams.
2. The national worker shall be entitled to a sabbatical leave to perform national and reserve service, in accordance with the laws and regulations in force in the State.
3. The worker shall be entitled to a bereavement leave starting from the date of the death, provided that he submits proof of death after returning to work.
4. The worker shall be entitled to parental leave as stipulated in the Decree-Law, provided that he submits proof of the birth of his child.
5. The bereavement leave, parental leave, annual leave and unpaid leave may be combined.

### **Article (22)**

#### **Safety, Protection and Health Care of Workers**

Subject to the provisions of Article (36) of the Decree-Law:

1. Every employer shall:
  - a. Provide the necessary means of prevention to protect workers from the risks of injuries and occupational diseases that may occur during working hours, as well as fire hazards and other risks that may result from the use of machines and other work tools. The employer shall likewise implement all other means of prevention prescribed by the Ministry in this regard.
  - b. Put in a visible place at the workplace detailed and clear instructions on the means of preventing fires and protecting workers from the risks they may be exposed to while on duty, the methods of preventing them and the manner of dealing with accidents caused by them, provided that the instructions are in Arabic and in another language that the workers understand when necessary. The employer shall likewise put warning signs on the approach to the hazardous areas.
  - c. Inform his workers prior to the commencement of the workers' duty of the risks of their occupation, such as fire hazards, machines, risks of falls, occupational diseases and others.
  - d. Entrust first-aid supervision to a medical aid specialist, and provide all the necessary supplies in each first aid kit.
  - e. Provide the necessary means to prevent fires as well as the appropriate extinguishers for the type of materials found at the establishment and the materials used in the means of production.
  - f. Take the necessary measures to continually ensure that the conditions in the workplace provide adequate health and safety protections for the workers working at the establishment.
  - g. Take the appropriate practical measures to prevent, reduce or eliminate health hazards in the workplace.
  - h. Take the necessary precautions to protect the workers from the risks of falls, falling objects, flying shards, sharp objects, caustic or hot liquids, flammable or explosive materials or any other materials with a harmful

effect, and take the necessary precautions to protect the workers from hazards of compressed gases and electricity.

i. Put signs at the location of machines and other relevant operations showing necessary technical instructions in Arabic and in another language that the workers understand when appropriate.

2. The worker shall use the protective equipment and the clothes he is provided with. He shall follow all the employer's instructions aimed at protecting himself from risks and shall refrain from any act that would interfere with those instructions. He shall follow all orders and instructions relating to work safety and security precautions and shall use the means of prevention and undertake to take care of those means of prevention in his possession. He shall be prohibited from any act that results in a failure to follow the aforementioned instructions or in the misuse, damage or destruction of the means of prevention provided to protect the health and safety of workers. The employer may set out regulations outlining penalties for every worker who violates the provisions of this Clause.

3. The Ministry shall coordinate with the authorities concerned with public health and the care and occupational safety of workers, according to the following:

a. Monitoring the employer's compliance with respect to the provision of health insurance for workers, in accordance with the legislation in force in the State.

b. Coordinating with the competent local and federal authorities regarding the health and safety of the workers.

c. Continually verifying the standards and requirements developed at federal and local levels in relation to the health and safety of workers and work injuries, and ensuring the workers' obligation to comply therewith.

d. Monitoring, inspecting and applying administrative penalties to establishments that violate occupational health and safety regulations.

e. Circulating resolutions issued by the public health authorities regarding the health and safety of workers.

### **Article (23)** **Work Injuries**

Subject to the provisions of Articles (37) and (38) of the Decree-Law:

1. In the event that the worker suffers a work injury or an occupational disease, the employer shall pay the costs of treatment for the worker pursuant to the following conditions and rules:

a. The worker shall be treated in one of the governmental or private healthcare facilities.

b. The cost of treatment shall continue to be paid until the worker recovers or his disability is established.

c. The treatment shall include the hospital stay, surgical procedures, costs of X-rays and medical analyses as well as the purchase of medications and rehabilitation equipment and the provision of artificial and prosthetic limbs and devices for those whose disability is established.

d. The cost of treatment shall include the transportation costs incurred for the worker's treatment.

2. The worker shall follow the orders and instructions relating to work security and safety precautions and he shall use the means of prevention and undertake to take care of those in his possession. The worker shall be prohibited from any act that results in the failure to follow the instructions or in the misuse, damage or destruction of the means designed to protect the health and safety of workers.
3. The worker shall not be entitled to compensation for a work injury if it is established through the competent authorities that the injury resulted from a deliberate violation of preventive instructions put in visible places at the workplace, provided that the employer complies with the following rules:
  - a. Making the worker aware of the detailed instructions on the means of preventing fires, and protecting him from the risks he may be exposed to while on duty, in Arabic and in another language that the worker understands when appropriate.
  - b. Informing the worker prior to commencement of his employment of the risks of his occupation and requiring him to use the prescribed means of prevention as well as providing the appropriate personal protective equipment for workers and training them to use such equipment.
  - c. Training the worker on the safety methods set out in the instructions on worker protection.
  - d. Educating the worker, upon his employment, about the risks of his occupation and the means of protection he is required to use, and placing detailed written instructions in this regard at the workplace.
4. If a work injury or an occupational disease leads to the death of the worker, the compensation shall be paid to his eligible beneficiaries in accordance with the legislation in force in the State, or as determined by the worker prior to his death.

#### **Article (24)**

##### **Rules for Imposing Disciplinary Sanctions on Workers**

Subject to the provisions of Article (39) of the Decree-Law and Article (14) of this Resolution:

1. Disciplinary sanctions shall be imposed on workers that take into account what is appropriate according to the gravity and seriousness of the committed violation, in accordance with the following criteria:
  - a. The extent of the breach of confidentiality of work-related data and information.
  - b. The impact of the violation on the health and safety of the worker(s) at the establishment.
  - c. The financial impact of the violation.
  - d. The impact of the violation on the reputation of the establishment and its workers as a result of the committed violation.
  - e. The violating worker's abuse of the power vested in him.
  - f. The rate of recurrence by the worker of all kinds of violations.
  - g. The existence of a penal or moral side to the committed violation.
2. The employer shall draw up a schedule of penalties clarifying each of the disciplinary sanctions set out in Article (39) of the Decree-Law.
3. None of the penalties set out in Article (39) of the Decree-Law may be imposed on the worker except after informing him in writing of the charges

against him, hearing his statements, investigating his defence and recording the foregoing in a report to be deposited in his private file and annotated with the penalty at its end. The worker shall be notified in writing of the penalties imposed thereon, the type and amount thereof, the grounds for their imposition and the penalty he will face in case of recurrence.

4. The worker may not be accused of a disciplinary violation that was detected more than (30) thirty days ago, and no disciplinary sanction may be imposed more than (60) days after the date of completing the investigation of the violation and establishing it against the worker.

5. Without prejudice to the worker's right to file a labour complaint, he shall have the right to file a grievance claim with the management of the establishment against any penalty imposed against him. The grievance claim against the penalty shall be filed with the management of the establishment and the worker shall not be harmed by filing it. The employer shall notify the worker of the outcome of his grievance.

6. Subject to Article (14) of this Resolution, every employer who employs 50 or more workers shall put in a visible place - or make available through any other appropriate mechanism - a system for complaints and grievance claims accessible to the workers. Said system shall stipulate that the worker has the right to file his complaint or grievance claim with the employer or his representative, and to have his grievance claim answered in writing within a specific period.

#### **Article (25)**

##### **Case of Employment Contract Termination on Account of Employer's Bankruptcy or Insolvency**

Subject to the provisions of Federal Decree-Law No. (9) of 2016 on Bankruptcy, Federal Decree-Law No. (19) of 2019 on Insolvency and the provisions of Clause (8) of Article (42) of the Decree-Law:

1. The employment contract shall be terminated in any of the following cases:

a. Issuance of a court ruling adjudicating the employer's bankruptcy or insolvency, in accordance with the legislation in force in the State in this regard.

b. Issuance of a decision by the concerned authorities to the effect that the employer is unable to continue his activity for exceptional economic reasons beyond his control.

2. The Ministry may, *sua sponte*, cancel the worker's work permit based on the judicial ruling adjudicating the employer's bankruptcy, and it may issue him a new permit pursuant to the rules established in this regard.

#### **Article (26)**

##### **Rules on Grave Danger**

Subject to Clause (3) of Article (45) of the Decree-Law, the following circumstances shall apply in respect of grave danger at the workplace that allows the worker to leave work without warning:

1. Presence of a possible source of ignition.

2. Exposure to electrical wires connected to an electrical source that can cause electric shock or death.

3. Presence of hazardous chemicals that may cause diseases.
4. Unusual temperatures that cause burns.
5. Exposure to loud noises that cause permanent hearing damage.
6. Radiation that may cause cancer or blindness.
7. Biological hazards that may cause diseases.

**Article (27)**  
**Transfer of Workers**

Subject to the provisions of Article (49) of the Decree-Law:

1. In the event of termination of the employment contract in accordance with the provisions of the Decree-Law and this Resolution, the worker may transfer to another employer under the following conditions and cases:
  - a. If the contract term agreed upon between the parties ends and is not renewed.
  - b. If the contract is terminated during its term in accordance with Article (42) and Article (45) of the Decree-Law.
  - c. If the employer terminates the contract without a reason attributed to the worker.
2. The Minister may issue a resolution determining the mechanisms for the transfer of the worker that is set out in this Article.

**Article (28)**  
**Rules for Reporting Unexpected Work Abandonment**

Subject to the provisions of Article (50) of the Decree-Law:

1. The employer shall notify the Ministry of the worker's unexpected work abandonment pursuant to the following rules and procedures:
  - a. The absence from work shall have exceeded 7 consecutive days, without the employer's knowledge of the worker's location or the possibility of communicating with him.
  - b. The absence from work form shall be completed pursuant to the procedures set by the Ministry.
2. If the foreign worker leaves work for an illegitimate reason before the end of the contract term, he shall not be issued another work permit for a period of one year from the date of absence from work, with the exception of:
  - a. The worker who holds a family-sponsored residency visa.
  - b. The worker who applies for a new work permit at the same establishment.
  - c. The worker who has professional qualifications, skills or knowledge levels that the State needs.
  - d. Golden visa holders.
  - e. Any professional categories according to the needs of the labour market in the State that are determined by resolution of the Minister in accordance with the workers' classification approved by the Cabinet.
3. The Minister may issue a resolution specifying the mechanisms for reporting unexpected work abandonment according to the digital system in place at the Ministry.

**Article (29)**  
**Rules for Deductions from End of Service Benefits of Workers**

Subject to the provisions of Clause (7) of Article (51) of the Decree-Law:

1. The employer may deduct from the worker's end of service benefit any amounts that are due legally or by judicial ruling, pursuant to the following conditions and procedures:

- a. The amounts owed by the worker to recover loans or overpayment.
  - b. To recover the amounts that were supposed to be paid by the workers as a contribution to the end of service, retirement pensions or insurance, in accordance with the legislation in force in the State.
  - c. As amounts deducted from the worker for violations he commits according to the regulation of penalties applicable at the establishment and approved by the Ministry.
  - d. As debts owed in implementation of a court ruling issued against the worker.
  - e. As amounts for repairing damage caused by the worker, due to his fault or to his violation of the employer's instructions and that led to the damage, destruction or loss of tools, machines, products or materials owned by the employer.
2. The employer shall have followed the procedures set out in the Decree-Law and in this Resolution when the deducted amounts involve violations committed by the worker or are a result of damage caused by his fault, and not more than (3) three months shall have lapsed from the due date of such amounts unless otherwise agreed.

### **Article (30)**

#### **End of Service Benefits for Workers in other Types of Employment**

Subject to the provisions of Article (52) of the Decree-Law, the end of service benefits due to workers working in part-time or job-sharing types and not on a full-time basis shall be calculated pursuant to the following mechanism:

1. The number of working hours set out in the employment contract per year divided by the number of working hours in the full-time contract per year multiplied by 100 equal to the percentage on which the end of service benefit should be calculated, then, this percentage should be multiplied by the value of the end of service benefit due for the full-time employment contract.
2. The end of service benefit shall not apply in the case of temporary employment if its duration is less than one year.

### **Article (31)**

#### **Individual Labour Disputes**

Subject to the provisions of Article (54) of the Decree-Law:

1. If the employer, worker or any eligible beneficiary thereof disputes any of the rights accrued to either of them under the Decree-Law, he shall submit a complaint to that effect to the Ministry which shall examine the complaint and take the necessary measures to settle the dispute between them amicably.
2. If an amicable settlement is not possible, the Ministry shall refer the dispute to the competent court within (14) fourteen days from the date of submission of the complaint, along with a memorandum including an

abstract of the dispute, the arguments of both parties and the Ministry's recommendation.

3. Every worker whose complaint is referred to the judiciary shall promptly register his case and change his residency status. The Minister may issue the necessary resolutions regulating the status of the worker and the establishment after referring the complaint to the judiciary.

4. The worker shall have the right to claim two months' wages if he continues to work for the employer while the referred labour dispute is in the court, in which case the Ministry may require the employer to pay that wage or refer the complaint in this regard to the judiciary.

### **Article (32)**

#### **Collective Labour Disputes**

Subject to the provisions of Article (56) of the Decree-Law:

1. If a dispute arises between the employer and all the establishment's workers or a group thereof, and the parties fail to settle it amicably, the complainant shall file a complaint pursuant to the following rules and procedures:

a. The complaint shall be filed through the channels specified by the Ministry.

b. The type and amount of the claims shall be stated.

c. The complaint shall be filed within two weeks from the date of the dispute.

2. The Ministry may address the concerned authorities to impose a provisional seizure on the establishment to guarantee the workers' rights.

3. The Ministry may liquidate the bank guarantee or insurance allocated to the workers without the employer's approval in the event that the workers' allegation is substantiated, or it may take any other actions or measures to ensure payment of the workers' entitlements.

4. The Ministry shall settle the dispute pursuant to the procedures determined by resolution of the Minister. If a settlement is not possible for any reason whatsoever or on account of the parties' non-compliance with the settlement agreed upon, the dispute shall be referred to the Collective Labour Disputes Committee.

5. The Collective Labour Disputes Committees that are formed by a Cabinet resolution based on the Minister's proposal shall settle the disputes referred thereto, and their decision shall be final and sealed with the executory formula seal by the competent court.

### **Article (33)**

#### **Work Inspection Procedures**

Subject to the provisions of Article (57) of the Decree-Law:

1. Labour inspections shall be carried out by competent inspectors from the Ministry's officials, who shall be vested with the following powers and competencies:

a. Monitoring the proper implementation of the provisions of the Decree-Law, this Resolution, and the Legal Resolutions, especially with regards to the working conditions, the wages and the protection of the workers while on duty.

- b. Providing employers and workers with information and technical guidelines that enable them to apply the best methods for the implementation of the provisions of the Decree-Law and this Resolution.
2. Incidents committed in violation of the provisions of the Decree-Law, this Resolution and the Legal Regulations shall be reported pursuant to the following procedures:
- a. If during an inspection the inspector verifies the existence of a violation of the Decree-Law or the regulations or resolutions issued in implementation thereof, he shall draw up a report to establish the violation and shall submit the report to the competent authority to take the necessary actions against the violator.
- b. The labour inspector may, when needed, request competent administrative or security authorities to provide necessary assistance.
- c. Violations shall be detected and established by the inspectors using the mechanisms, systems, channels and forms determined by the Ministry.
- d. Employers and their representatives shall provide the labour inspectors with the necessary facilities and data to perform their duty, and shall respond to their summonses or send a representative if requested to do so.
3. The Minister may issue the necessary mechanisms to regulate the work of the inspectors and the inspection procedures.

#### **Article (34)**

##### **Administrative Penalties**

Subject to the provisions of Articles (58), (59), (60), (61), (62), (63) and (64) of the Decree-Law, and in the event of the violation of the obligations stipulated in the Decree-Law and this Resolution, the Ministry shall be vested with the powers to impose the administrative penalties as stated in Article (3) of Federal Law No. (14) of 2016 referred to in the Decree-Law.

#### **Article (35)**

##### **Procedures for Grievance Against the Ministry's Resolutions**

Subject to the provisions of Article (69) of the Decree-Law, both parties to the employment relationship may appeal against the Ministry's resolutions pursuant to the following procedures:

1. The petition shall be filed through the channels specified by the Ministry with its Grievance Committee within (30) thirty days from the date of becoming aware of the resolution.
2. The petition shall include all supporting data and documents.

#### **Article (36)**

##### **Emergency Circumstances**

Subject to the provisions of the Decree-Law and this Resolution:

1. In extraordinary emergency situations, as determined by a Cabinet resolution, work measures that are commensurate with the circumstances of those cases may be applied, taking into account the interests of all the parties to the labour relationship. Such measures shall include without being limited to the following:
  - a. Applying the remote work system.
  - b. Granting the worker paid leave.

c. Granting the worker unpaid leave.

d. Reducing the worker's wage.

2. Without prejudice to the provisions of Clause (1) of this Article, the Minister shall issue the necessary resolutions for the application of the appropriate work measures in light of the extraordinary and emergency situations.

#### **Article (37)**

The Minister shall issue the necessary resolutions for the implementation of this Resolution.

#### **Article (38)**

Every provision that contradicts or conflicts with the provisions of this Resolution shall be abrogated.

#### **Article (39)**

This Resolution shall be published in the Official Gazette and it shall come into force as of 02 February 2022.

**Mohammed bin Rashid Al Maktoum  
The Prime Minister**

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