

**MINISTERIAL RESOLUTION NO.(346) OF 2022  
REGARDING THE AMENDMENT OF CERTAIN PROVISIONS OF MINISTERIAL  
RESOLUTION NO.(43) OF 2022 REGARDING THE WAGES PROTECTION SYSTEM**

**The Minister of Human Resources & Emiratization**

**Having perused:**

- Federal Law No.(1) of 1972 on the competencies of the Ministries and Powers of the Ministers and amendments thereof,
- Federal Decree-Law No. (33) of 2021 concerning Regulation of Labor Relations and its Executive Regulations
- Cabinet Resolution No. (21) of 2020 regarding service fees and fines in the Ministry of Human Resources and Emiratization
- Cabinet Resolution No. (37) of 2022 amending some provisions of Cabinet Resolution No. 21 of 2020 regarding service fees and fines in the Ministry of Human Resources.
- Ministerial Resolution No. (43) of 2022 concerning wages protection,
- Ministerial Resolution No. (208) of 2022 concerning criteria for identifying high-risk facilities;
- Ministerial Resolution No. (209) of 2022 regarding the classification of establishments in Category (3)
- In pursuance of public interest and for the favorable progress of work

**Has Resolved:**

**Article (1)**

The following schedule shall replace the schedule contained in Article No. (2) of Ministerial Resolution No. (43) of 2022:

<b>Deadline</b>	<b>Establishment Size</b>	<b>Action</b>
1.On the due date	All establishments	<ul style="list-style-type: none"><li>• The establishment will be monitored electronically to ensure its compliance with payment of wages to its workers.</li></ul>
2. On the third and tenth day after the due date		<ul style="list-style-type: none"><li>• Reminders and notifications will be sent to non-compliant establishments to pay wages</li></ul>

3. On the third and Seventeenth day after the due date	All establishments	<ul style="list-style-type: none"> <li>• Suspension of issuing new work permits for the establishment. A notice stating the reason for the suspension will be sent to the owner of the establishment.</li> </ul>
	Establishments employing more than 50 workers	<ul style="list-style-type: none"> <li>• The non-compliant establishment will be listed in the electronic monitoring and inspection system &amp; inspection visits schedule. An inspector will conduct inspections and issue warnings as necessary.</li> </ul>
4. 30 days from the due date	Establishments employing more than 50 workers	<ul style="list-style-type: none"> <li>• Relevant Public Prosecution will be notified and the establishment information will be sent to the competent authorities at federal and local level for further legal actions. The establishment will be followed up by the concerned department in the Ministry.</li> </ul>
5. 4 months after the due date	All establishments	<ul style="list-style-type: none"> <li>• Ban on new work permits remains in effect for the violation-causing establishment. If the establishment owner operates other exclusive companies with WPS in the UAE, similar penalties will apply to each of them, after notifying the affected establishments about the suspension of worker permits, taking into account the unity of the partners.</li> </ul>
6. In the event that the establishment repeats the same violation within 6 months	All establishments	<ul style="list-style-type: none"> <li>• The establishment will be liable to the following penalties:</li> <li>• Administrative fine will be imposed in accordance with Cabinet Resolution No. 21 of 2022 referred to.</li> <li>• Downgrading the establishment to category (3) in accordance with Ministerial Resolution No.(209) of 2022</li> </ul>
7. Failure to pay a workers wage for more than 3 consecutive months.	All establishments	<ul style="list-style-type: none"> <li>• Electronic notification will be sent to the establishment</li> <li>• The ban on new work permits remains in effect.</li> <li>• Renewal of the work permit of a worker who has not received his wages shall be suspended unless his/her status is duly modified</li> <li>• If the failure to pay wages continues, an inspection visit to the establishment will be conducted after 6 months from the date of non-payment to ensure the existence of the employment relationship. In the absence of an actual employment relationship, the violating establishment will be referred to Public Prosecution and an administrative fine will be imposed in</li> </ul>

		accordance with Cabinet Resolution No. 21 of 2020, and coordinate with other concerned authorities regarding the imposition of fines as per the rules.
--	--	--

### **Article (2)**

Article No. (3) of Ministerial Resolution No. 43 of 2022 shall be replaced with the following text:

Without prejudice to the entitlement of all workers to their agreed upon wages:

1. The establishment will be considered compliant with wages payment requirements in the event that the wages of more than 80 percent of the total wages of eligible workers are transferred according to all types of employment.
2. The Employee shall be considered a recipient of wage if he/she receives 80 percent or more of the value of the wage registered in the Employment Contract in the event of legal deductions, provided that a proof of such deduction is presented upon request.

### **Article (3)**

Two new cases under the numbers (5) and (6) are added in respect of the excluded workers according to Article No. (5) of the Ministerial No. (43) of 2022 referred to as follows:

1. Seamen/sailors working on board vessels/ships through an application submitted by the establishment.
2. Workers of foreign establishments or their subsidiaries operating in the country who receive their wages from outside the country, subject to the workers' consent and after the establishment submits an application.

### **Article (4)**

This resolution shall be published in the Official Gazette and shall come into force from the date of its issuance.

**Dr. Abdul Rahman Abdul Manan Al Awar**  
**Minister of Human Resources and Emiratization**

Issued by us on: 12 -07- 2022