

TITLE ONE DEFINITIONS AND GENERAL PROVISIONS

1 – DEFINITIONS

Article 1 –

In the implementation of the provisions hereof , the following terms and phrases shall have the meanings assigned for each of them unless the context requires otherwise :

Employer : Every natural or juridical person employing one or more workers in return for a wage of any kind whatsoever .

Worker : Every male or female working in return for a wage of any kind whatsoever for the employer and under the management and supervision thereof , even if out of sight . The term shall also include the employees working for the employer and subject to the provisions thereof .

Establishment : Every economic , technical , industrial or commercial unit where workers are employed , aiming at producing or marketing goods or providing services of any kind .

Employment Contract : Every agreement with determined or undetermined term concluded between the employer and the worker , whereby the latter commits to working for the employer and under the management and supervision thereof in return for a wage whose payment is committed by the employer .

Work : Any exerted human effort – whether intellectual , technical or physical – in return for a wage , whether it is permanent or temporary .

Temporary Work : Work whose nature of execution or completion requires a determined term .

Agricultural Work : Work in the plowing and cultivation of the land , the harvest of the crops thereof of any kind whatsoever , the breeding of cattle , livestock , silkworms , bees and otherwise .

Continuous Service : Uninterrupted service for the same employer or the legal successor thereof as of the date of the commencement of the service .

Wage :

As amended by Federal Law no . 12 dated 29/10/1986 :

Whatever is given to the worker in return for his service by virtue of an employment contract , whether in cash or in rem , on a yearly , monthly , weekly , daily , hourly , piece basis or in accordance with the production or on a commission basis .

The wage shall include the cost – of – living allowance and every grant conferred upon the worker in recognition of his honesty or efficiency should such sums be set in the employment contracts or the by – laws of the establishment or be customarily granted so as the workers deem such grants as part of the wage and not a donation .

Basic Salary :

Added by Federal Law no . 12 dated 29/10/1986 :

The wage stipulated in the employment contract during the term thereof between the parties , exclusive of any allowances whatsoever .

Occupational Injury : The sustainment by the worker of an occupational disease set forth in the schedule enclosed herewith , or any other injury arising from the work thereof and occurring thereto during and by reason of his practice of his job . Shall be deemed an occupational injury every accident occurring to the worker on his way from or to his work , provided that such trajectory is made without any stopping , lingering or diversion from the ordinary route .

Department of Labor : Branches in the Ministry of Labor in charge with the labor Affairs in the Emirates , members of the Federation .

2 – GENERAL PROVISIONS

Article 2 –

Arabic shall be the language used with regards to all records , contracts , files , data and others provided for herein or in any decision of regulation issued in implementation of the provisions thereof . Furthermore , Arabic shall be the language used in the instructions and circulars issued by the employer to his employees . Should the employer use a foreign language in addition to the Arabic language , the Arabic text shall prevail .

Article 3 –

As amended by Federal Law no . 24 dated 7/11/1981 , and Federal Law no . 12 dated 29/10/1986 :

The provisions hereof shall not apply to the following categories :

a – Employees and workers of the Federal Government and the governmental departments in the Emirates , members of the State , the employees and workers in public entities and institutions , whether Federal or local , and employees and workers appointed for governmental , Federal and local projects .

b – Members of armed forces , police and security .


c – Domestic servants in private households and similar occupations .

d – Workers in farms or pastures with the exception of persons working in agricultural institutions processing the products thereof or the persons permanently operating or repairing mechanical machines required for agriculture .

Article 4 –

All sums due by virtue of the provisions hereof to the worker or the beneficiaries thereof have a priority over all the moveable and immovable property of the employer , and shall be paid directly after the judicial expenditures , sums due to the public treasury and legal alimony awarded to the wife and children .

Article 5 –

Lawsuits filed by workers or the beneficiaries thereof shall be exempt from all the judicial fees in all the phases of litigation and execution as per 

the provisions hereof . Such lawsuits shall be heard in an expedite manner .

Article 6 –

As amended by Federal Law no . 12 dated 29/10/1986 :

Without prejudice to the provisions related to the collective labor disputes provided for herein , should the employer , the worker or any beneficiary thereof litigates in any rights due to any thereof in pursuance of the provisions hereof , he shall submit an application therefore to the competent Department of Labor . Such Department shall summon both parties of the dispute and take the necessary measures for the amiable settlement of the dispute . Should the amiable settlement of the dispute not take place , the said Department shall , within two weeks from the submission of the application thereto , refer the dispute to the competent court . Such reference shall be accompanied by a memorandum comprising a summary of the dispute , the allegations of the parties and the department's observations . The court must , during three days as from the date it receives the demand , fix a meeting to hear the suit where the two parties to the dispute are declared . The court may request the presence of a representative for the Department of Labor to ask him for explanations with regards to the content of the memorandum submitted thereby .

In all cases , the claim for any right due in pursuance of the provisions hereof shall not be heard after the lapse of one year from the due date thereof . Furthermore , no claim shall be accepted unless it follows the procedures set forth in the present Article .

Article 7 –

Every provision contradicting the provisions hereof , even if precedent to the effective date thereof shall be deemed void , unless it is more advantageous to the worker .

Article 8 –

The calculation of the periods and dates referred to herein shall be made according to the Gregorian calendar . In the implementation hereof , a calendar year shall be deemed as 365 days , and the month as 30 days , unless the employment contract stipulates otherwise .

**TITLE TWO EMPLOYMENT OF WORKERS AND YOUTH AND WOMEN
LABOR**

CHAPTER ONE

EMPLOYMENT OF WORKERS

Article 9 –

Work is deemed a right of the United Arab Emirates Nationals . Others may only work in the State in accordance with the conditions set forth herein and the decisions issued in application thereof .

Article 10 –

Should national workers not be available , the priority of employment shall be given to :

- 1 – Arab workers holding the nationality of an Arab State .
- 2 – Workers holding other nationalities .

Article 11 –

A National Employment Section shall be established in the Department of Labor and shall have jurisdiction to :

- a – Find adequate job opportunities for nationals .
- b – Assist employers in fulfilling their need of national workers whenever needed .
- c – Register unemployed nationals or those searching for better job in a special register . Such registry shall be made upon their request , and the applicant shall receive gratis a certificate of such registration on the date of the submission of the application .

The registration certificate shall have a serial number and shall contain the name , age , place of residence , profession , qualifications and past experiences of the applicant .

Article 12 –

Employers may employ any unemployed national , and must in such event notify the Department of Labor thereof in writing , and such within fifteen days from the date of employment thereof . Such notification shall comprise the name and age of the worker , the date of employment thereof , the wage and type of work assigned thereto and the number of the registration certificate .

Article 13 –

It shall not be permissible to employ non – nationals in the United Arab Emirates without the prior consent of the Department of Labor and the obtainment of a work permit in pursuance of the procedures and rules stipulated by the Ministry of Labor and Social Affairs .

Such permit shall not be granted unless the following conditions are met :

a – The worker must possess professional competence or academic qualifications needed in the country .

b – That the worker has lawfully entered the country and that he satisfied the conditions prescribed in the residence regulations in force in the state .

Article 14 –

The Department of Labor may not consent to the employment of non – nationals unless it examines the records thereof and ensures that there are no unemployed nationals registered in the employment section , capable of performing the required job .

Article 15 –

The Ministry of Labor and Social Affairs may cancel the work card issued to non – nationals in the following cases :

a – Should the worker remain unemployed for a period exceeding three consecutive months

b – Should the worker no longer fulfills one or more conditions on whose basis the card is granted .

c – Should it show that a national worker is qualified to replace such worker . In such event , the worker shall remain in his position until the end of the contract term or the work card granted thereto , whichever is earlier .

Article 16 –

A special section for the employment of non – nationals shall be established in the Ministry of Labor and Social Affairs for the regulation of the work therein by a ministerial decision .

Article 17 –

No natural or juridical person may work as a medium for the recruitment or supply of non – national workers without a license therefore .

Such license may only be issued for nationals and in cases where the issuance thereof is deemed necessary . It shall be issued by a decision from the Minister of Labor .

Such license shall be for a period of one renewable year . The licensee shall be subject to the supervision and control of the Ministry . Said licenses may not be granted should there be an employment office affiliated to the Ministry or to the entity approved thereby operating in the region and capable of acting as a mediator in the supply of labor .

Article 18 –

Licensed labor mediator or supplier may not request or accept from any worker , whether prior or subsequent to his admission to employment , any commission or material reward in return for the acquisition of the work by the worker , or to charge the worker for any expenses unless as it is provided for or approved by the Ministry of Labor and Social Affairs .

Workers supplied by the employment mediator or supplier shall be deemed , upon their admission to work , workers for the employer . They shall be entitled to all the rights granted to the workers of the establishment where they work , and shall relate directly to their employer without any interference from the employment mediator whose task and relation with such workers shall end upon their supply to the employer and employment thereby .

Article 19 –

Rules , procedures and forms adopted by the public and private employment offices , the manner of coordination among the activities of such offices and the condition by virtue thereof the license for the establishment of employment offices or for the work as employment mediator or supply is granted , as well as the professional classification schedules adopted as basis of employment operations shall be determined by the decisions of the Minister of Labor and Social Affairs .

CHAPTER TWO

YOUTH LABOR

Article 20 –

Youth of both genders under the age of fifteen may not be employed .

Article 21 –

Prior to the employment of any youth , the employer must obtain therefrom the following documents which he keeps in the youth's personal file :

1 – A birth certificate or an official extract thereof , or an age estimation certificate issued by a pertinent doctor and authenticated by the competent health authorities .

2 – A certificate of health fitness for the required job issued by a competent doctor and authenticated .

3 – A written consent of the guardian or trustee of the youth .

Article 22 –

The employer must keep in the work location a special register for the youth comprising the name and age of the youth , the full name of the guardian or trustee thereof , the place of residence , date of employment and the work for which the youth is employed .

Article 23 –

Youth may not be engaged at night in industrial enterprises . The word " night " shall mean a period of twelve consecutive hours at least including the period from 8 p . m . until 6 a . m .

Article 24 –


The employment of youth in hazardous , strenuous or harmful to the health conditions shall be prohibited . Such conditions are determined by virtue of a decision issued by the Minister of Labor and Social Affairs upon the consultation of the competent authorities .

Article 25 –

The maximum effective working hours for the youth shall be six hours per day , with one or more intervals for rest , meals or prayer whose total is one hour at least . Such interval (s) shall be set in such a manner that the youth does not work more than four consecutive hours .

The youth may not be kept in the work location for more than seven consecutive hours .

Article 26 –

Youths may not be charged with overtime , regardless of the circumstances , be kept  in the work location after their set working hours or be made to work on rest days .

CHAPTER THREE

WOMEN LABOR

Article 27 –

Women may not be employed at night . The word " night " shall mean a period of eleven consecutive hours at least including the period from 10 p . m . until 7 a . m .

Article 28 –

The following cases shall be exempt from the prohibition of women labor at night :

a – When work in the firm ceases by a force majeure .

b – Work in administrative and technical position .

c – Work in health services and other jobs determined by virtue of a decision issued by the Minister of Labor and Social Affairs should the working woman not normally practice a manual work .

Article 29 –

The women labor in hazardous , strenuous or physically or morally harmful jobs , as well as other jobs determined by virtue of a decision issued by the Minister of Labor and Social Affairs upon the consultation of the competent authorities shall be prohibited .

Article 30 –

The female worker shall be entitled to a maternity leave with full payment of the wage thereof , and such for a period of forty five days that include the pre – and postnatal periods , provided that the continuous service period for the employer is of one year at least . The maternity leave shall be granted with half a wage should the worker not have completed the aforementioned period .

Upon the end of the maternity leave , the worker may remain absent from work without pay for a period of one hundred consecutive or non – consecutive days at most should such

absence be caused by an illness hindering her from returning to work . Such illness shall be established by means of a medical certificate issued by the medical entity appointed by the competent health authority or ratified by such authority stating that such illness arises from the pregnancy or the delivery .

The leave referred to in the preceding paragraphs shall not be deducted from other leaves .

Article 31 –

During the period of eighteen months subsequent to the date of delivery , the nursing worker shall be entitled , in addition to the determined rest period , to a two additional periods per day for such purpose , the duration of each thereof not exceeding half an hour .

Such additional periods shall be deemed as part of the working hours and do not entail any deduction of the wage .

Article 32 –

The female worker shall be granted a wage equal to that of the man should she be performing the same work .

CHAPTER FOUR

COMMON PROVISIONS FOR YOUTH AND WOMEN LABOR

Article 33 –

The Minister of Labor and Social Affairs , by a decision thereof , may exempt the philanthropic and educational institutions of all or some of the provisions set forth in the preceding two Chapters of the present Title , should such institutions aim at the rehabilitation or professional training of youth or women , provided that the by – laws of such institutions stipulate the nature of the works carried out by youths and women , the working hours , the conditions of work therein in a manner not contradicting with the actual capacity of youths and women .

Article 34 –

The following shall be partially responsible for the execution of the provision of the preceding second and third Chapters of the present Title :

a – Employers or representatives thereof .

b – Guardians or trustees of the youth , spouse or guardian of the woman should she be minor , and such should they agree on the employment of the youth or woman contradictory to the provisions hereof .

TITLE THREE EMPLOYMENT CONTRACTS , RECORDS AND WAGES

CHAPTER ONE

INDIVIDUAL EMPLOYMENT CONTRACT

Article 35 –

Subject to the provisions of Article 2 , the employment contract shall be written in duplicate , one copy handed to the worker , and the other to the employer . Should there not be a written contract , all conditions thereof may be established by all legal means of evidence .

Article 36 –

The employment contract shall determine in particular the date of conclusion thereof , the date of commencement of work , the type , location and duration thereof , should it be of a determined period , as well as the amount of the wage .

Article 37 –

As amended by Federal Law no . 12 dated 29/10/1986 :

The worker may be employed for a probation period not exceeding six months where the employer may terminate the services of the worker without notification or end of service gratuity . The worker may not employed by the same employer for more than one probation period . Should the worker successfully completes the probation period and pursues in his job , the said period shall be deemed as a part of the service period .

Article 38 –

The employment contract shall be for a determined or an undetermined term . Should it be for a determined term , it may not exceed four years . Such contract may be renewed by mutual agreement of the parties for one or more similar or shorter terms .


Should the contract be renewed , the new term (s) shall be deemed an extension of the original term and shall be added thereto upon the calculation of the total service period of the worker .

Article 39 –

The employment contract shall be deemed of an undetermined term since the establishment thereof in any of the following cases :

1 – If it is not made in writing .

2 – If it is concluded for an undetermined term .

3 – If it is made in writing and concluded for a determined  term , and the parties continue to apply it after the expiry thereof without a written agreement between them .

4 – If it is concluded for a specific job with undetermined term , or which is recurrent by nature , and the contract continues after the completion of the agreed job .

Article 40 –

Should the parties pursue the application of the contract after the expiry of the original period thereof or the end of the agreed job without an explicit agreement , the original contract shall be deemed implicitly extended under the same conditions mentioned therein with the exception of the term .

Article 41 –

Should the employer subcontract a third party for the performance of any of the original tasks or a part thereof , the latter shall be solely liable for the rights of the workers thereof carrying out such subcontracted task in pursuance of the provisions hereof .

CHAPTER TWO

PROFESSIONAL TRAINING CONTRACT

Article 42 –

The professional training contract is the contract whereby the owner of the establishment undertakes to give a complete professional training that is consistent with the standards of the profession to a third party having completed at least twelve years of age . The latter shall , in turn , undertake to work during the training period for the employer in accordance with the condition and duration agreed upon . The training contract shall be in writing , otherwise it shall be deemed void . The employer or the trainer shall enjoy the sufficient qualifications and expertise in the relevant profession or craft for which the training is made . Furthermore , the firm must itself meet the technical conditions and capacities necessary for the provision of such training on the profession or craft .

Article 43 –

The trainee having reached the maturity age shall conclude the contract by himself . Whoever is under eighteen years of age may not enter into a direct contract with the employer for the training . The trainee shall be represented by the parent , legal trustee or guardian thereof .

Article 44 –

1 – The training contract shall be made in three copies at least , one copy is deposited with the competent labor department for registration and authentication . Each party shall keep an authenticated copy thereof .

2 – Should the training contract to be authenticated contain a provision that contradicts the law , the regulations executive decisions issued in application of the provisions thereof , the competent labor department may request that the contracting parties delete such breach .

3 – Should the competent labor department not express any observation or objection within a period of three months from the deposition of the training contract therewith , the contract shall be deemed duly authenticated as of the date of the deposition thereof .

Article 45 –

The training contract shall include particulars regarding the identity of the contracting parties or the representatives thereof , as the case may be , the method of training , the duration , phases and subject of the training .

Article 46 –

The employer shall grant the trainee sufficient time to receive the theoretical training . He must train the worker on the profession standards and the skills for which he is recruited and such for the period set in the contract , and must grant the trainee a certificate upon the completion of each phase of training in accordance with the provisions set forth in the present Chapter , and a final certificate at the end of the training period . Such certificate may be authenticated by the competent labor department in accordance with the principles and procedures determined by virtue of a decision issued by the Minister of Labor and Social Affairs .

Article 47 –

The worker may undertake in the training contract to work subsequent to the completion of the training period for the employer or in the establishment where the training took place and such for a period not exceeding twice the training period . Similarly , the employer may undertake in the training contract to employ the worker subsequent to the completion of the training period .

Article 48 –

Payable wages for every phase of training shall be determined in the training contract . Such wages paid in the last phase must not be less than the minimum set for a similar work , and shall under no circumstances be determined based on the piece or the production .

Article 49 –

The trainee whose age is less than eighteen years old shall undergo a medical examination to assess the health condition and capacity thereof to carry out the tasks of the profession for which a training is to be given , and such prior to the commencement of the training thereof . Should such profession require special physical and health conditions , the medical report shall mention the meeting by the training candidate of such conditions , being physical or psychological .

Article 50 –

The Minister of Labor shall , by a decision therefrom , regulate the training of professions and crafts that require training , and determine the duration of such training for the professions and crafts , the theoretical and practical programs , the conditions of examination and the certificate granted upon the completion of the training period .

The decisions of the Minister in this regard shall be issued after the consultation of the pertinent public institutions . In all cases , the Minister may nominate one or more experts in the affairs of the profession or craft for which a training is to be regulated in order to advise him thereon .

Article 51 –

The Minister of Labor may decide to establish centers for professional training , whether independently or in cooperation with the professional or philanthropic , national , foreign or international entities . The decision issued for the establishment of the center shall determine the profession for which the training is held , the conditions of admission in the center , the theoretical and practical programs , the examinations system and the professional certificates and any other provisions necessary for the good operation of the center .

Article 52 –

The Minister of Labor and Social Affairs may impose on the establishments , companies and owners of industrial , professional and crafts entities determined thereby , the acceptance for employment of a certain number or percentage of trained nationals and such in accordance with the conditions , situations and terms determined thereby .

Furthermore , the Minister may impose on the establishments , companies , and owners of industrial , professional and crafts entities determined thereby the acceptance for training purposes and the completion of the practical expertise the employment therein of a certain number or percentage of students of industrial and professional institutes and centers , and such in accordance with the conditions , situations and terms agreed upon with the administration of the pertinent establishment .

CHAPTER THREE

RECORDS AND FILES

Article 53 –

As amended by Federal Law no . 12 dated 29/10/1986 :

The employer employing five or more workers shall observe the following :

1 – Keep a personal file for each worker , mentioning the worker's name , profession or occupation , age , nationality , address , marital status , date of employment , wage and any adjustment thereto , penalties inflicted thereupon , occupational injuries and diseases sustained thereby as well as the date of termination of service and reasons thereof .

2 – Prepare for each worker a Leave card deposited with the worker file . Such card shall be divided into three sections : annual leaves , sick leaves and other leaves . The employer or the representative thereof shall record on such card the leaves taken by the worker and such for reference upon the request for any leave .


Article 54 –

As amended by Federal Law no . 12 dated 29/10/1986 :

The employer employing fifteen or more workers shall keep in every work location or branch the following records and documents :

1 – Payroll : In which the names of workers are mentioned in accordance with the date of the employment thereof , as well as the amount of daily , weekly or monthly wage , fringe benefits , or the wage by piece or commission , the days of work and the date of final termination of work .

2 – Occupational Injuries Record : In which occupational injuries and diseases are recorded , and such upon the knowledge thereof .

3 – Basic Work Regulations : It shall contain in particular the daily working hours , the weekly rest period , holidays , as well as the necessary measures and precautions taken for the prevention of occupational injuries and fire hazards . Such regulations shall be placed in a prominent place at the work site . The implementation of such regulations  and the amendments thereto shall require the approval thereof by the Labor Department and such within thirty days from the date of submission thereto .

4 – Disciplinary Measures : To be placed in a prominent place at the work site . They shall include the penalties to be imposed on defaulting workers and the conditions and cases of such imposition . The implementation of such measures and the amendments thereto shall require the approval thereof by the Labor Department and such within thirty days from the date of the submission thereof .

CHAPTER FOUR

WAGES

Article 55 –

Wages shall be paid on a working day and at the work site , in the national currency of the State .

Article 56 –

Workers employed in return for an annual or a monthly wage shall be paid at least once per month . All other workers shall be paid at least once every fortnight .

Article 57 –

The daily wage of workers employed on the basis of the piece shall be calculated as the equivalent of the average daily wage received by the worker for the effective working days during the six months that precede the termination of the service .

Article 58 –

The payment to the workers of the wage due thereto , regardless of the value or nature thereof , may only be evidenced in writing or by means of admission or oath . Every agreement made in contrary thereto , even if made prior to the coming into force of the present Law , shall be deemed void .

Article 59 –

The worker may not be required to purchase food or other goods from certain stores or from the products of the owner .

Article 60 –

No sum may be deducted from the wage of the worker in return for special rights unless in the following cases :

a – The recovery of any advances or sums paid to the worker in excess of his entitlements , provided that the deducted sum does not exceed in such case 10 % of the periodical wage of the worker .

b – Installments legally payable by the workers from the wages thereof such as the social security and insurance systems .

c – Contributions of the worker in the saving fund or loans due thereto .

d – Installments of any social project or any other privileges or services granted by the employer and approved by the Labor Department .

e – Fines imposed on the worker for any breaches perpetrated thereby .

f – Every debt paid in application of a judicial ruling , provided that the sum deducted in application of the ruling does not exceed one quarter of the wage due to the worker . Should there be numerous debts or debtors , the maximum deduction shall be equal to half the wage , and the sums required for retention shall be proportionally distributed among the beneficiaries after the payment of the legal alimony debt at the rate of one quarter of the wage .

Article 61 –

As amended by Federal Law no . 12 dated 29/10/1986 :

Should the worker cause the loss , damage or destruction of tools , machines , products or materials owned by the employer or under the custody thereof , and such due to a default or breach by the worker of the instructions of the employer , the latter may deduct from the wage of the worker the necessary sum for the repair or restoration thereof , provided that the sums deducted for such purpose do not exceed the wage of five days every month . The employer may request the competent court via the competent labor department the permission to deduct a longer sum should the worker have money or another source of income .

Article 62 –

The employer may not transfer a worker paid on a monthly basis to the corps of daily workers , or the corps of workers paid on a weekly , hourly or by piece basis , and such without a written consent therefrom .

Article 63 –

By virtue of a decree – law issued upon the proposal of the Minister of Labor and Social Affairs and the consent of the Cabinet , the minimum wage and cost – of – living index shall be determined either in general or for a particular area or a particular profession .

The Minister shall submit his proposal to determine or reconsider the minimum wages upon the consultation of the competent authorities and the professional entities of the employers and

workers , if any , and based on the studies and tables of fluctuation of the cost – of – living set by the competent authorities in the State , in view of ensuring that the minimum limits are sufficient to fulfill the basic requirements of the workers and guarantee the livelihood thereof .

Article 64 –

The minimum wages or adjustments thereon shall enter into effect as of the date of publication of the determining decree thereof in the Official Gazette .

TITLE FOUR WORKING HOURS AND LEAVES

CHAPTER ONE

WORKING HOURS

Article 65 –

The maximum number of ordinary working hours for adult workers shall be eight hours per day , or forty eight hours per week . The number of hours may be increased to nine hours per day for people employed in trade , hotels , cafeterias , security and other jobs whose addition may be made by virtue of a decision from the Minister of Labor . Furthermore , the daily number of working hours may be reduced for strenuous or harmful works and such by virtue of a decision from the Minister of Labor and Social Affairs .

The ordinary working hours shall be reduced by two hours during Ramadan .

The commutation periods spent by the worker from the place of residence to the work site thereof shall not be calculated within the working hours .

Article 66 –

The daily working hours shall be regulated so that the worker does not work more than five consecutive hours without intervals for rest , meals and prayer , whose total period shall not be less than one hour . Such intervals shall not be included in the working hours .

As for the factories and workshops where work is carried out in successive shifts around the clock , or for works that require uninterrupted work for technical and economic reasons , the Minister shall regulate the method whereby workers are granted the periods of rest , meals and prayer and such by virtue of a decision issued thereby .

Article 67 –

Should the work circumstances require the carrying out by the worker of a work for more than the ordinary working hours , the additional period shall be deemed an overtime , for which the worker shall be paid a wage equivalent to the ordinary hourly wage with an addition of at least 25 % of the said wage .

Article 68 –

Should the work circumstances require the carrying out by the worker of an overtime work between 9 pm and 4 am , the worker shall be entitled , in counterpart for the overtime , to a wage equivalent to the ordinary hourly wage with an addition of at least 50 % of the said wage .

Article 69 –

Effective overtime working hours may not exceed two hours per day , unless such work is necessary for the prevention of the occurrence of a colossal loss , a serious accident or the removal or mitigation of the consequences thereof .

Article 70 –

Friday shall be the ordinary weekly rest for all workers with the exception of the daily worker . Should the circumstances require that the worker work on this day , the worker shall be entitled to a substitute rest day , or to the basic wage for the ordinary working hours in addition to 50 % at least of the said wage .

Article 71 –

The worker may not be requested to work for more than two consecutive Fridays with the exception of the day workers .

Article 72 –

The provisions of the present Chapter shall not apply to the following categories :

1 – Persons occupying high – ranked managerial or supervisory positions , should such positions confer upon the occupants thereof powers of the employer over the workers . A decision of the Minister of Labor and Social Affairs specifying such category shall be issued .

2 – Workers constituting the crew of naval vessels , and sea workers who shall enjoy special service conditions due to the nature of their work , with the exception of the port workers engaged in the loading and unloading and related operations .

Article 73 –

The employer shall place on the main entrances used by the workers and in prominent locations in the working site a schedule of the weekly day off , working hours and rest periods for all workers categories , and shall dispatch a copy thereof to the competent Labor Department .

Should the work site not abide by the weekly day off , the employer must mention in the locations referred to in the previous paragraph a timetable showing the weekly rest day for each category of the workers .

CHAPTER TWO

LEAVES

Article 74 –

The worker shall be entitled to an official leave with full payment in the following occasions :

- a – New Year's Day (Hejir) – One day .
- b – New Year's Day (Gregorian) – One day .
- c – Eid al Fitr – Two days .
- d – Eid al Adha and Arafat Day – Three days .


e – Prophet Mohammed Birthday Anniversary – One day .

f – Isra and Mi'raj – One day .

g – National Day – One day .

Article 75 –

The worker shall be entitled during every year of service an annual leave of no less than the following periods :

a – Two days for each month should the period of service of the worker be of six months  at least and a year at most .

b – Thirty days for each year should the period of service of the worker exceed one year .

Should the service of the worker be terminated , the worker shall be entitled to an annual leave for the fractions of the last year .

Article 76 –

The employer may determine the date of the commencement of the annual leave , and may divide it if necessary to two or more periods . The division provision shall not apply to the leave of youths .

Article 77 –

As amended by Federal Law no . 12 dated 29/10/1986 :

The holidays set by law or by agreement , or any other leaves caused by illness should it occur during such holiday shall be included in the annual leave and deemed a part thereof .

Article 78 –

As amended by Federal Law no . 12 dated 29/10/1986 :

The worker shall receive a basic wage and a housing allowance , if any , for the days of the annual leave . Should the work circumstances require that the worker work during his total annual leave or a part thereof , and should the leave during which the worker worked is not carried forward to the next year , the employer must pay the worker the wage thereof , in addition to a leave allowance for the days of work , equal to his basic wage .

In all cases , the worker may not be required to work during the annual leave for more than once within two consecutive years .

Article 79 –

The worker shall be entitled to receive the any sums for accrued annual leave days should he be dismissed or should he leave work after the duly determined notice period . Such payment shall be calculated on the basis of the wages paid to the worker at the time of such leave .

Article 80 –

The employer shall pay to the employee , prior to the annual leave thereof , the entire wage due thereto in addition to the leave pay determined by virtue of the provisions hereof .

Article 81 –

Should the work circumstances require that the worker work during holidays or leaves for which a complete or partial payment is paid thereto , the worker shall be granted a substitute leave as well as an increase in the wage amounting to 50 % thereof . Should he not be granted a substitute leave , the employer shall pay to the worker an additional sum to the basic salary thereof amounting to 150 % with regards to the days of work .

Article 82 –

Should the worker sustain an illness not caused by an occupational injury , he must notify the employer thereof within two days at most . The employer shall take the necessary

procedures to expose the worker to a medical examination immediately in order to verify the illness thereof .

Article 83 –

As amended by Federal Law no . 12 dated 29/10/1986 :

1 – The worker shall not be entitled to any paid sick leave during the probation period .

2 – Should the worker spend more than three month after the end of the probation period in the continuous service of the employer and contracted an illness , he shall be entitled to a sick leave not exceeding 90 consecutive or non consecutive days for every year of service , calculated as follows :

a – The first fifteen days with full pay .

b – The following thirty days with half pay .

c – The following periods without pay .

Article 84 –

The worker shall not be entitled to the wage during the sick leave should the illness directly arise from the ill behavior of the worker such as the consumption of alcohols or narcotics .

Article 85 –

The employer may terminate the service of the worker subsequent to the exhaustion thereby of the sick leaves set forth in Articles 82,83 and 84 hereof , should he not be able to report back to his work . In such case , the worker shall be entitled to the end of service gratuity in accordance with the provisions hereof .

Article 86 –

Should the worker resign from service by reason of illness before the expiry of the first forty five days of the sick leaves , and the governmental physician or the physician appointed by the employer consents to the cause of resignation , the employer must pay to the resigning worker the wage due to him with regards to the remainder of the first forty five days referred to hereinabove .

Article 87 –

The worker shall be granted for the entire duration of his employment and for one time a special leave without pay for the pilgrimage . Such leave shall not be included in the other leaves and may not exceed thirty days .

Article 88 –

As amended by Federal Law no . 12 dated 29/10/1986 :

During the annual or sick leave set forth in the present Chapter , the worker may not work for another employer . Should the employer establishes such action , he shall be entitled to terminate the employment of the worker without notice and to deprive him of his wage for the duration of the leave .

Article 89 –

Subject to the provisions set forth herein , every worker who does not report back directly to his job upon the end of his leave shall be deprived of the wage thereof for the period of his absence as of the day that follows the end of the leave .

Article 90 –

Without prejudice to the cases in which the employer is entitled to dismiss the worker without notice or gratuity set forth herein , the employer may not dismiss the worker or give him a notice thereof while the worker is on a leave set forth in the present Chapter .

TITLE FIVE SAFETY , PROTECTION HEALTH AND SOCIAL CARE OF WORKERS

Article 91 –

The employer shall provide the workers with the adequate protection means against hazards of occupational injuries and diseases that may occur during the work , as well as against fire and other hazards resulting from the use of machines and other work tools . The employer shall also adopt all other safety measures set by the Ministry of Labor and Social Affairs , and the worker shall use the safety gear and clothing supplied thereto for such purpose , abide by all instructions of the employer aiming at the protection thereof from hazards , and refrain from carrying out any work that may hinder the execution of such instructions .

Article 92 –

Every employer shall display in a prominent place in the work site detailed instructions related to the measures taken for the prevention of fire and the protection of workers from the hazards that they may face during their performance of their work . Such instructions shall be in Arabic and in another language that the worker understands , whenever necessary .

Article 93 –

Every employer shall set one or more first aid boxes containing medicines , bandages , antiseptics and other first aid materials set by the Ministry of Labor and Social Affairs . A box shall be allocated to every one hundred workers , and shall be placed in a prominent location within the easy reach of the workers , and the use thereof shall be entrusted to a specialist in first aid procedures .

Article 94 –

Without prejudice to the provisions of the regulations and decisions issued by the competent governmental authorities , the employer shall provide the work location with complete

cleanliness and ventilation . He shall provide such locations with the proper lighting , drinking water and toilets .

Article 95 –

The employer shall entrust one or more physicians with the complete examination of the workers thereof liable to contract an occupational disease set in the schedule enclosed herewith once every six months at most in a periodic manner . The employer shall also record the result of such examination in the records thereof and in the files of such workers .

The physicians must notify the employer and the Labor Department immediately of the cases of occupational diseases appearing among workers , and the deaths resulting therefrom after verification thereof through necessary medical and practical researches . The employer shall in turn notify the Labor Department thereof .

The physician undertaking the periodic examination may request the reexamination of any worker having contracted an occupational disease after a period shorter than the periodic period provided for in the first paragraph of the present Article , should he find that his condition so requires .

Article 96 –

The employer shall provide the workers with the medical care means in accordance with the standards determined by the Minister of Health and Social Affairs , and in conjunction with the Minister of Health .

Article 97 –

The Minister of Labor and Social Affairs , after the consultation of the Minister of Health , shall determine by virtue of decisions issued thereby the general precautions and health safety measures applied in all establishments employing workers , especially with regards to the safety measures , lighting , ventilation , food courts , drinking water , cleanliness and , the elimination of dust and smoke and the specification of the precautions to be taken against fire and electrical current .

Article 98 –

The employer or the representative thereof shall inform the worker upon the employment thereof of the hazards of the job and safety measures by which he must abide . He shall post detailed written instructions in this regard in the work place .

Article 99 –

Employers , agents thereof or any person with authority upon the worker may not bring or allow anyone to bring any type of alcoholic beverages to the workplace for consumption . Furthermore , they may not allow any person to enter into the establishment or remain therein while drunk .

Article 100 –

The worker shall abide by the orders and instructions related to industrial security and safety precaution . He shall use safety measures and commit to treat such devices in his possession with due care . The worker shall be prohibited from carrying out any actions entailing the non execution of the said instruction , the ill use of the means set for the protection of the health and safety of the workers , or the harm and destruction of such means .

The employer shall include in the disciplinary measures penalties inflicted upon every worker contradicting the provisions set in the preceding paragraph .

Article 101 –

Every employer with employees in remote areas not covered by regular means of transportation must provide them with the following services :

- 1 – Appropriate means of transportation .
- 2 – Proper residence .
- 3 – Drinking water .

4 – Adequate food .

5 – First aid means .

6 – Recreational and sports means .

The Minister of Labor and Social Affairs shall determine by virtue of a decision issued thereby the complete regions or parts thereof subject to the provision of the present Article .

With the exception of the food , the services referred to in the present Article shall be borne by the employer and the worker shall not be bound to bear any thereof .

TITLE SIX DISCIPLINARY RULES

Article 102 –

The disciplinary rules that may be inflicted by the employer or the representative thereof shall be :

1 – Warning .

2 – Fine .

3 – Suspension with reduced pay for a period not exceeding ten days .

4 – Deprivation from or deferment of periodic bonus in establishments containing a system for such bonuses .

5 – Deprivation from promotion in establishments applying a system for such promotion .

6 – Dismissal from work without prejudice to the end of service gratuity .

7 – Dismissal from work and deprivation from the total end of service gratuity or a part thereof . Such penalty shall not be inflicted for reasons other than the ones mentioned exclusively in Article 120 hereof .

Article 103 –

The disciplinary rules shall determine the cases where each disciplinary sanction set forth in the preceding Article shall be inflicted .

The Minister of Labor and Social Affairs shall issue , by means of a decision thereof , a model list of disciplinary rules and rewards to guide the employers in setting their own rules in this regard .

Article 104 –

The fine may be a specific amount or an amount equal to the wage of the worker for a specific period . The fine prescribed with regards to one breach may not exceed the wage of five days . Furthermore , for the settlement of the fines imposed on the worker , a maximum amount equal to the wage of five days may be deducted from the wage of the worker per month .

Article 105 –

Fines imposed on workers shall be recorded in a special register along with the cause and circumstances of imposition thereof as well as the name and wage of the worker . A special account shall be allocated therefore and the monthly proceeds thereof shall be used for the social welfare of the workers in accordance with the decisions issued by the Minister of Labor and Social Affairs in this regard .

Article 106 –

The penalty of deprivation of the periodic allowance may only be imposed once per year . Such allowance may not be deferred for more than six months .

Article 107 –

The penalty of deprivation of the promotion may not be imposed for more than one promotional cycle . The penalized worker shall be then promoted during the following promotional cycle should he meet the necessary conditions for such promotion .

Article 108 –

The financial differences from the deprivation of the promotion or allowance or the deferment thereof , of which the employer shall benefit , shall be registered in a special register along with the cause and circumstances of the imposition as well as the name and wage of the worker . A special account shall be allocated therefore and the monthly proceeds thereof shall be used for the social welfare of the workers in accordance with the decisions issued by the Minister of Labor and Social Affairs in this regard .

Article 109 –

No disciplinary sanction may be imposed on the worker for an act perpetrated thereby outside the work place , unless such act is connected to the work , the employer or the responsible manager . Furthermore , it shall not be permissible to impose more than one sanction or combine any disciplinary sanction with the deduction of any part of the wage of the worker in accordance with the provision of Article 61 hereof .

Article 110 –

It shall not be permissible to impose on the worker any of the sanctions set forth in Article 102 unless after the notification thereof in writing with regards to charges made against him , after having heard the worker and the defense thereof investigated , and after having recorded the matter in a minutes deposited in his personal file . The sanction shall be noted at the end of such minutes .

The worker shall be notified in writing of the sanctions imposed thereupon , the type and amount thereof , the causes of imposition and the sanction to be imposed in case of recidivism .

Article 111 –

The worker may not be accused of a disciplinary offense after thirty days of the discovery thereof . Furthermore , no disciplinary sanction may be imposed after sixty days from the date of the end of the investigation in the offence of which the worker is found guilty .

Article 112 –

As amended by Federal Law no . 12 dated 29/10/1986 :

The worker may be temporary suspended from work upon the charging thereof of a deliberate crime against life , property , honor , honesty or of carrying out a strike .

The suspension period shall commence on the date of the notification of the incident to the competent authorities and until the issuance of a decision thereby in such regard . The worker

shall not be entitled to his wage during the said suspension period . Should a decision be issued for the non – prosecution or the acquittal of the worker , the latter shall be reinstated and paid the full wage for the suspension period , should such suspension be arbitrary from the employer .

TITLE SEVEN TERMINATION OF EMPLOYMENT CONTRACT AND END OF SERVICE GRATUITY

CHAPTER ONE

TERMINATION OF EMPLOYMENT CONTRACT

Article 113 –

The employment contract shall be terminated in the following cases :

- Should the parties thereto agree to the termination thereof , provided that the consent of the worker is in writing .
- Should the specified term of the contract expire , unless the contract is explicitly or implicitly extended in accordance with the provisions hereof .
- Should a party to an employment contract with undetermined term wish the termination thereof , provided that such party abides by the provisions hereof related to the notification and the acceptable grounds for the termination of the contract in a non – arbitrary manner .

Article 114 –

The employment contract shall not be terminated with the death of the employer , unless the subject of the contract is related to the person thereof . However , the employment contract shall be terminated with the death or complete disability of the worker and such by virtue of a medical certificate approved by the competent health authorities in the State .

Should the worker with a partial disability be capable of performing other works that are consistent with his health condition , and should such works exist , the employer shall transfer the worker upon the request thereof to such a work , and pay him the wage normally paid to the workers with the same title , and such without prejudice to the rights and compensations due to the worker by virtue hereof .

Article 115 –

As amended by Federal Law no . 12 dated 29/10/1986 :

Should the employment contract be of a determined term , and the employer rescind same for reasons not set forth in Article 120 , he shall be bound to compensate the worker for the damage incurred thereto , provided that the compensation amount does not exceed in any case the total wage due for the period of three months or for the remaining period of the contract , whichever is shorter , unless otherwise stipulated in the contract .

Article 116 –

As amended by Federal Law no . 12dated 29/10/1986 :

Should the contract be rescinded by the worker for causes not set forth in Article 121 , the worker shall be bound to compensate the employer for the loss incurred thereto by reason of the rescission of the contract , provided that the amount of compensation does not exceed the wage of half a month for the period of three months , or for the remaining period of the contract , whichever is shorter , unless otherwise stipulated in the contract .

Article 117 –

1 – The employer and the worker may terminate the employment contract with undetermined term for valid grounds at any time subsequent to the conclusion of the contract , and such after notifying the other party thereof in writing at least thirty days prior to the termination thereof .

2 – With regards to day workers , the notice period shall be as follows :

a – One week should the worker have worked for a period of six months at least and one year at most .

b – Two weeks should the worker have worked for a period of one year at least .

c – One month should the worker have worked for a period of five years at least .

Article 118 –

The contract shall remain valid for the notice period referred to in the preceding Article , and shall be terminated with the expiry thereof . The worker shall be entitled to his complete wage for such period on the basis of the last paid wage . He must perform his job during said period should the employer so requires .

It shall not be permissible to agree on the exemption for the notice provision , or on the reduction of the period thereof . However , the agreement on the extension of such period shall be permissible .

Article 119 –

Should the employer or worker fail to notify the other party of the termination of the contract , or should such party reduce the notice period , the notifying party shall pay to the other party a compensation know as compensation in lieu of notice , even if such failure to notice or such reduction of the period does not cause damage to the other party . Such compensation shall be equal to the wage of the worker with regards to the entire notice period or the reduced part thereof . The compensation in lieu of notice shall be calculated on the basis of the last wage paid to the worker for the monthly , weekly , daily or hourly – paid workers , and on the basis of the average daily wage set forth in Article 57 hereof with regards to the payment per piece .

Article 120 –

The employer may dismiss the worker without prior notice in any of the following cases :

a – Should the worker assume false identity or nationality , or submits false certificates or documents .

b – Should the worker be appointed under probation , and the dismissal occur during or at the end of the probation period .

c – Should the worker commit an error resulting in colossal material losses to the employer , provided that the Labor Department is notified of the incident within 48 hours of the knowledge of the occurrence thereof .

d – Should the worker violate the instructions related to the safety at work or in the work place , provided that such instructions be written and posted in a prominent location , and that he is notified thereof should he be illiterate .

e – Should the worker fail to perform his main duties in accordance with the employment contract , and fail to remedy such failure despite a written investigation on the matter and a warning that he will be dismissed in case of recidivism .

f – Should he divulge any of the secret of the establishment where he works .

g – Should he be convicted in a final manner by the competent court in a crime of honor , honesty or public ethics .

h – Should he be found in a state of drunkenness or under the influence of a narcotic during work hours .

i – Should he assault during the work the employer , responsible manager or co – worker .

j – Should he be absent without valid cause for more than twenty non – consecutive days in one year , or for more than seven consecutive days .

Article 121 –

The worker may leave work without notice in the following cases :

a – Should the employer breach his obligations towards the worker , as set forth in the contract or the law .

b –

As amended by Federal Law no . 12dated 29/10/1986 :

Should the employer or the legal representative thereof assault the worker .

Article 122 –

The termination of the employment of the worker by the employer shall be deemed arbitrary should the cause of termination not be related to the work , in particular should the termination of the employment of the worker be made by reason of the filing by the latter of a serious complaint before the pertinent authorities or a valid claim against the employer .

Article 123 –

As amended by Federal Law no . 12 dated 29/10/1986 :

a – Should the worker be arbitrarily dismissed , the competent court may order the employer to pay a compensation to the worker . The court shall assess such compensation , taking into account the type of work and the extent of damage incurred to the worker as well as the duration of employment and after the investigation of the work conditions . In all cases , the amount of compensation shall not exceed the wage of the worker for a period of three months calculated on the basis of the last due wage .

b – The provisions of the preceding paragraph shall not breach the right of the worker to the gratuity entitled thereto and the compensation in lieu of notice provided for herein .

Article 124 –

The employer may not terminate the employment of the worker for his medical unfitness before the exhaustion thereby of the leaves legally due thereto . Any agreement to the contrary shall be deemed void even if concluded prior to the coming into force hereof .

Article 125 –

The employer shall give the worker , upon the request thereof and at the end of his contract , a certificate of end of service gratis in which the date of commencement and termination of the employment , the total duration of employment , the type of work performed , the last paid wage and supplements , if any , shall be mentioned .

The employer shall return any certificates , documents or tools belonging to the worker .

Article 126 –

Should a change occur in the form of the establishment or the legal headquarters thereof , the employment contracts valid at the time of the change shall remain valid between the new employer and the workers of the establishment The employment shall continue and the original and new employer shall be jointly liable for a period of six months for the execution of the obligations arising from the employment contracts during the period preceding the change . Upon the lapse of the said period , the new employer shall solely bear such liability .

Article 127 –

Should the work entrusted to the worker enable him to meet the clients of the employer or know the business secrets thereof , the employer may require from the worker not to compete with him or participate in any competing project upon the termination of the contract For the validity of such agreement , the worker shall be twenty one years old at least upon the conclusion thereof , and the agreement shall be limited , with regards to time , place and type of work , to the extent necessary for the protection of the legal interests of the employer .

Article 128 –

Should the non – national worker leave work without a valid cause prior to the end of the contract with definite term , he may not get another employment even with the permission of the employer for a year from the date of abandonment of the work . No employer may knowingly recruit the worker or retain in his service during such period .

Article 129 –

Should the non – national worker notify the employer of his desire to terminate the contract with undetermined term , and leaves work before the expiry of the legally prescribed notice period , he may not get another job , even with the permission of the employer and such for a period of one year from the date of abandonment of the work . No employer may knowingly recruit the worker or retain in his service during such period .

Article 130 –

Non – national workers obtaining prior to the employment in another job the consent of the Minister of Labor and Social Affairs in accordance with the authorization of the original employer shall be exempt from the provisions of Articles 128 and 129 .

Article 131 –

The employer shall , upon the termination of the contract , bear the expenses of repatriation of the worker to the location from which he is hired , or to any other location agreed upon between the parties . Should the worker , upon the termination of the contract , be employed by another employer , the latter shall be liable for the repatriation expenses of the worker upon the end of his service . Subject to the provisions of the preceding clause , should the employer not repatriate the worker and not pay the expenses of such repatriation , the competent authority shall do so at the expense of the employer . Such authority may recover such expenses by means of attachment .

Should the reason of the termination of the contract be attributable to the worker , the latter shall be repatriated at his own expense should he have the means therefore .

Article 131 – bis

Added by Federal Law no . 12 dated 29/10/1986 :

1 – In the implementation of the provisions of the preceding Article , repatriation expenses shall mean the price of the travel ticket as well as the rights of the worker stipulated in the employment contract or the regulations of the establishment with regards to the travel expenses of his family and the cost of shipping of his personal effects .

2 – In the event where the employer provides the worker with accommodation , the worker shall vacate the accommodation within thirty days from the date of termination of the employment thereof .

3 – The worker shall not delay the vacation of the accommodation beyond said period for any reason whatsoever , provided that the employer pays the worker the following :

a – Expenses provided for in clause 1 of the present Article .

b – End of service gratuities and any other entitlements undertaken by the employer in accordance with the employment contract , establishment policies or the law .

4 – Should the worker contest the amount of the said expenses and entitlements , the competent labor department shall specify such expenses and entitlement in an expedite manner within a week from the date of notification thereto , provided that it notifies the worker thereof upon their specification .

5 – In such case , the thirty – day period referred to in clause 2 of the present Article shall run as of the date of the deposit by the employer of the specified expenses and entitlements into the treasury of the Ministry of Labor with the knowledge of the Labor Department .

Should the worker not vacate the accommodation after the elapse of the said thirty – day period , the Labor Department shall cooperate with the pertinent authorities in the emirate to take the necessary administrative measures for the vacation .

6 – The provisions of the present Article shall not prejudice the right of the worker of contestation thereof before the competent court .

Article 131 – bis 1

Added by Federal Law no . 14 dated 17/10/1999 :

1 – The employer shall submit to the competent labor department a banking guarantee whose type , value , procedures of submission , companies and institutions to whom it applies and other provisions related thereto shall be determined by virtue of a cabinet decision . Such guarantee shall be allocated to the good execution of the obligations of the employer provided for in Article 131 and 131 (bis) hereof .

2 – The deduction of any sums from the banking guarantee referred to in paragraph 1 of the present Article shall be carried out in pursuance of a judicial ruling , and such with the exception of the following :

a – The expenses of repatriation of the worker to his country or to the location agreed upon with the employer .

b – Sums acknowledged by the employer before the competent Labor department as due to the worker .

In such cases , the Ministry may deduct such entitlements from the guarantee referred to in clause 1 of the present Article , and pay same to the worker in view of settling the prescribed rights .

CHAPTER TWO

END OF SERVICE GRATUITY

Article 132 –

As amended by Federal Law no . 12 dated 29/10/1986 :

The worker having spent one year or more in continuous service shall be entitled to an end of service gratuity upon the termination of his service . The days of absence from work without pay shall not be included in the calculation of the period of service , and the gratuity shall be calculated as follows :

1 – The wage of twenty one days for each of the first five years of service .

2 – The wage of thirty days for every additional year .

Always provided that the total gratuity does not exceed the wage of two years .

Article 133 –

The worker shall be entitled to a gratuity for the served fraction of a year , provided that he completes one year of continuous service .

Article 134 –

As amended by Federal Law no . 12 dated 29/10/1986 :

Without prejudice to the provisions of certain laws on the pensions and retirement benefits granted to workers in certain establishments , end of service gratuity shall be calculated on the basis of the last wage due to monthly , weekly and daily – paid workers , and on the basis of the average daily wage set forth in Article 57 hereof for the workers getting paid by piece . The wage used as a basis for calculating the end of service gratuity shall not include payments made to the worker in rem , housing , transport and travel allowance , overtime pay , representation allowance , cashier's allowances , children education allowance , allowances for recreational and social services , and any other bonuses or allowances .

Article 135 –

The employer may deduct from the end of service gratuity any amounts due to him by the worker .

Article 136 –

For the purposes of the Article 132 , cases of employment preceding the coming into force of the present Law shall not be deemed cases for which the worker is entitled to an end of service gratuity with the exception of cases involving nationals , and such without prejudice to any rights acquired by the worker by virtue of revoked labor laws , the employment contract or any agreement , regulations or by – laws of the establishment .

In the event of the worker's death , his end of service gratuity shall be paid to the beneficiaries thereof .

Article 137 –

Should the worker bound by an employment contract with undetermined term leave his work by his own choice after a continuous service of one year at least and three years at most , he shall be entitled to one – third of the end of service gratuity set forth in foregoing Article .

Should his continuous service be of three years at last and five years at most , he shall be entitled to two thirds of the said gratuity , and to the full gratuity should it exceed five years .

Article 138 –

Should the worker bound by an employment contract with determined term leave his work by his own choice prior to the expiry of the contract , he shall not be entitled to an end of service gratuity unless the duration of the service period exceeds five years .

Article 139 –

The worker shall be deprived of his end of service gratuity in the following two cases :

a – Should he be dismissed from service for any of the reasons set forth in Article 120 hereof or should he leave his employment in view of avoiding the dismissal therefrom in accordance with the said Article .

b – Should he leave his employment of his own accord , and without notice in cases other than the ones set forth in Article 121 hereof , and such with regards to contracts with undetermined term , or prior to the completion of five years of continuous service with regards to contracts with determined term .

Article 140 –

Should the establishment have a saving fund for the workers , and the rules of the fund stipulate that the sums deposited into the fund on behalf of the worker is in return for the legal obligation with regards to the end of service gratuity , the saved amount or the duly due gratuity shall be paid to the worker , whichever is greater .

Should the rules of the fund not stipulate that the amounts paid by the employer are in return for his legal obligation with regards to the end of service gratuity , the worker shall receive the amounts due to him from the saving fund in addition to the statutory end of service gratuity .

Article 141 –

Should the establishment have a retirement system , an insurance or any similar scheme , the worker entitled to a pension may choose between such pension , the prescribed gratuity or the money entitled thereto from the retirement system or under the insurance scheme , whichever is better .

TITLE EIGHT COMPENSATIONS FOR OCCUPATIONAL INJURIES AND DISEASES

Article 142 –

Should the worker contract any of the occupational injuries or diseases listed in Schedules 1 and 2 enclosed herewith , the employer or the representative thereof shall notify the incident immediately to the police and to the Labor Department or a branch thereof within whose jurisdiction the work place is located .

Such notification shall include the name , age , occupation , address and nationality of the worker , a synopsis and circumstances of the incident and the medical aid or treatment provided .

Upon the receipt of the notification , the police shall carry out the necessary investigations and records in a minutes the statements of the witnesses , the employer or the representative thereof , and the injured , should his state so allows . Such minutes shall indicate in particular whether the accident is occupational , deliberate , or arises from gross misconduct of the worker .

Article 143 –

Upon the completion of the investigations , the police shall send a copy of the minutes to the Labor Department and another to the employer . The Labor Department may request that the investigation be pursued , or directly conduct such investigation itself , if necessary .

Article 144 –

In cases of occupational injuries or diseases , the employer shall undertake to pay the cost of the treatment of the worker in a governmental or private local medical center until his recovery or proven disabled . Such treatment shall include costs of hospitalization or stay at a sanatorium , surgeries , x – rays and medical analyses , medicines and rehabilitation equipments , and the supply of artificial limbs and other prosthetic appliances when disability is

established . Furthermore , the employer shall pay the cost of any transport required with regards to the treatment of the worker .

Article 145 –

Should the injury prevent the worker from performing his work , the employer shall pay him an allowance that is equal to a full wage for the entire period of treatment , or for a period of six months , whichever is shorter . Should the duration last for more than six months , the allowance shall be reduced by half and such for the following six months or until the worker fully recovers , is declared disabled , or dies , whichever occurs first .

Article 146 –

The allowance referred to in the foregoing Article shall be calculated on the basis of the last wage due to monthly , weekly , daily and hourly – paid workers , and on the basis of the average daily wage set forth in Article 57 hereof for the workers getting paid by piece .

Article 147 –

Upon the end of the treatment , the treating physician shall set a report in two copies , one delivered to the worker and the other to the employer . Such report shall include the type , cause , date of occurrence of the injury , and the extent to which such injury is work related and the duration of treatment therefrom , whether it resulted in permanent or other disability , the degree of disability , if any , whether it is total or partial , and the extent to which the disabled worker is capable of resuming work despite the disability .

Article 148 –

Should a dispute arise with regards to the fitness of the worker for service or the degree of disability or any other matters related to the injury or the treatment , such matter shall be referred to the Ministry of Health via the competent Labor Department . The Ministry of Health , upon the receipt of such a dispute , shall form a medical committee of three government physicians to determine the fitness of the worker for service , the degree of disability or any other matter related to the injury or treatment .

The committee may request the assistance of any experts , The decision of the committee shall be final and shall be submitted to the Labor Department in view of taking the necessary measures for the implementation thereof .

Article 149 –

Should the occupational injury or disease cause the death of a worker , the members of the family thereof shall be entitled to compensation equal to the basic wage of the worker for twenty four months , provided that the amount of compensation is not less than eighteen thousand Dirhams or more than thirty five thousand Dirhams . The amount of compensation shall be calculated on the basis of the last wage received by the worker prior to his death . The compensation shall be distributed among the beneficiaries of the deceased worker in accordance with the provisions of the schedule enclosed herewith .

In the implementation of the provisions of the present Article , the expression " the family of the deceased worker " shall mean the persons who totally or mainly depend for their subsistence of the wage of the deceased worker at the time of his death . Such persons shall be :

a – The widow (s).

b – The children , namely :

1 – Sons under 17 years of age , under 24 years of age regularly enrolled in academic institutions , and sons who are mentally or physically incapacitated in such an extent that they are unable to earn their own living . The term " sons " shall include the sons of the husband or the wife dependent on the deceased worker at the time of his death .

2 – Unmarried daughters including also unmarried daughters of the husband or the wife dependent on the deceased worker at the time of his death .

c – The parents .

d – The siblings in accordance with the conditions set for the sons and daughters .

Article 150 –

Should the occupational injury or disease partially disables the worker in a permanent manner , the worker shall be entitled to compensation in accordance with the rates set in the schedules enclosed herewith , multiplied by the value of the death compensation set forth in the first paragraph of the preceding Article , as the case may be .

Article 151 –

The amount of compensation due to the worker in case of permanent total disability shall be equal to the amount due in the event of his death .

Article 152 –

Whenever necessary and with the consent of the Minister of Health , the Minister of Labor may amend the schedule no . 1 on the occupational diseases , and schedule no . 2 on the disability compensation assessment enclosed herewith .

Article 153 –

The injured worker shall not be entitled to a compensation for the injury or disability not causing death , should it be proven in the investigations of the competent authorities that the worker deliberately injured himself with the intention of committing suicide or of obtaining a compensation , a sick leave or otherwise , should the worker be at the time of the incident under the influence of drugs or alcohols , should the worker intentionally breach the safety instructions posted in prominent locations in the workplace , should his injury or disability result from a gross and deliberate misconduct on his part ; or should he refuse for no serious reason to undergo medical examination or treatment ordered by a medical committee formed in pursuance to the provisions of Article 148 .

In such cases , the employer shall not be required to treat the worker or pay any allowance thereto .

TITLE NINE COLLECTIVE LABOR DISPUTES

Article 154 –

The collective labor disputes shall be any dispute arising between an employer and the workers thereof , whose subject is related to the common interest of all or some of the workers in an establishment , a profession or a craft , or a professional sector .

Article 155 –

Should a dispute occur between one or more employers and all or some of the workers thereof , and both parties fail to settle it amiably , they shall follow the following procedures :

1 – The workers shall submit their complaint or claim in writing to the employer , and shall send at the same time a copy thereof to the Labor Department .

2 – The employer shall reply in writing to the complaint or claim of the workers within seven working days as of the date of the receipt thereof . He shall at the same time send a copy thereof to the Labor Department .

3 – Should the employer fail to reply to the complaint within the set period , or should the reply thereof not lead to the settlement of the dispute , the competent Labor Department shall , either at its own initiative or upon the request of a party to the dispute , mediate an amicable settlement .

4 – Should the claimant be the employer , his complaint shall be submitted directly to the Labor Department which shall mediate an amicable settlement .

Article 156 –

Should the mediation of the competent Labor Department not lead to the settlement of the dispute within ten days from the date of its knowledge of the dispute , the Department shall

refer the dispute to the competent conciliation committee for the settlement thereof , and shall notify the parties thereof .

Article 157 –

A conciliation committee shall be formed in every Labor Department by virtue of a decision issued by the Minister of Labor and Social Affairs .

Article 158 –

Each party to the dispute shall follow – up the dispute before the conciliation committee until a settlement is reached . The committee shall issue its decision by the majority of votes , and such within two weeks from the date of the referral of the dispute thereto .

Such decision shall be binding to both parties should they agree in writing before the committee to accept the decision thereof . Should the parties fail to reach such an agreement , any or both thereof may appeal against the decision of the committee before the Supreme Arbitration Committee and such within thirty days from the date of the issuance of the decision , otherwise the decision shall be deemed final and enforceable .

Article 159 –

The rescission of the employment contract or the dismissal of the representatives of the workers which are members of the conciliation committee shall not prevent from the continuation by such representatives of the exercise of their task , unless the workers elect other representatives .

Article 160 –

A Supreme Arbitration Committee shall be formed in the Ministry of Labor and Social Affairs for the settlement of collective labor disputes . Such committee shall be composed as follows :

1 – The Minister of Labor and Social Affairs as chairman . The Undersecretary or Director General of the Ministry shall replace the Minister in the event of his absence .

2 – A judge of the Federal Supreme Court appointed as member by virtue of a decision issued by the Minister of Justice upon the nomination of the general assembly of the Court .

3 – A highly experienced person in the field of work , known for his objectivity , appointed as member by virtue of a decision issued by the Minister of Labor and Social Affairs .

Two alternate members may be appointed from the same categories of the two principal members , to take their place in the event of their absence or inability to serve .

Principal and alternate members shall be appointed for a renewable period of three years , and such by the same means of appointment .

Article 161 –

The Supreme Arbitration Committee shall have jurisdiction to settle in a final and conclusive manner all disputes referred thereto by the parties concerned . The decisions thereof shall be taken by the majority and shall be grounded .

Article 162 –

The Council of Ministers shall , upon the proposal submitted by the Minister of Labor and Social Affairs after consultation with the Minister of Justice , issue a decision regulating the litigation proceedings and any other rules necessary for the efficient progress of work of the Conciliation Committee and the Supreme Arbitration Committee in view of settling the collective labor disputes .

In view of carrying out the functions thereof , such committees shall be entitled to peruse papers , documents , records and other evidence and compel the custodians thereof to submit same to them , to enter the establishment and conduct required investigation and take necessary measures for the settlement of the dispute .

Article 163 –

As amended by Federal Law no . 12dated 29/10/1986 :

None of the litigant parties to a dispute which final decision is rendered by a committee set forth in the present Title may file such dispute again , except with the mutual agreement of the two parties concerned .

Article 164 –

The committees set forth in the present Title shall apply the provisions hereof , the effective laws , the provisions of Islamic law , and any rules of customary law and principles of equity , natural law and comparative law consistent therewith .

Article 165 –

The decisions of the Supreme Arbitration Committee for the settlement of collective labor disputes shall be applied in collaboration with competent authority of each emirate .

TITLE TEN LABOR INSPECTION

Article 166 –

Labor inspection shall be carried out by specialized inspectors affiliated to the Ministry of Labor and Social Affairs . They shall have the powers and jurisdictions set forth herein .

Labor inspectors shall carry cards stating their capacity , issued thereto by the Ministry of Labor and Social Affairs .

Article 167 –

Each labor inspector shall have jurisdiction to carry out the following :

a – Supervise the proper compliance with the provisions hereof , namely the provisions related to employment terms , wages and protection of workers during the performance of their work , and matters related to the health and safety of workers and the employment of youths and women .

b – Grant the employers and workers the technical information and instructions that enable them to adopt the good measures in view of the execution of the provisions of the law .

c – Notify the competent authorities of any lacks that the effective provisions fail to address , and suggest the necessary measures therefore .

d – Record violations of hereof , the regulations and decisions issued in application thereof .

Article 168 –

Prior to their assumption of their duties , labor inspectors shall take oath before the Minister of Labor and Social Affairs that they will respect the law , perform their duties honestly and faithfully , and not divulge any industrial secret , patent right or other secrets that come to their knowledge in the course of their duties even after leaving the service . Complaints referred

thereto shall be treated with absolute confidentiality , and shall not be divulged to the owner or the representative thereof .

Article 169 –

Employers and representatives thereof shall provide inspectors entrusted to carry out labor inspection with the necessary facilities and information for the performance of their duties and shall respond to any summons by appearing personally or sending representatives , if so requested .

Article 170 –

A labor inspector may take any of the following measures :

1 – To enter any establishment subject to the provisions hereof at any hour of the day or night without prior notice , provided that it is within the working hours .

2 – To carry out any examination or investigation necessary to verify due compliance with the Law . More particularly , he may :

a – Interrogate the employer or the workers , either privately or in the presence of witnesses , about any matters related to compliance with the provisions hereof .

b – Peruse and obtain copies and extracts of all documents required to be kept in accordance herewith and the decisions issued in application thereof .

c – Take sample (s) of materials used in industrial or other operations subject to inspection , where such materials are suspected to have a harmful effect on the health or safety of the workers , and such for the purpose of the analysis thereof in official laboratories and ascertaining the degree of impact . He shall then notify the employer or the representatives thereof of the result , and take necessary measures in this regard .

d – Ensure that notices and announcements are posted at the workplace as required by this Law .

Should the inspection be related to health aspects of work , the inspector shall , upon the consent of the head of the competent labor department , be accompanied by a specialized physician from the Ministry of Health or a physician appointed for the purpose .

Article 171 –

The Minister of Labor and Social Affairs shall issue the executive regulations necessary for the regulation of the inspection operations set forth in the preceding Article .

Article 172 –

Without prejudice to the provisions of Article 169 , any person carrying out an inspection shall notify the employer or the representative thereof of his arrival , unless he considers that the inspection mission requires otherwise .

Article 173 –

The labor inspector may require employers or the representatives thereof , in view of ensuring the compliance with the provisions regarding health and safety of workers , to make alterations to the installations or tools used in their facilities , within such timeframe determined thereby . In addition , he may , in the event of an imminent threat to the health or safety of the workers , require the adoption of such measures , as he deems necessary to avert such threat forthwith .

Article 174 –

Should the inspector , in the course of inspection , establishes the occurrence of any violation hereto , of its executive regulations or decisions issued in application thereof , he shall draw a minutes in which he establishes the violation . Such minutes shall be submitted to the competent labor department to enable it to take the necessary action against the violator .

Article 175 –

A labor inspector may , if need be , request the competent administrative authorities and the police to provide any necessary assistance .

Should the inspection be related to health aspects of work , the inspector shall , upon the consent of the head of the competent labor department , be accompanied by a specialized physician from the Ministry of Health or a physician appointed for the purpose .

Article 176 –

The chief labor inspector in the area shall draw a monthly report with regards to the labor inspection activities , inspection aspects , establishments inspected , and number and types of violations committed . He shall also draw an annual report with regards to inspection in the region , containing the results and effects of inspection in addition to his comments and proposals . Copies of the monthly and annual reports shall be sent to the Labor Department .

Article 177 –

The Ministry of Labor and Social Affairs shall draw an annual report on inspection activities in the State , containing all matters related to the Ministry's supervision of the implementation of the Labor Law and , in particular , the following matters :

- 1 – The provisions regulating the inspection .
- 2 – The officials in charge of inspection .
- 3 – Statistics of the establishments subject to inspection , number of workers employed therein , the number of inspection visits and tours made by the inspectors , the violations committed and penalties imposed , and the occupational injuries and diseases .

Article 178 –

The Ministry of Labor and Social Affairs shall set forms for violation reports , inspection records , reminders and warnings . It shall also set the necessary rules for the maintenance and use of such forms , and shall circulate them to the Labor Departments in various regions .

Article 179 –

Subject to priority right given to nationals in the employment and in addition to the general conditions related to the appointment of employees , labor inspectors shall :

- 1 – Be completely impartial .
- 2 – Have no direct interest in the establishments they inspect .
- 3 – Pass a special test of professional ethics after having completed a period of training of at least three months .

Article 180 –

Special sessions for training labor inspectors particularly shall be held by the Ministry of Labor and Social Affairs . Such sessions shall observe the training of inspectors in a special manner as follows :

- 1 – Rules of regulation of inspection visits , and the contact of employers and workers .
- 2 – Rules of auditing of records and books .
- 3 – Rules of guidance of employers on how to interpret legal texts and the advantages of applying such texts and assisting them in doing so .
- 4 – Basic rules in industrial technology and means of protection against occupational injuries and diseases .
- 5 – Basic rules in production efficiency and its connection with the provision of favorable conditions for performance of work .

TITLE ELEVEN SANCTIONS

Article 181 –

As amended by Federal Law no . 8 dated 13/11/2007 :

Without prejudice to any severer penalty provided for in any other law , shall be sentenced to imprisonment and to a fine amounting to ten thousand Dirhams at least , or to either penalties :

1 – Whoever breaches any imperative provision hereof , or the executive regulations or decisions issued in application thereof .

2 – Whoever hinders or prevents , or attempts to stop any official entrusted with the implementation of the provisions hereof or the executive regulations or decisions issued in application thereof , from performing his duties , whether through actual or threatened use of force or violence .

3 – Every official entrusted with implementation of the provisions hereof , who divulges , even after termination of his services , any work secret , patent right , or other work method that came to his knowledge in his capacity as such official .

Article 181/1 –

Added by Federal Decree – Law no . 8 dated 13/11/2007 :

1 – Subject to the provisions mentioned in the law of entry and residence of foreigners , and without prejudice to any severer sanction imposed by any other law , shall be sentenced to a fine amounting to fifty thousand Dirhams :

a – Whoever employs a foreigner subject to the provisions of the Labor Law , without obtaining a work permit .

b – Whoever closes down or ceases the activity completely without the settlement of the insured persons .

2 – The sentence shall be imprisonment and a fine amounting to fifty thousand Dirhams in case of recidivism of any of the crimes provided for in the present Article .

3 – The sponsor who notifies the fleeing of his sponsored shall receive a compensation amounting to five thousand Dirhams deducted from the fine imposed by court order . The price of the travel ticket of the sponsored shall also be deduced from the fine .

Article 181/2 –

Added by Federal Decree – Law no . 8 dated 13/11/2007 :

1 – Every owner of an establishment employing a foreigner not based on his guarantee , or leaves him without work , or makes him work for a third party without the commitment to conditions and situations set for the transfer of the sponsorship or without the receipt of the appropriate statement thereof shall be sentenced to a fine amounting to fifty thousand Dirhams .

The sentence shall be imprisonment and a fine amounting to 50.000 Dirhams in case of recidivism .

2 – Every owner of an establishment employing or harboring a fugitive shall be sentenced to imprisonment for a period of two months at least and a fine amounting to one hundred thousand Dirhams .

3 – The owner of the establishment shall be exempt form the set penalty should it be proven that he did not know of the incident of the crime . Whoever carries out the employment or harboring of the fugitive shall be punished by the decided incarceration penalty , and the establishment shall pay the determined fine .

4 – The crimes stipulated in this Article shall be excepted from the provisions of the alternating circumstances provided for in the Penal Law .

Article 182 –

As amended by Federal Decree – Law no . 8 dated 13/11/2007 :

A number of fines shall be imposed on the employer in accordance with the number of workers against whom and infringement is made , with a maximum of 5,000.000 Five Million Dirhams .

Article 183 –

In the event of recidivism in the perpetration of a crime prior to the lapse of one year form the date of the judgment of the court in a crime similar thereto , the penalty may be doubled .

Article 184 –

Subject to Articles 34,41 and 126 , penal proceedings shall be initiated against the responsible manager of the establishment ; it may also be initiated against the owner of the establishment should there be reason to believe that the owner is aware of the facts constituting the offence .

Article 185 –

Should the employer fail to fulfill his obligations under the present Law , the Labor Department concerned may issue an order specifying the violation committed and instructing the employer to remedy such violation within a specific period starting from the date of the notification by the employer . Should the violation not be remedied within the specified period , the said department shall carry out the required remedial activities at the employer's expense and recover such expenses by way of attachment .

Article 186 –

In the implementation of the present provisions hereof , its executive regulations and decisions issued in execution thereof , the Labor Department shall , to the extent possible , refrain from initiating penal action until it extends advice and guidance to employers and workers who commit violations against the Law and , when necessary , issues them written warning to remedy such violations .

TITLE TWELVE FINAL PROVISIONS

Article 187 –

The Minister of Labor and Social Affairs shall , by virtue of a decision issued thereby , assign Labor Departments and offices thereof entrusted with the implementation hereof and specifying their territorial jurisdiction .

Article 188 –

The heads of Labor Departments and inspectors of the inspection sections in the Ministry of Labor and Social Affairs shall have the capacity of judicial investigation officers for the application hereof and the executive regulations and decisions issued in execution thereof .

Article 189 –

Every provision conflicting with the provisions hereof shall be abrogated .

Article 190 –

Without prejudice to the cases exempted from fees as specified herein , the Minister of Labor shall issue a decision determining the fees due for the issuance of licenses for employment agencies , employment visas and work permits and for renewal and the issuance of copies of such and other documents provided for herein ; provided that the fee does not exceed five hundred Dirhams .

Article 191 –

The Cabinet , upon the proposal of the Minister of Labor and Social Affairs , may adopt any rules that are more favorable to National workers .

Article 192 –

The Minister of Labor and Social Affairs shall issue necessary decisions for the implementation of the provisions hereof , and the ministers , each within his relevant jurisdiction , shall implement the provisions hereof .

Article 193 –

The present Law shall be published in the Official Gazette and shall come into force sixty days after the date of publication thereof .

Promulgated by Us at the Presidential

Palace in Abu Dhabi

On 6 Jumādā al – Akhir 1400 H .

Corresponding to 20 April 1980

Zayed Bin Sultan Al Nahyan

President of the United Arab Emirates State