UNITED ARAB EMIRATES

FEDERAL LAW NO 8, FOR 1980
ON
REGULATION OF LABOUR RELATIONS

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UNITED ARAB EMIRATES
MINISTRY OF LABOUR AND SOCIAL AFFAIRS

FEDERAL LAW NO 8, FOR 1980,
ON
REGULATION OF LABOUR RELATIONS

We, Zayed Bin Sultan Al Nahyan, President of the United Arab Emirates;

After having reference to the Constitution;

And to Law No. 1 for 1972, on the functions of the Ministries and the powers of the Ministers, and amending laws thereof;

And based on the submission of the Minister of Labour and Social Affairs, the approval of the Council of Ministers and the Federal National Council, and ratification by the Supreme Council;

ISSUE THE FOLLOWING LAW

CHAPTER I

DEFINITIONS AND GENERAL PROVISIONS

1. Definitions [1]

2. Article 1

For the purpose of this law, the following terms and expressions shall have the meanings herein assigned to them, unless the context requires otherwise:

"Employer":
Any natural or legal person employing one or more workers in return for any kind of wage.

"Worker":
Any male or female working, for wage of any kind, in the service or under the management or control of an employer, albeit out of his sight. This term applies also to labourers and employees who are in an employer's service and are governed by the provisions of this Law.

"Firm":
Any economic, technical, industrial or commercial unit where personnel are employed and whose objective is to produce or market commodities or to provide services of any kind.

"Employment Contract":
Any agreement, for a definite or indefinite term, concluded between an employer and an employee, whereby the latter undertakes to work in the employer's service and under his management and control, in return for a certain wage that the employer undertakes to pay.

[1] ***Translator's Note***: All references to the masculine gender in this translated text shall be regarded as references to the feminine and neuter genders as well. Similarly, references to nouns and pronouns in singular form shall equally denote the plural form.

"**Work**":

Any human effort- intellectual, technical or physical- exerted in return for wage, irrespective of whether such work is permanent or temporary;

"**Temporary work**":

An assignment that has to be carried out within a specified period of time.

"**Agricultural work**":

Work involving ploughing, cultivation, harvesting, or breeding of cattle, poultry, silkworms, bees and the like.

"**Continuous service**":

An uninterrupted service with the same employer or his legal successor, from the service commencement date.

"Wage":

Any consideration, in cash or in kind, given to a worker, in return for his service under an employment contract, whether on yearly, monthly, weekly, daily, hourly, piece meal, output or commission basis.

The wage shall include the cost of living allowance. It shall also include any grant given to a worker as a reward for his honesty or efficiency, provided such amounts are stipulated in the employment contract or in the firm's internal regulations or are being so customarily granted that the firm workers regard them as part of their wage and not as donations.

"**Basic wage**":

The wage specified in a valid employment contract, exclusive of any allowances whatsoever.

"**Occupational injury**"

Any of the work-related diseases listed in the schedule attached hereto or any other injury sustained by a worker during and by reason of carrying out his duties. Any accident sustained by a worker on his way to or back from work shall be considered an occupational injury, provided that the journey to and from work is made without any break, lingering or diversion from the normal route.

"Labour Department":

The branches of the Ministry of Labour and Social Affairs that are in charge of labour affairs in the emirates of the Federation.

2. General Provisions

Article 2

Arabic shall be the language to be used in all records, contracts, files, data, etc. provided for in this Law or in any orders or regulations issued in implementation thereof. Arabic shall also be used in instructions and circulars issued to employees by their employer. Where the employer besides Arabic uses a foreign language, the Arabic version shall prevail.

Article 3

The provisions of this Law shall not apply to the following categories:

a. Employees of the Federal Government and of governmental departments of the emirates of the Federation, employees of municipalities, other employees of federal and local public authorities and corporations, as well as employees who are recruited against federal and local governmental projects.

b. Members of the armed forces, police and security.

c. Domestic servants employed in private households, and the like.

d. Farming and grazing workers, other than those working in agricultural establishments that process their own products, and those who are permanently employed to operate or repair mechanical equipment required for agricultural work.

Article 4

Any payments due to an employee or his beneficiaries hereunder shall constitute a first priority charge on all the employer's moveable and immovable property, and shall be paid immediately upon settlement of any legal expenses, sums due to the public treasury and Sharia's alimony awarded under Islamic Law to the wife and children.

Article 5

Actions initiated by employees or their beneficiaries under this Law shall be exempt from court fees at all stages of litigation and execution, and shall be dealt with in an expeditious manner. Upon non-admission or dismissal of a case, the court may order the plaintiff to pay all or part of the expenses.

Article 6

Without prejudice to the rules provided for under this Law concerning collective labour disputes, if the employer, the worker or any beneficiary thereof disputes any of the rights provided for any of them under this Law, he shall file an application to the competent Labour Department, which shall summon both parties and take whatever action it deems necessary to settle the dispute amicably.

If no such amicable settlement is reached, the said Department shall, within two weeks from the date of application, refer the dispute to the competent court under a memorandum containing a summary of the dispute, the arguments of both parties, and the Department's comments. The court shall, within three days from date of receiving the application, fix a hearing date and notify the parties accordingly. The court may summon a representative of the Labour Department to explain the content of the memorandum submitted by it.

In all cases, no claim for any of the rights provided for in this Law shall be heard if brought to court after the lapse of one year from the date of accrual, nor shall any claim be admitted if the procedures stated in this Article are not complied with.

Article 7

Any conditions contrary to the provisions of this Law, albeit precedent to the date of effectiveness, shall be null and void unless they are more advantageous to the worker.

Article 8

The periods and dates referred to herein shall be calculated according to the Gregorian calendar. For the purpose of this Law, a calendar year is regarded as 365 days, and a calendar month as 30 days, unless otherwise specified in the employment contract.

CHAPTER II
EMPLOYMENT OF WORKERS CHILDREN AND WOMEN

SECTION I
Employment of Workers

Article 9

Work is an inherent right of the Nationals of the United Arab Emirates. Non-nationals may not engage in any work within the State except in accordance with the conditions stipulated in this Law and its executive orders.

Article 10

Where National workers are not available, preference in employment shall be given to:

1- Workers of other Arab nationalities.
2- Workers of other nationalities.

Article 11

There shall be established within the Labour Department a section for the employment of Nationals, which shall assume the following functions:

a. Procuring employment opportunities suitable for nationals.

b. Assisting employers by supplying their demand of National workers when needed.

c. Registering Nationals who are unemployed or seeking better employment in a special register. Such registration shall be made at the applicant's own request. Each registered jobseeker shall be issued, free of charge, a certificate of registration on the day of application. A registration certificate shall be assigned a serial number and shall contain the applicant's name, age, and place of residence, occupation, qualification and past experience.

Article 12

Employers may recruit any unemployed National and shall, in such a case, notify the Labour Department in writing within 15 days from recruitment date. Such notification shall specify the employee's name and age, the date of employment, the specified wage, the type of work assigned to him, and the number of his registration certificate.

Article 13

Non-Nationals may not be employed in the United Arab Emirates without the prior approval of the Labour Department and before first obtaining an employment permit in accordance with the procedures and regulations laid down by the Ministry of Labour and Social Affairs. Such permit shall not be granted unless the following conditions are fulfilled:

(a) That the worker possesses professional competence or educational qualification the country is in need of.

(b) That the worker has lawfully entered the country and satisfied the conditions prescribed in the residence regulations in force.

Article 14

The Labour Department may not give its approval to the employment of non-Nationals until it is satisfied that there are no unemployed Nationals registered with the employment section who are capable of performing the work required.

Article 15

The Ministry of Labour and Social Affairs may cancel a work permit granted to a non-National in the following cases:

(a) If the worker remains unemployed for more than three consecutive months.

(b) If the worker no longer meets one or more of the conditions on the basis of which the permit was granted.

(c) If it is satisfied that a particular National is qualified to replace the non-National worker, in which case the latter shall remain in his job until the expiry date of his employment contract or of his employment permit, whichever is earlier.

Article 16

There shall be established within the Ministry of Labour and Social Affairs a special section for the employment of non-Nationals, whose functions shall be specified in a ministerial resolution.

Article 17

It shall not be permissible for any natural or legal person to serve as agent for recruitment or supply of non-National workers unless he is duly licensed to do so. Such a licence may only be issued to Nationals and in cases where its issue is considered necessary, and it shall be issued by order of the Minister of Labour and Social Affairs.

A license shall be valid for a renewable period of one year, and the licensee shall be subject to the Ministry's supervision and control. No such a licence shall be granted if a placement office affiliated to the Ministry or to an authority approved by the Ministry is already operating in the area and is able to act as an intermediary in the supply of labour.

Article 18

No licensed employment agent or labour supplier shall demand or accept from any worker, whether before or after the latter’s admission to employment, any commission or material reward in return for employment, or charge him for any expenses thereby incurred, except as may be prescribed or approved by the Ministry of Labour and Social Affairs.

Persons supplied by an employment agent or labour supplier shall, immediately upon assuming employment, be regarded as employees of that employer and shall have all the rights of the employees of the firm in which they are employed. They shall relate directly with their employer, without any involvement on the part of the employment agent, whose function and relationships with them shall cease as soon as they are supplied to and employed by the employer.

Article 19

The Minister of Labour and Social Affairs shall prescribe, by virtue of ministerial resolutions, the rules, procedures and forms to be adhered to by private and public employment agencies, the manner of coordination of the activities of these agencies, and the conditions for licensing private employment agencies and labour suppliers. The Minister shall also issue resolutions prescribing the occupational classification tables, which shall serve as a basis for recruitment.

SECTION II

Employment of Children

Article 20

It shall not be allowed to employ children under the age of 15.

Article 21

Before employing a child, an employer shall obtain the following documents and keep them in his personal file:

1- A birth certificate, or an official extract thereof, or age estimation certificate, to be issued by a competent medical officer and authenticated by the competent health authorities.

2- A certificate of medical fitness for the required work issued by a competent medical officer and duly authenticated.

3- A written consent from the child’s guardian or trustee.

Article 22

The employer shall keep at the workplace a special register of children, showing each child’s name and age, full name of his guardian or trustee, the child’s place of residence and date of employment, and the job on which he is employed.

Article 23

No child shall be made to work at night in an industrial enterprise. The term "at night" refers to a period of not less than twelve consecutive hours, including the period from 8 p.m. to 6 a.m.

Article 24

No child shall be employed on any job that is hazardous or detrimental to health, as defined in a resolution by the Minister of Labour and Social Affairs, after consulting the concerned authorities.

Article 25

The maximum working hours for children shall be six a day, intercepted by one or more breaks for rest, food or prayer, which shall amount in aggregate to not less than a full hour. Such break(s) shall be so arranged that no child shall work for more than four successive hours. No child shall remain at the workplace for more than seven successive hours.

Article 26

Children shall under no circumstances be required to work overtime, or to remain at the workplace after their prescribed working hours, or be employed on a rest day.

SECTION III
EMPLOYMENT OF WOMEN

Article 27

No women shall be required to work at night. The term "at night" refers to a period of not less than eleven successive hours, including the period from 10 p.m. to 7 a.m.

Article 28

The prohibition of night work for women shall not apply in the following circumstances:

(a) Where work in the firm is disrupted by a force majeure.

(b) Executive managerial and technical staff.

(c) Work in such health services and other business as may be specified in a resolution by the Minister of Labour and Social Affairs, if the female worker is not normally engaged in manual work.

Article 29

No women shall be employed on any job that is hazardous, arduous or physically or morally detrimental or on any other work as may be specified in a resolution by the Minister of Labour and Social Affairs, after consulting the concerned authorities.

Article 30

A female worker shall be entitled to maternity leave with full pay for a period of forty five days, including both pre and post natal periods, provided that she has completed not less than one year of continuous service with her employer. A female worker who has not completed the aforesaid period of service shall be entitled to maternity leave with half pay.

A female worker who has exhausted her maternity leave may be absent from work without pay for a maximum period of 100 consecutive or non-consecutive days if such absence is due to an illness preventing her from resuming her work. A medical certificate issued by a duly authorized medical institution or authenticated by the competent health authority confirming that the illness is a result of pregnancy or delivery shall document such illness. The leave provided for in the preceding two paragraphs shall not be deducted from other leave periods.

Article 31

During the 18 months following her delivery, a female worker nursing her child shall, in addition to any prescribed rest period, be entitled to two additional breaks each day for this purpose, neither of which shall exceed half an hour.

These two additional breaks shall be considered as part of the working hours and shall not entail any reduction of wage.

Article 32

A female wage shall be equal to that of a male if she performs the same work.

SECTION IV
Rules Common to
Employment of Children and Women

Article 33

The Minister of Labour and Social Affairs may resolve that charitable and educational institutions be exempted from all or some of the provisions of the preceding two Sections of this Chapter, if the objective of such institutions is to provide vocational training or education for children or women, and provided that the internal regulations of such institutions shall specify the nature of activities undertaken by children and women at these institutions, and their employment terms and working hours, in a manner that is not incongruent with the actual endurance of children and women.

Article 34

The following persons shall be held punitively responsible for observance of the provisions of Sections II and III of this Chapter:

a. Employers or their representatives.

b. A child's guardian or trustee, a woman's husband or guardian, or a minor woman's trustee - who consents to the employment of children or women contrary to the provisions of this Law.

CHAPTER III

EMPLOYMENT CONTRACTS, RECORDS AND WAGES

SECTION I

Individual Employment Contracts

Article 35

Subject to the provisions of Article 2, an employment contract shall be written in duplicate, with one copy to be delivered to the worker and the other to the employer. In the absence of written contract, adequate proof of its terms may be established by all admissible means of evidence.

Article 36

An employment contract shall particularly specify the date of its conclusion, the date on which work is to begin, the type and place of the work, the duration of the contract, (if definite) and the amount of the wage.

Article 37

A worker may be employed on probation for a period not exceeding six months, during which the employer without notice or severance pay may terminate his services. A worker shall not be placed on probation more than once with the same employer. Where a worker successfully completes the period of probation and continues in employment, the said period shall be calculated as part of his period of service.

Article 38

An employment contract may be for a definite or indefinite term. A definite term contract shall not exceed four years; however, it may be renewed by mutual agreement for an equal or a shorter term(s). Where a contract is renewed, the renewal shall be deemed as an extension of the original term and shall be added thereto when calculating the worker's total period of service.

Article 39

An employment contract shall, from its inception, be considered as an indefinite term contract if and only if it:

1- Is not written.

2- Is concluded for an unspecified period.

3- Was originally written and concluded for a definite term but both parties, without a written agreement between them, continued to perform it after its expiry; or

4- Was originally concluded for the execution of a specific work that had no specific duration or that is recurrent by nature, but the contract continued after completion of that specific work.

Article 40

Where the parties to the contract continue - after expiry of its initial term or completion of the work agreed upon - to perform the contract without explicit agreement, the original contract shall be deemed to have been extended on the same conditions except for the term.

Article 41

Where an employer subcontracts any of the principal operations or any part thereof to a third party, the latter shall be solely liable for all entitlements of employees engaged in such subcontracted work in accordance with the provisions of this Law.

SECTION II
Apprenticeship &Vocational Training Contracts

Article 42

An apprenticeship contract is one whereby a firm owner undertakes to provide full vocational training consistent with the professional standards to another person who has completed at least 12 years of age, who, in turn, undertakes to work for the employer during the training period subject to such terms and for such period as mutually agreed.

The apprenticeship contract shall be in writing; otherwise it shall be null and void. The employer or the training provider shall be sufficiently qualified and experienced in the relevant vocation or trade. In addition, the firm shall satisfy the technical requirements and facilities necessary for providing such training.

Article 43

An apprentice who has reached the age of maturity may conclude the training contract himself. Those under the age of 18 years may not conclude a training contract directly with an employer, but shall be represented by their natural guardians, legal trustees, or personal ad litem.

Article 44

1- An apprenticeship contract shall be made in at least three copies, one of which shall be deposited with the competent labour department for registration and endorsement. Each party shall keep an endorsed copy.
2- If an apprenticeship contract submitted for registration contains any clause contrary to this Law or the executive regulations thereof, the competent labour department may require the contracting parties to delete such clause.
3- where the competent labour department does not make any comment or objection within one month from the date on which an apprenticeship contract is deposited with it, the contract shall constructively be deemed to have been endorsed with effect from the date of its deposit.

Article 45

An apprenticeship contract shall contain details of the identity of the contracting parties or their representatives, as the case may be, and of the procedures, duration, phases, and subject of the training.

Article 46

An employer shall allow a trainee sufficient time to acquire theoretical knowledge and shall, throughout the period fixed in the contract, train him on the principles of the occupation and the skills for which he was recruited. The Employer shall issue the trainee a certificate on completion of each phase of training in accordance with the provisions of this Section, and also a final certificate on completion of the training period. Such certificate shall be attestable by the competent labour department in accordance with the rules and procedures to be specified in a resolution by the Minister of Labour and Social Affairs.

Article 47

A worker may undertake in the apprenticeship contract that, upon completion of his training, he will work for the employer, or in the establishment where he has been trained, for a period not to exceed twice the period of training. The employer may undertake in the contract to employ the trainee upon completion of the latter's period of training.

Article 48

An apprenticeship contract shall specify the wage payable during each phase. The wage payable in the final phase shall not be less than the minimum prescribed for an identical work and shall in no circumstances be fixed on a piecemeal or output basis.

Article 49

An apprentice who is under 18 years of age shall, before his training starts, undergo a medical test to determine his ability to carry out the work involved in the profession for which training is sought. If such profession calls for specific physical and health requirements, the medical report shall state whether the training candidate meets such requirements, both physical and psychological.

Article 50

The Minister of Labour and Social Affairs may issue resolutions to regulate training for those professions and trades requiring training, and prescribe the period of such training, the theoretical and practical programmes, the testing conditions and the certificates to be issued on completion of the training period.

The Minister's resolutions in this respect shall be made after consulting the public institutions concerned. The Minister may in all cases appoint one or more experts in the profession or trade for which the training is to be regulated, to advise him on this matter.

Article 51

The Minister of Labour and Social Affairs may issue resolutions for the establishment of vocational training centers, whether independent or in association with professional or non-profit national, foreign or international organisations. The resolution establishing a center shall specify the profession for which training is to be provided, the conditions for admission to the center, the programmes of theoretical and practical study, the rules governing vocational examination and certification, and any other provisions for the optimum operation of the centre.

Article 52

The Minister of Labour and Social Affairs may require such firms, companies, and owners of industrial, professional and craft units as he may specify, to accept for employment a specified number or percentage of National trainees, subject to such terms and conditions, and for such periods, as he may specify.

The Minister may also require such firms, companies, and owners of industrial, professional and craft units as he may specify, to accept for the purpose of training and completion of practical experience a specified number or percentage of the students of industrial and polytechnic institutes and centres, subject to such terms and conditions, and for such periods, as may be agreed with the management of the firms concerned.

SECTION III

Records and Files

Article 53

Every employer of five or more workers shall-

(a) Keep a special file for each worker, showing his name, job or occupation, age, nationality, place of residence, marital status, date of employment, wage and any adjustments thereto, penalties imposed on him, occupational injuries and diseases he sustains and the date of and reasons for termination of his service.

(b) Create a leave card for each worker, to be kept in the employee's file. It shall be divided into three parts: the first for annual leaves, the second for sick leaves and the third for other leaves. The employer, or his representative, shall record on this card all leaves taken by the worker, for future reference when any leave is requested.

Article 54

Each employer of 15 or more workers shall maintain the following records and documents in each one of his work places or branches:

1- **A wage register**, listing the workers' names by the date of employment, together with the amount of each worker's daily, weekly or monthly pay, fringe benefits, piecemeal or commission pay, days of work and the date of

termination.

2- **An occupational injuries register**, where all work-related injuries and occupational diseases sustained by the workers shall be entered as soon as the employee knows them.

3- **Basic work rules**, which shall particularly specify the timings of daily work and weekly rest, official holidays and the necessary measures and precautions to be taken to prevent work-related injuries and fire hazards. Such rules shall be conspicuously displayed at the work place, and neither they nor any amendments thereof shall become effective unless endorsed by the Labour Department within 30 days of submission to it; and

4- **Disciplinary rules,** which shall be conspicuously displayed at the work place, and shall show the disciplinary actions imposable upon defaulting workers, and the conditions and circumstances of such imposition. Neither these rules nor any amendments thereof shall become effective unless endorsed by the Labour Department within 30 days of submission to it.

SECTION IV

Wages

Article 55

Wages shall be paid in legal tender on a working day, at the place of work, in the official national currency.

Article 56

Workers employed on yearly or monthly wage basis shall be paid at least once a month; all other workers shall be paid at least once every two weeks.

Article 57

The daily wage of workers employed on piecemeal basis shall be calculated as an equivalent to the average wage received for actual days of work during the six months preceding the termination of his service.

Article 58

Evidence of payment to workers of their due wages, irrespective of their amount or nature, shall not be admissible unless it is in the form of documentary proof, admission or oath.. Any agreement to the contrary shall be null and void,

albeit made prior to the date this Law comes into force.

Article 59

Workers shall not be required to purchase food or other commodities at any particular shop, or of employer's produce.

Article 60

No amount of money may be deducted from a worker's wage in respect of private claims, except in the following cases:

(a) Repayment of loans or money advances paid to the worker in excess of his entitlements, provided that the amount deducted in this case shall not exceed 10 per cent of his wage.

(b) Contributions that the workers are required by law to make from their wages, towards social security and insurance schemes.

(c) The worker's contributions to a provident fund or repayment of loans due thereto.

(d) Contributions towards any welfare scheme or in respect of any other privileges or services provided by the employer and approved by the labour department.

(e) Fines imposed upon the worker for any offence he commits.

(f) Any debt exacted in execution of a court ruling, provided, however, that the deduction made in execution thereof should not exceed one-quarter of the wage due to the worker. Where there are several debts or creditors, the maximum deduction shall be half the worker's wage, which shall be divided pro rata among the creditors, after payment of any legal alimony to the extent of one-quarter of the worker's wage.

Article 61

Where a worker, either through his own fault or as a result of violating the employer's instructions, causes a loss, damage or destruction to any tools, machines, products or materials that are owned by or in the custody of the employer, the employer may deduct from the worker's wage such amount as may be necessary for repair or restoration, provided that the amount so deducted shall not exceed five days' wage for each month. However, the employer, through the concerned labour department, may request the competent court for permission to deduct a higher amount if the worker has money or any other source of income.

Article 62

An employer may not transfer a monthly-paid worker, without his written consent, to the daily, weekly, hourly or piecemeal paid category.

Article 63

The minimum wage and the cost-of-living index payable to workers in general or in a particular area or occupation shall be fixed by a federal decree based on a proposal to be made by the Minister of Labour and Social Affairs and approved by the Council of Ministers.

The Minister shall put forward his proposal for determining, or reviewing, the minimum wage, after consulting the competent authorities and the labour organisations of workers and employers, if any, and after having reference to studies and tables of fluctuations in the cost of living indices drawn up by the competent authorities in the State, to ensure that the said minima are sufficient to meet the worker's basic needs and guarantee his livelihood.

Article 64

The minimum wage rates and any amendments thereto shall take effect from the date the decree announcing them is published in the official Gazette.

CHAPTER IV
WORKING HOURS AND LEAVES

SECTION I
Working Hours

Article 65

The maximum normal working hours for adult workers shall be eight hours in the day, 48 hours in the week. They may be increased to nine hours a day in commercial establishments, hotels, cafeterias, security services and such other businesses as may be added by resolution of the Minister of Labour and Social Affairs. The daily working hours may be reduced by resolution of the Minister of Labour and Social Affairs, in the case of arduous or health-hazardous work. Two during the month of Ramadan shall reduce the normal working hours. The periods spent by a worker in traveling between his home and place of work shall not be included in his working hours.

Article 66

The daily working hours shall be so regulated that no worker shall work for more than five successive hours without breaks - for rest, meals and prayer- amounting in aggregate to not less than one hour. Such breaks shall not be included as part of the working hours.

However, in factories and workshops where work is organised in the form of successive day and night shifts, and in processes where work has to continue uninterrupted for technical and economic reasons, the manner in which breaks for rest, meals and prayer are to be granted shall be specified in a resolution by the Minister.

Article 67

Where the work circumstances require a worker to work more than the normal number of hours, any period worked in excess shall be treated as overtime, for which the worker shall receive the wage stipulated for his normal working hours, plus a supplement of at least 25 per cent of that wage.

Article 68

Where the work circumstances require a worker to work overtime between 9 p.m. and 4 a.m. he shall be entitled in respect of such overtime to the wage stipulated for his normal working hours, plus a supplement of at least 50 per cent of that wage.

Article 69

The number of hours of actual overtime shall not exceed two a day, unless such work is essential for preventing a substantial loss or a serious accident, or eliminating or alleviating the impact of the latter.

Article 70

Friday shall be the normal weekly rest day for all workers except the daily-paid. Where a worker has to be put on duty on that day, he shall be compensated with a substitute rest day or be paid his basic wage for his normal hours of work plus a supplement of at least 50 per cent of that wage.

Article 71

No worker other than a daily-paid shall be required to work more than two successive Fridays.

Article 72

The provisions of this Section shall not apply to the following categories:

1- Persons holding senior executive managerial or supervisory positions, if such positions confer upon the incumbents the powers of an employer over workers. The categories in question shall be specified by resolution of the Minister of Labour and Social Affairs.

2- Crew of marine vessels and seamen who serve under special conditions of service on account of the nature of their work, with the exception of port workers engaged in stevedoring and related operations.

Article 73

The employer shall post up at the main entrances used by the workers, and in a conspicuous position at the workplace, a timetable showing the weekly day off, hours of work and rest periods applicable to all classes of workers. A copy of this timetable shall be filed with the competent labour department.

Where the work place is not observing the statutory weekly day off, the employer shall post up at the places referred to in the preceding paragraph a timetable showing the weekly rest day for each class of workers.

Section II

Leaves

Article 74

Each worker shall be entitled to leave with full pay on the following occasions:

(a) New Year's Day (Higra): one day.
(b) New Year's Day (Gregorian): one day.
(c) Lesser Bairam: two days.
(d) Greater Bairam and Eve: three days.
(e) Birthday of Prophet Mohammed: one day.
(f) *Al Isra and Al Mi'raj*: one day;
(g) National Day: one day.

Article 75

A worker shall, for each year of service, be entitled to an annual leave of not less than:

(a) Two days a month, where the worker's period of service is more than six months but less than one year.
(b) 30 days a year, where the worker's period of service is more than one year.

Where a worker's service is terminated, he shall be entitled to annual leave in respect of fractions of the last year.

Article 76

The employer may fix the date of commencement of annual leave and, if necessary, divide such leave into not more than two periods. However, the leave division provision shall not apply to leaves of child workers.

Article 77

Holidays stipulated by Law or by agreement, and any other days of leave on account of sickness, falling within an annual leave shall be considered as an integral part thereof.

Article 78

Each worker shall be entitled to his basic wage and the housing allowance, if applicable, in respect of his days of annual leave. Where it was imperative for the work interest to put a worker on duty during all or part of his annual leave, and if the leave days on which he worked were not carried forward to the following year, the employer shall pay him his normal wage plus an allowance in lieu of leave, for the actually worked days, calculated on the basis of his basic wage.

In no case shall a worker be made to work during his annual leave more than once in two successive years.

Article 79

A worker who is dismissed or who leaves his job after the period of notice prescribed by law shall be paid for any accrued annual leave days. Such payment shall be calculated on the basis of the worker's wage as on the date when the leave became due.

Article 80

Before a worker goes on annual leave, his employer shall pay him the full wage due to him plus the leave pay prescribed for him under this Law.

Article 81

Where it is necessary for the work interest to put a worker on duty during public holidays or days off in respect of which he is entitled to full or partial pay, he shall be granted substitute leave in respect of such days, plus 50 per cent of his wage. If he is not granted substitute leave, his employer shall pay him 150 per cent of his basic wage in respect of the days worked.

Article 82

A worker who contracts an illness that is not a work-related injury shall report his illness within a maximum of two days; the employer shall thereupon take the necessary measures to have him medically examined immediately for the purpose of verifying his illness.

Article 83

1- A worker shall not be entitled to any paid sick leave during the probationary period.
2- A worker who contracts illness after completing three months, following the probationary period, in the continuous service of an employer shall be entitled to a sick leave not exceeding 90 days, successive or otherwise, in respect of each year of service, to be calculated as follows.
   a) The first 15 days: with full pay.
   b) The next 30 days: with half pay.
   c) Any subsequent periods: without pay.

Article 84

No wage shall be payable for sick leave if the illness is the direct result of the worker's misconduct (such as consumption of alcohol or narcotic drugs).

Article 85

An employer may terminate the services of a worker who fails to report back to work after exhausting all sick leaves provided for in Articles 82, 83 and 84 hereof. In this case the worker shall be entitled to severance pay as stipulated in this Law.

Article 86

Where a worker resigns his job, by reason of illness, before the lapse of the first 45 days of his sick leave and the government medical officer or the medical practitioner designated by the employer accepts the cause of resignation, the employer shall pay the worker the wage due in respect of the remainder of the first 45 days referred to.

Article 87

Each worker shall be entitled, once in the course of his entire service, to special leave without pay for performing pilgrimage; such leave shall not be deducted from other periods of leave due to him and shall not exceed 30 days.

Article 88

No worker shall work for another employer while on annual or sick leave provided for in this Section. Where his employer establishes that he has done so, he may terminate the worker's services without notice and deny him the pay in respect of the leave period.

Article 89

Subject to the provisions of this Law, any worker who fails to resume work immediately after the expiry of his leave shall automatically forfeit his wage for the period of his absence, with effect from the day immediately following that on which the leave expires.

Article 90

Without prejudice to the instances in which an employer is entitled to dismiss a worker without notice or without the gratuity provided for in this Law, an employer shall not dismiss a worker or serve a notice of dismissal on him while the worker is on a leave provided for under this Section.

CHAPTER V

WORKERS' SAFETY, PROTECTION, HEALTH AND SOCIAL CARE

Article 91

Each employer shall provide appropriate safety measures to protect workers against the hazards of occupational injuries and diseases that may occur during the work, and also against fire and other hazards that may result from the use of machines and other work tools. He shall also adopt all other safety measures prescribed by the Ministry of Labour and Social Affairs. Every worker shall use the protective gear and the clothing supplied to him for this purpose, shall comply with all instructions given by the employer to protect him against hazards, and shall refrain from taking any action that might obstruct the enforcement of such instructions.

Article 92

Each employer shall display in a conspicuous position at the workplace detailed instructions indicating the measures to be taken to prevent fire and protect the workers against hazards to which they may be exposed while performing their work. Such instructions shall be in Arabic and in another language understood by the worker.

Article 93

Every employer shall provide one or more first-aid boxes containing medicines; the Ministry of Labour and Social Affairs may prescribe bandages, antiseptics and such other first-aid material as. There shall be one first-aid box for every 100 workers; the box shall be located in a conspicuous place, within the easy reach of the workers, and shall be controlled by a person specialised in administering first aid.

Article 94

Without prejudice to the regulations and orders issued by the competent government authorities, an employer shall ensure that each workplace is perfectly clean, ventilated and provided with adequate lighting, drinking water and toilets.

Article 95

An employer shall arrange for one or more medical practitioners to carry out general medical examination, at regular intervals of not more than six months, on those of his workers who are exposed to any of the occupational diseases specified in the Schedule attached hereto, and shall record the findings of such examinations in his records as well as in the workers' personal files.

The medical practitioners shall immediately inform the employer and the labour department of cases of occupational disease occurring among the workers, and of resulting deaths, after the facts have been confirmed through appropriate medical and laboratory tests. The employer shall in turn report these findings to the labour department.

The medical practitioner carrying out the periodic examination may order that any worker who has been exposed to an occupational disease be re-examined after a period shorter than the interval prescribed in the first paragraph of this article, if he believes that the worker's condition so warrants.

Article 96

An employer shall provide his workers with medical care facilities up to the standards laid down by the Minister of Labour and Social Affairs in conjunction with the Minister of Health.

Article 97

The Minister of Labour and Social Affairs may, after consulting the Ministry of Health, issue resolutions prescribing the general precautions and health-related safety measures applicable to all firms employing workers, particularly measures relating to safety, lighting, ventilation, dining rooms, supply of water for drinking and washing purposes, elimination of dust and smoke pollutants, and the precautions to be taken against fire and electricity hazards.

Article 98

The employer or his representative shall inform each worker, upon recruitment, of the occupational hazards involved and the protective measures he must take, and shall post detailed written instructions in this respect at the workplaces.

Article 99

It shall be unlawful for an employer, his representative or any person having authority over workers to bring or allow any one else to bring any kind of alcoholic beverages into a workplace for consumption therein or to allow any person in a state of drunkenness to enter or remain on the premises.

Article 100

Each worker shall comply with the orders and instructions related to industrial security and safety precautions, shall use the appropriate protective devices and treat any such devices in his possession with due care. No worker shall commit any act leading to non-compliance with such instructions, or to the misuse, damage or destruction of the equipment provided for protecting the health and safety of the workers.

An employer may prescribe in the disciplinary regulation penalties to be imposed on workers contravening the provisions of the preceding paragraph.

Article 101

Each employer employing workers in areas remote from towns and not covered by regular means of transport shall provide his workers with the following services:

1- Suitable means of transport.
2- Suitable living accommodation.
3- Drinking water.
4- Adequate food supplies.
5- First-aid facilities.
6- Recreation and sports facilities.

The Minister of Labour and Social Affairs shall specify the areas to which the provisions of this Article wholly or partially apply in a resolution. Save for food supplies, the cost of the services referred to in this Article shall be borne by the employer and none of it may be charged to the workers.

CHAPTER VI

DISCIPLINARY RULES

Article 102

The disciplinary measures that an employer or his representative may impose on the workers shall be as follows:

1 – Warning.
2- Fine.
3- Suspension from work with reduced pay for a period not to exceed 10 days.
4- Denial or deferment of periodical allowance, in firms applying such a scheme.
5- Denial of promotion, in establishments applying a promotion scheme.
6- Dismissal without prejudice to severance pay.
7- Dismissal with denial of all or part of the severance pay. This penalty may not be imposed for reasons other than those exclusively specified in Article 120 hereof.

Article 103

The disciplinary regulation shall specify the circumstances in which each of the disciplinary penalties referred to in the preceding Article may be imposed.

The Minister of Labour and Social Affairs may issue, by ministerial resolution, a model table of disciplinary actions and rewards, to be used by employers as a guide in preparing their own lists.

Article 104

A fine may be expressed in terms of a specific amount or an amount equal to a worker’s wage for a specific period. The fine prescribed in respect of any single offence shall not exceed five days' wage, and it shall not be lawful to deduct more than five days' wage in any one month in payment of fines imposed on a worker.

Article 105

The fines imposed on workers shall be recorded in a special register, which shall show also why and under what circumstances they were imposed, the worker's name and the amount of his wage. Such fines shall be placed in a special account whose monthly proceeds shall be used to meet the cost of social welfare of the workers, in accordance with a resolution to be made by the Minister of Labour and Social Affairs in this respect.

Article 106

Periodical allowance may not be denied more than once in any year, nor may it be deferred for more than six months.

Article 107

Denial of promotion may not be imposed for more than one promotional cycle. The worker penalised shall then be promoted at the immediately following promotion cycle if he is found to meet the pertinent requirements.

Article 108

The financial benefit accruing to an employer from the denial or deferment of promotion or periodic allowance shall be entered in a special register, which shall show also why and under what circumstances they were imposed, the worker's name and the amount of his wage. Such amounts shall be placed in a special account whose monthly proceeds shall be used to meet the cost of social welfare of the workers, in accordance with a resolution to be made by the Minister of Labour and Social Affairs in this respect.

Article 109

No disciplinary measure may be taken against a worker for any act committed outside the workplace, unless such an act is related to the work, the employer or the responsible manager. It shall also be unlawful to impose more than one penalty or to combine a disciplinary penalty with a deduction, under Article 61 hereof, of part of the worker's wage.

Article 110

None of the penalties stipulated in Article 102 may be imposed on a worker until he has been notified in writing of the charges against him, heard and allowed to have his defence investigated, and until all this has been entered in a special minutes to be placed in his personal file, with the penalty mentioned at the end of such minutes.

A worker shall be notified in writing of any penalties imposed on him, and of the nature and amount thereof, the reasons for their imposition, and the penalty to which he will be liable if he is to repeat the offence.

Article 111

No worker may be charged with a disciplinary offence after the lapse of more than 30 days from the date it was detected, nor may a disciplinary penalty be imposed after the lapse of more than 60 days from the date on which the inquiry into the offence ended and the worker was found guilty.

Article 112

A worker may be temporarily suspended from work if he is accused of committing a deliberate offence against life, property, honour or honesty or an offence associated with strike.

The period of suspension shall run from the date the incident is reported to the competent authorities until the latter renders a decision on the matter.

The worker shall not be entitled to wage in respect of the period of suspension. Where it is decided that a worker is not to be prosecuted or is acquitted, he shall be reinstated and paid his full wage for the period of such suspension if the employer maliciously contrived it.

CHAPTER VII

TERMINATION AND SEVERANCE PAY

SECTION I

Termination of Employment

Article 113

An employment contract shall terminate in any of the following cases:

- By mutual agreement of the Parties, provided that the worker's consent is given in writing;
- Upon expiry of its term, unless it has been expressly or implicitly extended according to the provisions of this Law;
- For the convenience of either party to an indefinite term contract, provided that the provisions of this Law concerning the notice and the valid grounds of termination without arbitrariness are adhered to.

Article 114

An employment contract shall not terminate by reason of the employer's death unless the subject of the contract is connected with his person. A contract shall, however, be terminated by reason of the worker's death or total disability to work, as established by a medical certificate approved by the competent health authority in the State.

If a worker is capable, notwithstanding partial disability, of performing other work consistent with his state of health, the employer shall assign him, at his request, to that other work, if available, and pay him the wage normally paid to holders of such jobs, without prejudice to any entitlements and compensation due to the worker under this Law.

Article 115

Where an employment contract is for a definite term and the employer revokes it for reasons other than those specified in Article (120) he shall be required to compensate the worker for any damage the latter sustains, provided that the amount of compensation shall in no case exceed the aggregate wage due for a period of three months or the remaining period of the contract, whichever is shorter, unless otherwise stipulated in the contract.

Article 116

Where a contract is revoked by the worker for reasons other than those specified in Article (121), he shall be required to compensate the employer for any damage the latter sustains as a result, provided that the amount of compensation shall not exceed half a month wage for three months or for the remaining period of the contract, whichever is shorter, unless otherwise stipulated in the contract.

Article 117

1. Either the employer or the worker may terminate an indefinite term contract for a valid reason at any time following its conclusion, by giving the other party a notice in writing at least 30 days prior to termination.
2. For the daily-paid workers, the notice period shall be as follows:
    a- One week: if the worker has been employed for more than six months but less than one year.
    b- Two weeks: if the worker has been employed for not less than one year.
    c- One month: if the worker has been employed for not less than five years.

Article 118

A contract shall subsist throughout the notice period referred to in the preceding Article and shall terminate only on expiry of that period. The worker shall be entitled in respect of the notice period to full pay, calculated on the basis of his last wage, and shall continue to perform his duties during that period if the employer so requests.

The Parties may not agree to waive the notice requirement or to reduce the notice period; however, they may agree to extend the period.

Article 119

If either the employer or the worker reduces the period of, or fails to serve a notice of termination on the other, the forbearing party shall pay the other a "compensation in lieu of notice", irrespective of whether or not the other party has sustained damage as a result of such failure or shorter notice. The said compensation shall be equal to the worker's wage in respect of the entire or reduced period of notice. Compensation in lieu of notice shall be calculated on the basis of the last wage received, in the case of monthly, weekly, daily and hourly paid workers, and on the basis of the average daily wage referred to in Article 57 of this Law in the case of those paid on piecemeal.

Article 120

An employer may dismiss a worker without notice if and only if the worker:

a- Assumes a false identity or nationality or submits forged certificates or documents.

b- Is engaged on probation and is dismissed during or at the end of the probationary period;

c- commits a fault resulting in substantial material loss to the employer, provided that the latter notifies the labour department of the incident within 48 hours of his becoming aware of its occurrence;

d- disobeys instructions on the safety of work or workplace, provided that such instructions are in writing and posted at a conspicuous place and are communicated verbally to the worker, in case he is illiterate;

e- defaults on his basic duties under the contract and fails to redress such default despite a written interrogation and a warning that he will be dismissed if such default is repeated;

f- is finally convicted by a competent court of a crime against honour, honesty or public morals

g- reveals any confidential information of his employer;

h- is found in a state of drunkenness or under the influence of a narcotic drug during working hours;

i- assaults the employer, the manager in charge or any of his workmates during working hours; or

j- absents himself from work without a valid reason for more than 20 non-successive days in one single year, or for more than seven successive days.

Article 121

A worker may abandon his work without notice in either of the following cases:

A- If the employer fails to honour his obligations towards the worker, as provided for in the contract or in this Law.

B- If he is assaulted by the employer or the employer's legal representative.

Article 122

A worker's service shall be deemed to be arbitrarily terminated by his employer if the reason for termination is irrelevant to the work. More particularly, a termination shall be regarded as arbitrary if it is prompted by a formal complaint filed by the worker with the competent authorities or a legal action instituted against the employer that proved to be valid.

Article 123

a- Where a worker is arbitrarily dismissed, the competent court may order the employer to pay him a compensation, to be assessed by the court with due regard to the nature of the work, the extent of damage sustained by the worker and his period of service, and after investigating the work circumstances, provided that such compensation shall in no case exceed the worker's wage for three months, calculated on the basis of his last wage.

b. The provisions of the preceding paragraph shall not prejudice the worker's right to the gratuity he is entitled to and the compensation in lieu of notice provided for in this law.

Article 124

An employer may not terminate the service of a worker for lack of medical fitness before the worker exhausts all the periods of leave legally due to him. Any agreement to the contrary shall be null and void, even if concluded before this Law comes into effect.

Article 125

The Employer shall provide the worker, at the latter's request upon expiry of his contract, with an end of service certificate, which shall be free of charge and shall specify the service commencement and end dates, total period of service, the nature of the work he was performing, and his last wage and supplements, if any. The Employer shall return any certificates, documents and tools belonging to the worker.

Article 126

Where a change occurs in the form or legal status of the firm, employment contracts that are valid at the time of such change shall remain in force between the new employer and the firm workers, and their service shall be deemed to be continuous. The original and the new employers shall remain jointly liable for a period of six months for the discharge of any obligations resulting from employment contracts during the period preceding the change; after the lapse of that period the new employer shall solely bear such liability.

Article 127

Where the work assigned to a worker allows him to become acquainted with the employer's clients or to have access to his business secrets, the employer may require him to undertake not to compete with him or participate in any enterprise competing with his own, after the termination of his contract. For such an undertaking to be valid, the worker must be at least 21 Gregorian years of age at the time the agreement is concluded, and the agreement must be confined, in terms of

time, place and the nature of the business, to the extent necessary to safeguard the employer's legitimate interests.

Article 128

A non-National worker, who abandons his work without a valid reason before the expiry of his definite term contract, may not, even with the employer's consent, take up other employment until the lapse of one year from the date on which he abandons his work. No other employer may knowingly recruit such worker or keep him in his service before the lapse of such period.

Article 129

A non-National, who notifies the employer of his desire to terminate his indefinite term contract but abandons his work before the expiry of the statutory period of notice, may not, even with the employer's consent, take up other employment until the lapse of one year from the date on which he abandons his work. No other employer may knowingly recruit such worker or keep him in his service before the lapse of such period.

Article 130

The provisions of Articles 128 and 129 shall not apply to a non-National worker who, before taking up other employment, obtains the approval of the Minister of Labour and Social Affairs based on the consent of the original employer.

Article 131

Upon expiry of contract, the employer shall bear the cost of the worker’s repatriation to his point of hire or to any other point that was mutually agreed upon. Where a worker joins another employer upon expiry of his contract, the latter shall bear the cost of the worker's repatriation at the end of his service.

Without prejudice to the foregoing, if the employer fails to return the worker or to pay his repatriation expenses, the competent authorities shall do so at the employer's expense and may then recover any expenditure incurred in this connection by attachment.

Where the reason for the termination of the contract is attributable to the worker, his repatriation shall be at his own expense if he has the means to pay.

Article 131 (repeated)

1- For the purpose of the preceding Article, the worker's "repatriation expenses" refers to the value of his travel ticket as well as the travel expenses of his family and the cost of shipping of his personal effects, as stipulated in the Labour contract or the firm's policies.

2- A worker who is provided with accommodation by his employer shall vacate it within thirty days from the date of termination of his service.

3- The worker shall not overstay in the accommodation beyond the specified period for any reason, provided, however, that the employer pays the worker the following:

   A- the expenses specified in paragraph 1 of this Article.

   B- severance pay and any other entitlements the employee is bound to pay in accordance with the employment contract, the firm's policies, or the law.

4- if the worker contests the amount of the expenses and entitlements referred to above, the Labour Department concerned shall urgently determine these expenses and entitlements within a week from notification, and shall promptly inform the worker accordingly.

5- In this case, the thirty-day grace period referred to in paragraph 2 of this Article shall be calculated to run from the date on which the employer deposits the value of the expenses and entitlements, as determined by the Labour Departments concerned, with the Ministry of Labour's treasury. If the worker does not vacate the accommodation within the said thirty-day period, the Labour Department, with the assistance of the authorities concerned in the Emirate, shall take the necessary administrative measures for eviction.

6- The provisions of this Article shall not prejudice the worker's right to contest its application before the competent court.

Article 131 (repeated1)

1. Employer shall submit to the competent labour department a bank guarantee whose type, value, submission procedures, firms and companies to whom it is applicable, and other relevant terms shall be specified in a Council of Ministers' resolution. This guarantee shall be used to ensure optimum fulfillment of employer's obligations provided for under Articles 131 and 131 (repeated), of this Law.

2. Deduction of any amount from the bank guarantee referred to in para 1 hereof shall be based on a court judgment, with the exception of the following:

   A. Cost of a worker's repatriation to his country of origin or the point agreed upon with the employer.

   B. The amounts that the employer admits before the competent labour court that they are due to the worker.

   In these two cases, the Ministry reserves the right to deduct such entitlements from the guarantee referred to in para I hereof and pay to the worker in fulfillment of his established dues.

SECTION II

Severance Pay Article 132

A worker who has completed one or more years of continuous service shall be entitled to severance pay at the end of his employment. The days of absence from work without pay shall not be included in calculating the period of service. The severance pay shall be calculated as follows:

1. 21 days' wage for each of the first five years of service.
2. 30 days' wage for each additional year of service provided always that the aggregate amount of severance pay should not exceed two year's wage.

Article 133

A worker shall be entitled to severance pay for any fraction of a year he actually served, provided that he has completed one year of continuous service.

Article 134

Without prejudice to the provisions of laws that grant pensions or retirement benefits to employees in certain firms, severance pay shall be calculated on the basis of the wage last due for monthly, weekly and daily paid workers, and on the basis of the average daily wage referred to in Article 57 hereof for those paid on piecemeal.

The wage used as a basis for calculating severance pay shall not include whatever is given to the worker in kind, housing allowance, transport allowance, travel allowance, overtime pay, representation allowance, cashier's allowances, children education allowance, allowances for recreational and social facilities, and any other bonuses or allowances.

Article 135

An employer may deduct any amounts owed to him by a worker from the latter's severance pay.

Article 136

For the purposes of Article 132, no severance pay shall accrue for the employment cases that preceded the enforcement of this Law except where the worker is a National. This, however, shall be without prejudice to any rights acquired by the worker under the repealed labour laws, the employment contract, or under any agreement, regulations or work rules of the firm. In the event of the worker's death, his severance pay shall be paid to his legal heirs.

Article 137

Where a worker under an indefinite term contract abandons his work at his own initiative after a continuous service of not less than one year and not more than three years, he shall be entitled to one-third of the severance pay provided for in the preceding article. Such a worker shall be entitled to two thirds of the said severance pay if his continuous service exceeds three years up to five years, and to the full severance pay if it exceeds five years.

Article 138

Where a worker under a definite term contract abandons his employment at his own initiative before the expiry of his contract period, he shall not be entitled to severance pay unless his continuous period of service exceeds five years.

Article 139

A worker shall forfeit entitlement to his entire severance pay in any of the following two cases:

(a) If he is dismissed from service for any of the reasons specified in Article 120 hereof or if he abandons his employment in order to avoid being dismissed in accordance with that Article.

(b) If he abandons his employment of his own accord, otherwise than in either of the two cases specified in Article 121 hereof, without notice (in the case of indefinite term contracts) or before completing five years of continuous service (in case of definite term contracts).

Article 140

Where a firm has a provident fund for the workers and the rules of the fund stipulate that whatever the employer pays into the fund for the worker's account is in discharge of his legal obligation in respect of severance pay, the worker shall be paid the savings balance in his account or the severance pay due under the Law, whichever is the greater. Where the rules of the fund do not stipulate that the amounts paid by the employer are in discharge of his legal obligation toward the severance pay, the worker shall receive whatever is due to him in the provident fund in addition to the statutory severance pay.

Article 141

Where a firm has a retirement, insurance or a similar scheme, a worker who is entitled to a retirement pension may opt for treatment under the said pension or severance pay or under the pension or insurance scheme, whichever is more advantageous to him.

CHAPTER VIII

COMPENSATION FOR

OCCUPATIONAL INJURIES

ARTICLE 142

Where a worker sustains any of the work-related injuries and occupational diseases listed in Schedules 1 and 2 attached to this Law, the employer or his representative shall report the matter immediately to the police and to the labour department or its local office within whose jurisdiction the place of business is located.

The report shall include the worker's name, age, occupation, address, and nationality, and a brief account of the accident, its circumstances and the medical aid or treatment provided.

On receipt of the report, the police shall carry out the necessary investigation and compile a report containing statements of the witnesses, of the employer or his representative, and of the injured (if his condition so permits), and shall particularly indicate whether the accident was work-related, deliberate, or the result of gross misconduct of the worker.

Article 143

On completion of the investigation, the police shall send one copy of the report to the labour department and one to the employer. The labour department may request a supplementary inquiry or may itself conduct one, if it finds it necessary to do so.

Article 144

Where a worker sustains a work-related injury or contracts an occupational disease, the employer shall pay for the cost of his treatment in a government or private local medical center until he recovers or is proven disabled. Treatment shall include costs of residence in a hospital or sanatorium, surgical operations, x-ray and medical diagnosis, the purchase of medicines and rehabilitation equipment, and the supply of artificial limbs and other prosthetic appliances for any person who is declared disabled. In addition to the foregoing, the employer shall pay the cost of any transport required in connection with the worker’s treatment.

Article 145

Where an injury prevents a worker from carrying out his work, the employer shall pay him a cash allowance equal to his full pay throughout the period of treatment or for a period of six months, whichever is shorter. Where the treatment lasts for more than six months, the allowance shall be reduced by one-half for a further period of six months or until the worker fully recovers, is declared disabled, or dies, whichever occurs first.

Article 146

The cash allowance referred to in the preceding Article shall be calculated on the basis of the last wage received (for monthly, weekly, daily or hourly paid workers), and on the basis of the average daily wage referred to in Article 57(for those paid on piecemeal basis).

Article 147

On finalization of treatment, the attending physician shall compile a report in two copies- one to be delivered to the worker and the other to the employer- in which he shall specify the nature and cause of the injury, the date of its occurrence, the extent to which it is work-related, the period of treatment, 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 fit to resume his work despite the disability.

Article 148

Where a dispute arises as to the extent of a worker's physical fitness for work, degree of disability or any other matter related to his injury or treatment, the matter shall be referred to the Ministry of Health through the competent labour department. The Ministry of Health shall, whenever such a dispute is referred to it, set up a medical board consisting of three government medical officers to determine the extent of the worker's medical fitness for employment, the degree of his disability or any other matter related to the injury or treatment.

The board may call in any experts it believes capable of helping it. Its decision shall be final and shall be submitted to the labour department in order that the measures necessary for its implementation may be taken.

Article 149

Where a worker dies as a result of a work-related injury or an occupational disease, the members of his family shall be entitled to compensation equal to his basic wage for twenty four month, provided that the amount of compensation shall neither be less than eighteen thousand nor more than thirty five thousand Dirhams. The amount of compensation shall be calculated on the basis of the last wage received by the worker before his death. The compensation shall be

distributed among the deceased worker's dependents in accordance with the provisions of Schedule 3 attached to this Law.

For the purposes of this Article the expression "deceased worker's family" refers to the following persons who were wholly or substantially dependent for their subsistence on the deceased worker's income at the time of his death:

(a) Widow(s);

(b) Children, namely-

1- Sons who are under 17 years of age, and also sons who are regularly enrolled in educational institutions and are under 24 years of age or who are too mentally or physically incapacitated to earn their own living. The term "sons" includes the sons in law of the husband and of the wife who were dependent on the deceased worker at the time of his death;

2- Unmarried daughters, which term includes also unmarried daughters in law of the husband and of the wife who were dependent on the deceased worker at the time of his death;

(c) Parents;
(d) Brothers and sisters, subject to the conditions prescribed for sons and daughters.

Article 150

Where a work-related injury or an occupational disease permanently renders a worker partial disabled, he shall be entitled to compensation at the applicable rate specified in the two schedules attached to this Law, multiplied by the applicable death compensation amount provided for in the first paragraph of the preceding Article.

Article 151

The amount of compensation payable to a worker in the event of his permanent total disability shall be the same amount as that payable in the event of his death.

Article 152

The Minister of Labour, when necessary, and with the consent of the Minister of Health, may amend schedules I and 2 attached hereto, concerning occupational diseases, and disability compensation assessment.

Article 153

An injured worker shall not be entitled to any compensation for an injury or disability that did not result in his death if the inquiries carried out by the competent authorities established that he willfully brought about his own injury with the intention of committing suicide or of obtaining compensation or sick leave, or for any other reason; or if, at the time of the occurrence, he was under the influence of a narcotic drug or alcohol; or if he intentionally violated the safety instructions posted at conspicuous positions in the workplace; or if his injury or disability was the result of gross and deliberate misconduct on his part; or if he refused for no good reason to submit to medical examination or to undergo the treatment ordered by a medical board set up pursuant to Article 148.

In such circumstances, the employer shall not be required to provide treatment for the worker or to pay him any cash allowance.

CHAPTER IX

COLLECTIVE LABOUR DISPUTES

Article 154

A “collective labour dispute” refers to any dispute between an employer and his workers, which involves the common interest of all or a group of the workers in a certain firm, occupation, trade or professional sector.

Article 155

Where a dispute occurs between one or more employers and all or a certain group of their workers, which the parties fail to settle amicably, the following procedures shall be adhered to:

1 - The workers shall submit their complaint or claim in writing to the employer, with a copy thereof to the labour department.

2- The employer shall reply in writing to the workers' complaint or claim within seven working days from date of receipt. He shall at the same time send a copy of his reply to the labour department.

3- If the employer fails to reply within the prescribed time limit or if his reply does not lead to a settlement of the dispute, the competent labour department shall, either at its own initiative or at the request of one of the parties to the dispute, mediate an amicable settlement.

4- Where the claimant is the employer, he shall submit his complaint directly to the labour department, which shall mediate between the parties to settle the dispute amicably.

Article 156

If the mediation of the competent labour department does not lead to a settlement of the dispute within ten days from the date of its taking cognizance of the issue in dispute, it shall refer the dispute to the competent conciliation committee for determination and shall accordingly inform both parties in writing.

Article 157

A committee, to be called the conciliation committee, shall be set up within each labour department by resolution of the Minister of Labour and Social Affairs.

Article 158

Each party to a dispute shall pursue the dispute before the conciliation committee until a settlement is reached; the committee shall issue its decision by majority vote within two weeks from the date the dispute was referred to it.

Such decisions shall be binding on both parties if they have agreed in writing before the committee to be bound by its decisions. In the absence of such agreement, either party or both of them may appeal against the committee's decision to the Supreme Arbitration Board within 30 days of the date on which the decision was given; otherwise, the decision shall become final and enforceable.

Article 159

Neither the repudiation of employment contracts nor the dismissal of workers' representatives to the conciliation committee shall preclude such representatives from continuing to discharge their functions on the committee, unless the workers elect other representatives in their place.

Article 160

A board, to be called the "Supreme Arbitration Board" shall be set up within the Ministry of Labour and Social Affairs to settle collective labour disputes. The Board shall be composed as follows:

1- The Minister of Labour and Social Affairs, as chairman. In the event of his absence, the Under Secretary or the Director-General of the Ministry shall replace him.

2- A judge of the Federal Supreme Court, to be appointed by order of the Minister of Justice on the nomination of the plenum of the Court - as member.

3- A person of high integrity, knowledgeable and experienced in the relevant area, to be appointed as member by order of the Minister of Labour and Social Affairs.

Two alternate members may be appointed from the same categories as 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 by one and the same decree of appointment, for a renewable term of three years.

Article 161

The Supreme Arbitration Board shall be competent to finally and conclusively settle all collective labour disputes referred to it by the parties concerned. Its decisions shall be taken by majority vote and the grounds on which such decisions are based shall be stated.

Article 162

The Council of Ministers shall, based on a proposal to be submitted by the Minister of Labour and Social Affairs after consultation with the Minister of Justice, issue an order regulating litigation proceedings and any other rules necessary for ensuring efficient progress of work of the Conciliation Committee and the Supreme Arbitration Board for settlement of collective labour disputes.

For the purposes of carrying out their functions, these boards shall have the right to examine papers, documents, records and other evidence and to order the custodians thereof to submit the same to them, to enter premises for conducting the necessary investigation, and to take any measures they deem appropriate for the settlement of the dispute.

Article 163

None of the parties to a dispute on which a final decision has been rendered by any of the boards provided for in this Section shall raise it again except with the mutual agreement of the two parties concerned.

Article 164

The boards provided for in this Chapter shall apply the provisions of this Law, the laws currently in force, the provisions of Islamic Sharia 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 Board in settlement of collective labour disputes shall be applied in collaboration with the competent authority in each Emirate.

CHAPTER X

LABOUR INSPECTION

Article 166

Labour inspection shall be carried out by special inspectors affiliated to the Ministry of Labour and Social Affairs, who shall have the powers and authority specified in this Law.

Labour inspectors shall carry identity cards to be issued to them by the Ministry of Labour and Social Affairs.

Article 167

Each labour inspector shall:

(a) Ensure proper compliance with the provisions of this Law, particularly those related to employment terms, wage, and protection of workers during the performance of their work, and matters related to the health and safety of workers and the employment of juveniles and women.

(b) Extend to employers and workers such technical information and advice that would enable them to apply the provisions of the law in the best possible manner.

(c) Alert the competent authorities to any shortcomings not adequately addressed by the existing provisions and make appropriate recommendations in this respect.

(d) Record violations of this Law or its executive regulations and orders.

Article 168

Before assuming their duties, labour inspectors shall take oath before the Minister of Labour and Social Affairs that they will respect the law, perform their duties honestly and faithfully and, even after leaving the service, not reveal any industrial secret, patent right or other secrets that come to their knowledge in the course of their duties. They shall treat any complaints that they receive as absolutely confidential and shall give no intimation to the employer or his representatives of the source of such complaints.

Article 169

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

Article 170

A labour inspector shall have the following powers:

1- To enter any firm subject to the provisions of this Law without previous notice at any hour of the day or night, but within the working hours.

2- To carry out any examination or inquiry 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 of the law.

(b) Examine, and obtain copies and extracts of, all documents required to be kept in accordance with this Law and its executive orders.

(c) Take sample(s) of materials used in connection with industrial or other operations that are subject to inspection, where such materials are suspected to have a harmful effect on the health or safety of the workers, for the purpose of having them analysed in authorised laboratories and ascertaining the degree of danger. He shall then notify the employer or his representatives of the result, and take appropriate measures in this connection.

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

Article 171

The Minister of Labour and Social Affairs shall issue the regulations necessary for organising the inspection operations stipulated 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 employer's representative of his arrival, unless he considers that the inspection mission requires otherwise.

Article 173

To ensure compliance with the provisions regarding health and safety of workers, a labour inspector may require employers or their representatives to make alterations to the installations or plant used in their facilities, within such time limits as he may define. 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

Where, in the course of inspection, an inspector discovers any violation of this Law or its executive regulations or orders, he shall draw up a report documenting the violation and submit it to the competent labour department to enable it to take the necessary action against the offender.

Article 175

A labour inspector may, when necessary, request the competent administrative authorities and the police to provide any necessary assistance.

Where an inspection is made in connection with health aspects of work, the inspector shall, subject to the consent of the head of the competent labour department, be accompanied by a specialised medical practitioner from the Ministry of Health or a medical practitioner appointed for the purpose.

Article 176

The chief labour inspector in the area shall prepare a monthly report on labour inspection activities, inspection aspects, facilities inspected, and number and types of violations committed. He shall also prepare an annual report on inspection in the locality, containing the results and effects of inspection and his comments and proposals. Copies of the monthly and annual reports shall be sent to the labour department.

Article 177

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

1- The provisions governing inspection;
2- The officials in charge of inspection;
3- Statistics of the firms that were subject to inspection, the number of workers employed therein, the number of inspection visits and tours made by the inspectors, the violations committed and penalties imposed, and the work-related injuries and occupational diseases.

Article 178

The Ministry of Labour and Social Affairs shall design special forms for violation reports, inspection records, reminders and warnings. It shall define the necessary rules for the maintenance and use of such forms, and shall circulate them to the labour departments in various localities.

Article 179

Subject to Nationals' priority right to employment and in addition to the general requirements in connection with the appointment of employees, labour inspectors shall-

1- Be fairly impartial.

2- Have no direct interest in the establishments they inspect.

3- Pass a special test of professional ethics after completing a period of training of at least three months.

Article 180

The Ministry of Labour and Social Affairs shall organise special courses for training labour inspectors particularly in the following basics and principles:

1- Organizing inspection visits and making contacts with employers and workers.

2- Auditing of records and books.

3- Showing employers how to interpret legal texts and the advantages of applying such texts and assisting them in doing so.

4- industrial technology and means of protection against work-related injuries and occupational diseases.

5- production efficiency and its connection with the provision of favourable conditions for performance of work.

CHAPTER XI

PENALTIES

Article 181

Without prejudice to any severer penalty provided for in any other law, a penalty of imprisonment for a period not exceeding six months and/or a fine not less than three thousand Dirhams but not exceeding ten thousand Dirhams shall be imposed on:

1 - anyone who violates any of the imperative provisions of this Law or of its executive regulations or orders.

2 - anyone who obstructs, prevents or attempts to prevent, any official entrusted with the implementation of the provisions of this Law or its executive regulations or orders, from performing his duties, whether through actual or threatened use of force or violence.

3 - any official entrusted with implementation of the provisions of this Law, 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 182

Enforcement of fine rulings shall not be stayed. A fine applicable to an employer for an offence shall be multiplied by the number of workers against whom the offence was committed, provided that the total amount of fine shall not exceed three times the maximum limit of the prescribed fine. This Article shall be applicable to violations committed against the following provisions and their respective executive regulations and orders:

1. Violation of the provisions of Article 13.

2. Violation of the provisions of Sections Two and Three of Chapter Two.

3. Violation of the provisions of Chapter Three.

4. Violations of Articles 114, 124, 125,128, 129, 142, 144.

Article 183

Where an offence is committed before the lapse of one year from the date on which judgment of the Court was pronounced in respect of a similar offence committed by the same offender, the penalty may be doubled.

Article 184

Without prejudice to Articles 34, 41 and 126, penal proceedings shall be initiated against the manager in charge of the firm; it may also be initiated against the firm owner if there is reason to believe that he was aware of the facts constituting the offence.

Article 185

If the employer fails to fulfill his obligations under this Law, the labour department concerned may issue an order specifying the violation committed and instructing the employer to remedy it within a specific period starting from the date of employer’s notification. If the violation is not remedied within the specified period, the said department shall carry out the required remedial work at the employer's expense and recover such expenses by way of attachment.

Article 186

In applying the provisions of the Law and its executive regulations and orders, the Labour 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.

CHAPTER XII

CONCLUDING PROVISIONS

Article 187

The Minister of Labour and Social Affairs shall issue resolutions naming labour departments and offices entrusted with the application of this Law and specifying their territorial jurisdiction.

Article 188

The heads of labour departments and inspectors of the Ministry of Labour and Social Affairs shall have the status of judicial officers for the purposes of the application of this Law and its executive regulations and orders.

Article 189

Any provision inconsistent with the provisions of this Law is hereby repealed.

Article 190

Without prejudice to the cases exempted from fees as specified in this Law, the Minister of Labour shall issue a resolution fixing the fees payable for the issue of licences for employment agencies, employment visas and work permits and for renewal and the issue of copies of these and other documents prescribed by this Law; provided that the fee shall not exceed five hundred Dirhams

Article 191

The Council of Ministers, based on a proposal by the Minister of Labour and Social Affairs, may adopt rules that are more favourable to National workers.

Article 192

The Minister of Labour and Social Affairs shall issue resolutions for the implementation of the provisions of this Law. Ministers, each within his jurisdiction, shall implement the provisions of this Law.

Article 193

This law shall be published in the Official Gazette and shall come into force 60 days after its date of publication.

Zayed Bin Sultan Al Nahyan,

President of the United Arab Emirates

Issued at the Presidential Palace in Abu Dhabi

On the 6th of Jumada Al Aakhir, 1400 H,

Corresponding to the 20th of April 1980 G.