

U. A. E. LABOUR LAW FEDERAL LAW NO. (8) OF 1980

LABOUR LAW AND ITS AMENDMENTS

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FEDERAL LAW NO. (8) OF 1980

REGARDING THE ORGANIZATION OF LABOUR RELATIONS

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

of the provisions of the provisional Constitution; and Law No. 1 of 1972  
regarding the

competence of Ministries, powers of Ministers and Laws bringing amendments  
thereto;

and

In accordance with the proposal of the Minister of Labour and Social Affairs;  
the

approval of the Council of Ministers and the Federal National Council as  
ratified by the

Federal Supreme Council, decree as follows:

## CHAPTER 1

### DEFINITIONS AND GENERAL PROVISIONS

#### 1. DEFINITIONS

##### ARTICLE (1)

for the implementation of the provisions of this Law, the following terms and

expressions shall have the meanings opposite thereto unless the context requires

otherwise:

"Employer" : Any natural or juridical person employing one or more workers in consideration of a remuneration of any kind whatsoever.

"Worker" : Any male or female person who receives remuneration of any kind for work performed thereby in the services of an employer and under his management or control, even if the employee is off employer's sight. This meaning shall also apply to officials and employees who are in the service of the employer and are subject to the provisions hereof.

"Establishment" : Any economic, technical, industrial or commercial unit in which workers are employed and the objectives of which are to produce or market commodities or to provide services of any kind.

"Employment Contract" : Any Agreement, whether for a limited or for an unlimited period, concluded between an employer and an employee under which the latter undertakes to work in the service of the employer and under his management or control against a remuneration payable to him by the employer.

"Work" : Any human effort, be it intellectual, technical or physical, extended against a remuneration whether the said work is permanent or temporary.

"Temporary Work" : Work which is by nature to be executed or completed within a specific period of time.

"Agricultural Work" : Work involving soil ploughing, cultivation, and harvesting of any kind of crops as well as breeding of cattle, poultry, silkworms, bees and the like.

"Continuous Service" : Uninterrupted service with the same employer or his lawful successor from the date of commencement of the service.

"Remuneration"\* : Remuneration is whatever is given to the employee in consideration of his services under the employment contract, whether in cash or in kind, payable annually, monthly, weekly, daily,

hourly, or by piece-meal or pro rata to the production or as a commission.

The remuneration includes the high cost of living allowance, and any benefit given to the employee in reward for his honesty or efficiency, provided always that these amounts are prescribed in the Company bylaws or in the employment contract, or normally practiced or granted to the

\*

Amended by Federal Law No. (12) of 1986.

employees, until they have been regarded by these as an integral part of the remuneration rather than a donation.

#### BASIC REMUNERATION\*

It is the pay provided for in the employment contract during its validity between both parties.

Allowances whatsoever are not included in this remuneration.

"Employment Injury" : Any of the occupational diseases listed in the schedule attached hereto or any other accident sustained by the worker during the performance or as a result of his work. Any accident sustained by the worker on his way to or back from his work shall be deemed an employment injury provided that the trip to or from the place of work is made directly, without delay, default or diversion from the normal route.

"Labour Department" : Branches affiliated to the Ministry of Labour, having competence to look into Labour Matters in the Emirates, Members of the Federation.

## 2. GENERAL PROVISIONS

### ARTICLE (2)

The Arabic Language is the one to be used in all records, contracts, files, statements and

other documents as may be provided for in this Law or in any orders or regulations

issued in implementation of the provisions hereof. The Use of Arabic shall also be

compulsory in instructions and circulars issued by the employer to his employees. If a

foreign language besides the Arabic language is used, the Arabic language shall prevail

over other texts.

ARTICLE (3) \*

\*

Amended by Federal Law No. (12) of 1986.

\*

Amended by Federal Law No. (24) of 1981 and amended for the second time by Federal Law No. (12) of 1986.

The provisions of this Law are not applicable to the following categories:

- a) Officials, employees and workers of the Federal Government, Governmental Departments of the Member Emirates of the State, Officials, employees and workers of municipalities as well as other officials, employees and workers, working in Federal and local public Departments and organizations, as well as the officials, employees and workers appointed for Governmental Federal and Local Projects.
- b) Members of the Armed Forces of Police and Security.
- c) Domestic servants working in Private residences and the like.
- d) Workers employed in Agriculture or pastures, other than those persons employed in the agricultural corporations engaged in processing their products or those permanently engaged in operating or repairing mechanical machines required for Agriculture.

ARTICLE (4)

All amounts payable to the employee or his beneficiaries under this Law shall have lien on all the employer's movable and immovable properties. And payment thereof shall be made immediately after payment of any legal expenses, sums due to the public treasury and Sharia alimony awarded to wife and children.

ARTICLE (5)

Cases filed by employees or their beneficiaries under this Law shall be exempted from court fees at all stages of litigation and execution and shall be expeditiously heard. In the event of non-acceptance or dismissal of the action, the court may order the Plaintiff to pay all or part of the expenses.

ARTICLE (6) \*\*

Without prejudice to the provisions concerning the collective labour disputes, stipulated hereunder, if the employer, worker or any beneficiary thereof lodges claim concerning any of the rights occurring to any of them under this law, he is required to apply to the

concerned Labour Department, and the latter shall call both parties and will take

whatever is considered necessary for settlement of dispute between them amicably. But

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Amended by Federal Law No. 12 of 1986.

if amicable settlement has not been reached, the said department must refer the dispute

to the competent Court within a fortnight from the date of application being submitted

to it. The case so referred should be accompanied with a memo giving a summary of the

dispute, evidence of both parties and the comments of the Department.

Within three days from date of receipt of the application the Court will fix a hearing for

the case, and a summon to this effect will be served upon both parties of the dispute.

The Court may request a representative to appear for the Department of Labour to

explain the contents of the memo submitted by it.

In all cases no claim for any rights due according to the provisions of this Law will be

heard after lapse of one year from date of its maturity, neither will the action be heard if

the procedures provided for in this Article have not been complied with.

ARTICLE (7)

Terms inconsistent with the provisions of this Law including those whose effective date

may precede the enforcement of this Law shall, unless they are proved more beneficial

to the worker, be deemed null and void.

ARTICLE (8)

Dates and periods stipulated herein shall be construed according to the gregorian

calendar. In the application of the provisions of this Law a calendar year is 365 days and

month is 30 days unless stated otherwise in the employment contract.

## CHAPTER II

### EMPLOYMENT OF WORKERS, JUVENILES AND WOMEN SECTION I EMPLOYMENT OF WORKERS

ARTICLE (9)

Work is a right of the United Arab Emirates Nationals. Others may not be employed in

the United Arab Emirates except as provided for in this Law and its executive orders.

#### ARTICLE (10)

In the event of non-availability of national workers, preference shall be given to:

1. Arab workers who are nationals of an Arab Country.
2. Workers of other nationalities.

#### ARTICLE (11)

A Section at the Labour Department shall be created for the employment of nationals

and shall be vested with the following functions:

- a. Supply of suitable employment opportunities for nationals.
- b. Giving assistance to employers to satisfy their requirements of national workers when needed.

c. Registering unemployed nationals and those who seek better jobs in a special

register. The registration shall be made as requested by the workers and certificates of registration shall be granted free of charge on the day of submitting the applications. The registration certificate shall be given a serial

number and shall include the applicant's name, age, place of residence, occupation, qualifications and past experience.

#### ARTICLE (12)

Unemployed national employees may be recruited by employers who must notify the Labour Department of the same in writing within fifteen days from date of employment.

The notice shall include the employee's name, age, the date on which he assumes his

duties, the remuneration fixed for him, the type of work assigned to him and the serial

number of the certificate of registration.

#### ARTICLE (13)

Employees who are not UAE nationals may be employed in the United Arab Emirates

only after approval of the Labour Department and the obtainment of a work permit in

accordance with the procedures decided by Ministry of Labour and Social Affairs. Work

permits may only be granted if the following conditions are fulfilled.

- a. That the employee has the professional competence of educational qualifications

that are needed by the State.

b. That the employee has lawfully entered the Country and complies with the conditions stipulated by the residence regulations in force in the State.

#### Article (14)

The Labour Department may not approve the employment of employees who are not UAE nationals unless its records show that none of the unemployed national employees

who are registered with the Labour Section is qualified for the job.

#### ARTICLE (15)

The Ministry of Labour and Social Affairs may cancel work permits granted to nonnationals

in any of the following cases:

a. If the employee remains unemployed for a period exceeding three consecutive months.

b. If the employee fails to meet one or more of the conditions on basis of which the permit is granted.

c. If the Ministry is satisfied that a certain national employee is qualified to replace

the employee; in this case the employee shall continue to carry out his work until the expiry of his contract of employment or his work permit, whichever occurs earlier.

#### ARTICLE (16)

A special Section shall be established at the Ministry of Labour and Social Affairs for

the employment of non-nationals and the functions of said Section shall be regulated by

a Ministerial Resolution.

#### ARTICLE (17)

No natural person or body-corporate is allowed to work as an agent or supplier of nonnational

employees unless he has a license to do so.

However, such license may be issued if necessity so requires only to nationals by order

of the Minister of Labour. A license shall be valid for one year subject of renewal, and

the licensee shall be under the supervision and control of the Ministry. Said Licenses

may not be granted if an Employment Office pertaining to the Ministry or to an authority approved by the Ministry is already operating in the area and is able to act as

intermediary to supply labour.



## ARTICLE (18)

It is not permissible for any licensed labour agent or supplier to demand or accept from any worker whether before or after his recruitment, any commission or material reward in consideration for arranging such recruitment, nor may he obtain from him any expenses except as may be decided or approved by the Ministry of Labour and Social Affairs.

The persons supplied by a recruitment agent or a labour supplier shall, immediately upon joining the service of an employer, be considered employees of that employer and shall be entitled to all the rights enjoyed by the employees of the establishment in which they are employed. The relations between such employees and the employer shall be direct and without any interference from the labour agent whose task and relation with them shall cease to exist as soon as they are introduced to and employed by the employer.

## ARTICLE (19)

The Minister of Labour and Social Affairs shall determine all rules, formalities and forms used by private and public labour offices as well as cooperation and coordination methods to be adopted between the various activities of these offices and the conditions under which licenses may be issued for the establishment of private employment offices or agencies or labour suppliers. Lists showing professional categories to be used as basis for placement operation shall also be defined by the Minister of Labour and Social Affairs.

## SECTION 2

### EMPLOYMENT OF JUVENILES

## ARTICLE (20)

It is prohibited to employ a juvenile of either sex before he/she completes fifteen years of age.

## ARTICLE (21)

Before a juvenile is employed, the employer shall obtain the following

documents from

him/her and keep them in the juvenile's personal file:

1. A birth certificate of an official extract thereof or an age estimation certificate issued by a competent medical officer and endorsed by the competent Health Authorities.
2. A certificate issued by a competent medical officer and duly attested to the effect that the juvenile concerned is medically fit for the job.
3. A written consent signed by the juvenile's guardian, or custodian.

#### ARTICLE (22)

The Employer shall keep a special register for the juveniles at the work premises, showing the juvenile's name, full name of juvenile's guardian or custodian, place of residence, date of employment and job title.

#### ARTICLE (23)

Juveniles may not be employed at night in industrial projects. The term "night" shall mean a period of not less than twelve consecutive hours including the period from 8 p.m to 6 a.m.

#### ARTICLE (24)

Juveniles may not be employed in jobs which are considered hazardous, exhausting or detrimental to health as may be decided by the Minister of Labour after consulting with the competent authorities.

#### ARTICLE (25)

The maximum number of actual working hours for juveniles shall be six hours per day.

During working hours one or more break times should be given for rest, meals or prayer purposes provided that such time should not be less than one hour. Such time or times

have to be determined in a way that juveniles may not work consecutively over four hours. A juvenile may not remain continuously over seven hours at the place of work.

#### ARTICLE (26)

Under no circumstances, may juveniles be instructed to work overtime, stay in the employment premises beyond the hours of work fixed for them or asked to work on holidays.

## SECTION 3

### EMPLOYMENT OF WOMEN

#### ARTICLE (27)

Women may not be required to work at night. The term "night" means a period of not less than eleven consecutive hours including the period from 10 p.m to 7 a.m.

#### ARTICLE (28)

The following cases shall be excepted from the clause prohibiting women to work at night.

a. In the event where the work in the establishment is stopped due to force majeure.

b. Work in responsible managerial and technical jobs.

c. Work in medical and other services as may be decided by the Minister of Labour and Social Affairs if the working woman does not normally carry out a manual job.

#### ARTICLE (29)

Women may not be employed where jobs are hazardous, harmful or detrimental to health or morals, and in such other jobs as may be decided by the Minister of Labour

and Social Affairs after consulting with the competent authorities.

#### ARTICLE (30)

A working woman is entitled to maternity leave with full pay for a period of forty five

days including the time before and after delivery, provided that her continuous period of

service with the employer should not be less than a year, but if a working woman has

not completed the said period, the maternity leave shall be with half pay.

A working woman, on the expiry of the maternity leave, may discontinue work without

pay for a maximum period of one hundred consecutive or intermittent days if such

absence is due to illness which does not enable her to resume work. Such illness shall

be evidenced by a medical certificate issued by a medical authority attested by the

competent health authority or endorsed by such authorities to the effect that the illness

resulted from pregnancy or delivery.

Leave provided for in the preceding two paragraphs shall not be computed as part of

other leaves.

## ARTICLE (31)

In addition to any prescribed rest period, a working woman nursing her child shall, during the eighteen months following the date of delivery, be entitled to two additional breaks each day for this purpose, neither of which shall exceed half an hour. These two additional periods shall be considered as working hours and shall not cause any reduction of remuneration.

## ARTICLE (32)

A working woman shall be entitled to the same wage as that of a working man, if she does the same work.

## SECTION 4

### COMMON PROVISIONS FOR EMPLOYMENT OF JUVENILES & WOMEN

#### ARTICLE (33)

The Minister of Labour and Social Affairs may decide to exempt charity and educational organizations from all or part of the provisions stipulated in the two preceding sections of this Chapter if the objects of such organizations are to provide vocational rehabilitation or training to juveniles or women on condition that the by-laws of these organizations provide for the nature of the work to be carried out by juveniles and women, the working hours and conditions in a manner that commensurate with the actual potentiality of women and juveniles.

#### ARTICLE (34)

Criminal liability in respect of the enforcement of the provisions provided for in

Sections 2 and 3 of this Chapter shall be incurred by:

- a. The Employers of their representative.
- b. The Guardians or trustees of juveniles, husbands, guardians or trustees of minor women if they have agreed to the employment of women and juveniles contrary to the provisions of the Law.

## CHAPTER III

### EMPLOYMENT CONTRACTS, RECORDS AND REMUNERATION

#### SECTION 1

## INDIVIDUAL EMPLOYMENT CONTRACTS

### ARTICLE (35)

Subject to the provisions of Article 2, the employment contract shall be made in duplicate, on copy to be given to the employee and the other to the employer. In absence of a written contract all of its conditions may be proved by all legal means of evidence.

### ARTICLE (36)

The employment contract shall in particular specify the date of its conclusion, the date on which work begins, nature and place of work, duration of the contract in the case of contract with limited period and the amount of the remuneration.

### ARTICLE (37)\*

The employee may be appointed for a probationary period not to exceed six months, and the employer may terminate the services of the employee during this period without giving a notice or end of service remuneration. Appointment of the employee on probation basis in the service of one particular employer may not be made more than once. However if the employee passed the probationary period satisfactorily, and remained in service, such period of service shall be computed in the period of his service.

### ARTICLE (38)

An employment contract may either be for a limited or an unlimited period. If it is for a limited period, such period shall not exceed four years and the contract may with mutual agreement be renewed one or more times for similar or shorter period/periods. In the event of renewal of the contract the new period/periods are deemed to be an extension of the original period and shall be added thereto in calculation of the employee's total period of service.

### ARTICLE (39)

An employment contract is considered a contract for an unlimited period effective from the day of its commencement in any of the following cases:

1. If it is not concluded in writing .

2. If it is made for an unlimited period.
3. If it is made in writing for a limited period and continues to be applied by both parties after lapse of its period without a written agreement between them.
4. If it is concluded for the performance of a specific job for which no period is

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Amended by Federal Law No. (12) of 1986.

fixed, or if the job by its nature calls for renewal, and has remained in force

despite the completion of work agreed to.

#### ARTICLE (40)

If both parties have continued to apply the contract after the lapse of its original term or completion of work agreed to, without an express agreement, it should be understood

that the original contract has been extended under the same conditions except for

condition regarding its duration.

#### ARTICLE (41)

If an employer entrusts another party with the performance of any of his basic works or

any part thereof, this latter becomes solely responsible for any entitlement due to the

workers executing the subsidiary work under the provisions of this Law.

### SECTION 2

#### VOCATIONAL TRAINING CONTRACT

#### ARTICLE (42)

A vocational training contract is a contract under which the proprietor of an establishment undertakes to equip an individual who attained at least twelve years of

age with full vocational training in compliance with the vocation principles. The

apprentice shall undertake to serve the employer during the training period under such

terms and for such period as may be agreed. The training contract shall be made in

writing, otherwise it shall be null and void. Also the employer or any person giving the

training must be adequately qualified and experienced in the vocation or trade in which

the employee is to be trained. Furthermore, technical facilities and

conditions required

for teaching the vocation or trade must be made available at the establishment itself.

ARTICLE (43)

A trainee who attains legal age shall sign the contract himself. It is not permissible for any one who did not attain 18 years of age to enter into training contract directly by himself, but shall be represented by his natural or legal guardian or trustee.

ARTICLE (44)

1. A training contract shall be made in at least three copies, one of which shall be deposited with the competent labour department for registration and authentication purposes. Each of the two parties shall retain one authenticated company.

2. If the training contract which must be registered contains any provisions contrary to the Law or the regulation and orders issued in implementation thereof, the competent labour department may require the parties thereof to remedy thereto.

3. If the competent labour department does not make any comment or objection within a period of one month from the date on which the training contract is deposited therewith, the contract shall be deemed de facto endorsed from date of its deposit.

ARTICLE (45)

The training contract shall contain details on the identity of parties thereto and/or their representatives as the case may be together with the procedures, period, phases and the vocation subject of the training.

ARTICLE (46)

The employer shall give the trainee sufficient time for theoretical education and shall throughout the period fixed in the contract train him on the proper methods and skills of the vocation for which he is employed; the employer shall also grant the trainee a certificate on completion of each phase of training in accordance with the provisions contained in this Section and a final certificate on completion of the training period. The final certificate shall be endorsable by the competent Labour Department in accordance

with such rules and procedures as may be determined by the Minister of Labour and Social Affairs.

ARTICLE (47)

The training contract may contain an undertaking by the employer to the effect that on completion of his training he shall work for the employer or at the establishment where he has been trained for a period not exceeding twice the training period. The employer may undertake in the training contract to employ the employee on completion of the latter's period of training.

ARTICLE (48)

The Contract shall determine remuneration to be paid for each phase of training, and the remuneration for the final phase shall not be less than the minimum salary prescribed for a similar work and shall not in any case whatsoever be fixed on piece-meal basis or on production basis.

ARTICLE (49)

A trainee who is under 18 years of age shall before commencement of training undergo medical examination to ascertain his health condition and ability to carry out the duties of the vocation for which he wishes to be trained, should particular physical and health conditions be required. The medical report should certify that the trainee candidate satisfies the physical and health conditions required.

ARTICLE (50)

The Minister of Labour & Social Affairs can decide to regulate training for vocations and trades which require apprenticeship and fix the period of training of such vocations and trades, theoretical and practical training programs, the conditions of examination and the certificate given on completion of the training period. The Minister shall give his decision in this respect after taking the opinion of the public establishments concerned. In all cases the Minister may consult one or more



experts in

the profession or vocation where apprenticeship is required to be regulated.

#### ARTICLE (51)

The Minister of Labour and Social Affairs may decide to establish vocational training

centers independently or in co-operation with national, foreign or international

vocational or charitable bodies.

The decision to establish a center shall determine the vocation for which training is to

be provided, condition for admission to the center, the theoretical and practical

curricula, the rules of vocational examinations and certificates and any other matters

necessary for better performance of the center.

#### ARTICLE (52)

The Minister of Labour and Social Affairs may impose upon such establishments, companies and proprietors of industries, vocations and trades as may be determined by

him to accept a certain number or a certain percentage of national trainees for work

under such terms and conditions and for such periods as may be decided by the Minister

of Labour. Moreover, the Minister of Labour may require said establishments, companies, and proprietors of industries, vocations and trades as may be determined by

him to accept for training purposes and additional practical experience a certain number

of a certain percentage of students of industrial and vocational institutes and centers students under such terms and conditions and for such periods as may be agreed with

the management of the establishment concerned.

#### SECTION 3

##### RECORDS AND FILES

#### ARTICLE (53)\*

Each employer employing five or more employees shall abide by the following :

1. He shall keep a special file for each employee, showing his name, profession, age, nationality, place of residence, marital status, effective date of service, pay and whatever changes effected on the pay, penalties invoked against him, injuries and vocational diseases sustained by him, date of service termination and causes of that.

2. He shall prepare a card for each employee and keep it in his personal file.

The card is to be divided into three parts, one for annual leaves, the second for sick leaves and the third for other leaves. The employer or whoever acts for him shall record in this card any leaves obtained by the employee, and it shall be referred to this card whenever the employee applies for leave.

ARTICLE (54)\*

Each employer employing fifteen or more employees shall keep in each place of business or branch where he practices business, the following records and documents:

1. Register of wages: In this register names of employees are to be listed showing the dates for joining of service, and fixing the amount of daily, weekly or monthly pay, along with its benefits, or piece-meal pay, or the commission to each one of them, his working days, and the date for his final departure from work.

2. Register of work injuries: All work injuries accidents and vocational diseases sustained by the employees shall be recorded in this register as soon as they are

\*

Amended by Federal Law No. (12) of 1986.

\*

Amended by Federal Law No. 12 of 1986.

brought to the knowledge of employer.

3. The Regulations of the Work: These regulations shall particularly define the daily working hours, weekly holiday, other holidays, necessary measures and precautions to be taken for avoiding work injuries, and fire hazards. They shall

be displayed at visible place in the premises of business. Such regulations and any amendments thereof, will not take effect, unless they have been approved by the Labour Department within thirty days from the date they are submitted thereto.

4. Penalties Sheet: It has to be displayed at a visible place in the premises of business, listing the penalties that may be invoked on the defaulting employees,

and citing the conditions and cases for putting them into operation.

Enforcement

of penalties and any amendments thereof, should be subject to approval by the Ministry of Labour within thirty day from the date of submitting the same thereto.

#### SECTION 4

#### REMUNERATION

##### ARTICLE (55)

Remuneration shall be paid on a working day and at the place of work in the lawfully circulating national currency.

##### ARTICLE (56)

Employees engaged on yearly or monthly remuneration shall be paid at least once a month. All other employees shall receive their remuneration at least once every two weeks.

##### ARTICLE (57)

The daily remuneration of an employee on piece pay shall be computed on the basis of the average pay received for actual days of work during the period of six months prior to the termination of service.

##### ARTICLE (58)

Settlement of the remuneration payable to employees irrespective of its amount or nature shall be evidenced only in writing, by declaration or oath. Any agreement to the contrary shall be null and void even if made before the effective date of this Law.

##### ARTICLE (59)

No worker shall be obliged to buy food or other commodities from specific shops or products manufactured by the employer.

##### ARTICLE (60)

Any amounts of money may not be deducted from the employee's remuneration to recover particular rights, except in the following cases:

- a. Repayment of advances or amounts of money paid to the employee in excess of his entitlement, provided that deduction in this case may not exceed 10% of the employee's periodic pay.
- b. Installments which are payable by law by the employees from their remuneration, such as social security and insurance schemes.

- c. Subscriptions of the employees in the saving fund or advances due for payment to the fund.
- d. Installments in respect of any social scheme or other privileges or services provided by the employer and approved by the Labour Department.
- e. Fines imposed upon the employee due to offenses committed by him.
- f. Any debts payable in execution of court judgment provided that not more than a quarter of the employee's pay shall be deducted. In the event of numerous debts or creditors, half of the remuneration at the most may be deducted and the sums of money attached shall be divided pro rata among beneficiaries after payment of any legal alimony amounting to one quarter of the remuneration.

ARTICLE (61) \*

If the employee has caused the loss, damage or destruction to any tools, machines, equipment or products owned by or kept in custody of the employer, to the extent that involvement of the employee was due to his fault or violation of the employer's instructions, then the employer has the option to cut from the employee's pay the amount required for rectifying error or restoring the item to its original condition,

\*

Amended by Federal Law No. (12) of 1986.

provided that the amount to be deducted shall not exceed five day pay each month.

The employer can apply to the competent court through the concerned Labour Department for authorizing him to deduct more than this amount if the employee is financially sound or has another source of money.

ARTICLE (62)

The employer may not transfer an employee from the monthly pay to the daily, weekly, hourly or piece work pay except with the latter's written consent.

ARTICLE (63)

The minimum salary and the cost of living allowances payable generally or with respect to a certain area or a particular profession, shall be fixed by a Federal

Decree issued pursuant to proposal made by the Minister of Labour and Social Affairs and approved by the Council of Ministers. The Minister's proposal shall be made either for description or reconsideration of the minimum pay after consulting with the competent authorities and trade agencies if any for both employers and employees based on studies and schedules of the cost of living price fluctuations prepared by concerned authorities in the State. Such minimum pay shall in all cases be enough for the employee's basic needs and to secure means of living.

#### ARTICLE (64)

Minimum salary and its amendments shall come into operation from date of publication of the specific decree in the Official Gazette.

### CHAPTER IV

#### WORKING HOURS AND LEAVES SECTION 1 WORKING HOURS

#### ARTICLE (65)

The maximum normal working hours for adult employees shall be eight hours per day or forty eight hours per week. However, working hours for the employees of commercial establishments, hotels, restaurants, watchmen and similar operations may be increased to nine hours per day as determined by the Minister of Labour. Likewise, working hours per day in respect of hazardous work or work detrimental to health, may be decreased by decision of the Minister of Labour and Social Affairs. During the month of Ramadan, normal working hours shall be reduced by two hours. Time spent by the employee in transport from his residence to the place of work shall not be included in the working hours.

#### ARTICLE (66)

Daily working hours shall be regulated in a way that no employee shall work over five hours consecutively without break times for rest, food and prayer with a total not less than one hour, provided that such times shall not be counted in working hours.

In factories and workshops where work is rotated on night and day shift basis, or in places of business where technical and economic reasons necessitate round the clock work, break times for rest, food and prayer shall be determined by the Minister.

#### ARTICLE (67)

If circumstances of work necessitate that an employee works more than the normal working hours, the extra time shall be considered overtime, for which the employee shall receive a remuneration equal to that corresponding to his normal working hours plus an extra of at least 25 percent of such remuneration.

#### ARTICLE (68)

If circumstance of work necessitate that an employee works overtime between 9.00 p.m and 4.00 a.m., he shall be entitled to normal working hours pay plus an increase equal to at least 50% of such pay.

#### ARTICLE (69)

Actual overtime may not exceed two hours per day unless work is necessary to prevent substantial loss or serious accident or to eliminate or alleviate its effects.

#### ARTICLE (70)

Friday is the normal weekly holiday for all employees except for those on daily wage bases.

If the employee is required to work on Friday he shall be granted one day off for rest or be paid the basic pay for normal working hours plus 50% increase at least of such pay.

#### ARTICLE (71)

Except for labourers on daily wage an employee may not work on more than two Fridays successively.

#### ARTICLE (72)

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

1. Persons holding responsible senior posts in the management or supervision if

holders of such titles are vested with the authorities or employers over employees, and such category is to be determined by the Minister of Labour and Social Affairs.

2. Ship crews and sea men who work under special service conditions due to the

nature of their work, excluding Sea Port workers who are engaged in loading and off-loading and related works.

#### ARTICLE (73)

A Notice Board showing the weekly closing day, working hours and rest times for all categories of employees must be fixed at conspicuous place on the main gate used as entrance by employees and in the premises of work and a copy of the notice should be submitted to the competent Labour Department.

If the weekly closure system is not applied by the place of business, a notice showing the weekly rest day for each category of employees shall be fixed by the employer at the places referred to in the preceding paragraph.

### SECTION 2

#### LEAVES

#### ARTICLE (74)

Each employee is entitled to an official leave with full pay on the following occasions:

- Hijra New Year. One day
- Christian New Year. One day
- Eid Al Fitr Two days
- Eid Al Adha and Waqfa day Three days
- Birthday of the Prophet One day
- Ascension Day One day
- National Day One day

#### ARTICLE (75)

The employee must be granted an annual leave during each year of service which may not be less than:

1. Two days per month in respect of any employee with more than six months and less than one year of service.
2. Thirty days per annum in respect of any employee whose period of service exceeds one year.

In the event of termination of an employee's service he shall be entitled to an annual leave for the fractions of the last year of service.

#### ARTICLE (76)

The employer may at his discretion determine the date for commencement of annual leaves and, when necessary, he may decide to divide the leave in two parts at

the most,  
except in cases of juveniles where vacation may not be divided in parts.

ARTICLE (77)\*

The annual leave period is deemed to include such holidays as prescribed by law or as agreed to, and any other periods of sickness, occurred during this leave and is considered as part thereof.

ARTICLE (78)\*

The employee shall receive his basic pay in addition to housing allowance, if any for the annual leave days. However if the exigencies of work necessitate that the employee works during his annual leave in whole or in part, and the period of leave during which he has worked, has not been carried forward to the next year, the employer ought to pay him his wage in addition to cash in lieu of leave for his working days based on his basic pay.

ARTICLE (79)

The employee is entitled to receive cash in lieu of annual leave days not availed by him, if he was dismissed or if he left the service, after the period of notice stipulated by law.

Cash in lieu of leave is calculated on the bases of pay received by the employee at the time of maturity of such leave.

\*

Amended by Federal Law No. (12) of 1986.

ARTICLE (80)

Remuneration due to an employee plus that of the approved leave under this law shall be paid in full by the employer to the employee before the latter's departure on annual leave.

ARTICLE (81)

If exigencies of work necessitate that the employee work on holidays or rest days against which he receives full or partial pay he shall be compensated in lieu thereof with increase in pay by 50% of his wage, but if he has not been compensated for the same



with a leave, the employer shall pay him an increase to his basic wage equivalent to 150% of the days of work.

#### ARTICLE (82)

If the employee falls sick for reasons other than labour injury he must report his illness

within a period of two days at most and the employer must take necessary measures

having him medically checked up to ascertain illness.

#### ARTICLE (83) \*

1. During the probationary period, the employee is not entitled to any paid sick leave.

2. If the employee spends over three months after completion of the probationary period, in the continuous service of employer, and falls sick during this period,

he becomes entitled to a sick leave not more than 90 days either continuous or intermittent per each year or service, computed as follows:-

A. The first fifteen days with full pay.

B. The next thirty days, with half pay.

c. The subsequent period, without pay.

#### ARTICLE (84)

Pay during sick leave shall not be made if sickness resulted from misbehaviour of the employee such as consumption of alcohol or narcotics.

#### ARTICLE (85)

\*

Amended by Federal Law No. (12) of 1986.

The employer may terminate the services of an employee who fails to resume his duties

at the end of such leave as stipulated in Article (82), (83) and (84) hereof, and in such

case the employee shall be entitled to his gratuity in accordance with the provisions of

this Law.

#### ARTICLE (86)

If an employee resigns from service because of illness before the lapse of the first 45

days of the sick leave and the Government Medical Officer or the physician appointed

by the employer justifies the causes of resignation, the employer must pay to

the  
employee his remuneration due for the period remaining from the first 45 days  
referred  
to above.

ARTICLE (87)

A special leave without pay may be granted for the performance of pilgrimage  
to the  
employee once through-out his service and shall not be counted among other  
leaves and  
may not exceed 30 days.

ARTICLE (88)\*

During the annual leave or sick leave provided for hereunder, the employee may  
not  
work for another Employer; however, if the employer has established that the  
employee  
has done this, he shall have the right to terminate the service of employee  
without  
notice, and to deprive him of the leave pay due to him.

ARTICLE (89)

Subject to the provisions herein contained, every employee who does not report  
to duty  
immediately after expiry of his vacation, he shall be deprived of his pay for  
the period of  
absence commencing from the day following to the date on which the leave has  
expired.

ARTICLE (90)

Without prejudice to cases where the employer has the right to dismiss the  
employee  
without notice or gratuity as prescribed herein, the employer may not dismiss  
an  
employee or serve him with a notice of dismissal during his leave as is  
provided for in  
this Section.

\*

Amended by Federal Law No. (12) of 1986.

## CHAPTER V

### SAFETY, PROTECTION, AND THEIR HEALTH AND SOCIAL CARE OF THE EMPLOYEES

ARTICLE (91)

Every employer must provide adequate means of protection for the employee from

the hazards of injuries and vocational diseases that may occur during work as well as the hazards of fire and other hazards arising from use of machines and other tools, and he must apply all other means of protection as approved by the Ministry of Labour & Social Affairs, and the employee must use protective equipment and clothing provided to him for such purpose and he must abide by all instructions of the employer aiming at his protection from dangers and must not act in a way that may obstruct the application of said instruction.

#### ARTICLE (92)

Every employer must display at a conspicuous point in the place of business detailed instructions concerning methods to prevent fire and protect employees from dangers while they perform their duties. Said instructions shall read in Arabic and, if necessary, in another language understood by the employees.

#### ARTICLE (93)

Each employee has to arrange for one medical aid box(s), supplied with medicines, bandages disinfectants and other relief aids, to be fixed in a conspicuous place within the reach of employees and to be used by a specialist in handling first aids, and every one hundred employees should be provided with an aid box. Each first-aid box shall be sufficient for every 100 employees.

#### ARTICLE (94)

Without prejudice to the provisions of by-laws and regulations issued by concerned government authorities the employer must provide proper cleanliness and ventilation in each place of business and must provide such places with adequate illumination, potable water and toilets.

#### ARTICLE (95)

The employer must appoint one physicians(s) to do full medical checkup at least once each 6 months regularly for his employees who are exposed to the danger of

infection

with any of the occupational diseases reserved in the schedule attached hereto, and to

record the results in his registers and in the personal files of such employees and the

cases of occupational diseases must be reported instantly by the doctors to the employers and the Labour Department after these become certain through medical and

laboratory analysis. The physician in charge of regular medical check up may ask for a

second medical checkup for any employee who is exposed to occupational diseases

before the lapse of the time limit stated in the para. under this article if the case of the employee so requires.

#### ARTICLE (96)

The employer must provide employees with means of medical care according to the

standards decided by the Minister of Labour and Social Affairs in collaboration with the Minister of Health.

The Minister of Labour and Social Affairs has the capacity in consultation with the

Ministry of Health, to determine the general Measures for health prevention applicable

to all establishments having staff and in particular such measures relating to safety,

illumination, ventilation and dining rooms, as well as supply of potable and cleaning

water and measures relating to purification of atmosphere from dust and smoke and to

stipulate precautionary measures against fire and electric current.

#### ARTICLE (97)

The employer or his representative at the time of appointment must keep employees

informed of the dangers related to their profession and preventive measures they have to

take. Moreover, the employer must display detailed written instructions in this respect at

places of business.

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informed of the dangers related to their profession and preventive measures they have to take. Moreover, the employer must display detailed written instructions in this respect at places of business.

#### ARTICLE (99)

Employers, agents of the employers or any other persons having authority on employees

may not permit entry of any kind of alcoholic drinks into the places of business for

consumption threat, and they may not permit entrance into or stay at the establishment

or any intoxicated person.

#### ARTICLE (100)

The employee shall abide by instructions and orders related to business safety and precautions, and adopt precautionary methods and pledge to care for items thereof in his

possession. It is prohibited for an employee to act in any way that may contravene

enforcement of said instructions or misuse methods placed for health and safety

protection of employees or which may cause loss or damage to the same.

#### ARTICLE (101)

Each employer who employs employees in areas that are remote from cities where there

is no access to normal means of transportation shall provide employees with the

following facilities:

1. Adequate means of transport
2. Adequate accommodation
3. Drinking water
4. Proper foodstuff
5. Medical aid equipment
6. Entertainment and sports amenities.

Areas to which all or part of the provisions of this Article apply shall be stated by

decision of the Minister of Labour & Social Affairs.

With exception of foodstuff, all services referred to in this Article shall be at the

expense of the employer and nothing hereof is to be borne by the employee.

## CHAPTER VI

### DISCIPLINARY RULES

## ARTICLE (102)

Disciplinary penalties which may be imposed by the employer or its agent upon its employees are as follows:

1. Warning.
2. Fine.
3. Suspension from work with reduced pay for a period not exceeding ten days.
4. Forfeiture of deferment of periodic increment in establishments where such increments system is applied.
5. Forfeiture or deferment of promotion in establishments where promotion system is applied.
6. Dismissal from service but reserving right to end of service benefits.
7. Dismissal from service together with forfeiture of all or part of the benefits, provided that penalties shall not be imposed for reasons other than those specifically prescribed in Article (120) of this Law.

## ARTICLE (103)

The disciplinary code determines the cases where each of the disciplinary penalties prescribed in the preceding Article may be imposed. The Minister of Labour and Social Affairs may issue by decision, a model penalty and benefits schedule to guide employers in setting up their respective regulations in this regard.

## ARTICLE (104)

A fine may be a certain amount of money or an amount equal to the remuneration of the employee for a certain period of time. A fine in respect of a single offence may not exceed remuneration payable for five days. It is not permissible to deduct within one month an amount equal to more than five days pay from the employee's remuneration in settlement of fines imposed upon him.

## ARTICLE (105)

A special register shall be kept where shall be entered all penalties imposed upon employees showing reason and occasion of penalty, employee's name and his pay. A special account shall be made for this purpose and monthly total thereof shall be allocated for employees' social welfare in accordance with a decision to be taken by the Minister of Labour and Social Affairs in this respect.

ARTICLE (106)

Periodical increment may not be forfeited more than once in a year nor may the said

increment be deferred for more than six months.

ARTICLE (107)

No forfeiture of promotion may be made for more than one promotion step. The punished employee shall be promoted on the next immediate step when such employee

becomes qualified for promotion.

ARTICLE (108)

Financial proceeds collected by the employer as a result of the differences arising from

forfeiture of increment or allowance or delay of the same shall be recorded in a special

register with reasons thereof, name of the employee and amount of his remuneration. Monthly proceeds of such differences shall be allocated for spending on employees

social welfare as may be decided by the Minister of Labour and Social Affairs in this regard.

ARTICLE (109)

Disciplinary penalties may not be imposed on an employee who has committed an offence outside the place of business unless the said act is relevant to the business, the

employer or its manager. Nor is it permitted to apply more than one penalty in respect of

one offence or to combine between disciplinary penalty and deducting part of the employee's pay in accordance with the provisions of Article (61) of this Law.

ARTICLE (110)

Any of the penalties prescribed in Article 102 may not be applied on the employee

unless he is notified in writing of the charge taken against him and unless his statement

is heard and his defence is investigated and unless all that is recorded in a report kept in his personal file.

Penalty shall be noted at the bottom of the said report. The employee shall be notified in

writing of the kind, amount and reasons of penalties and the action taken against him in

case of repetition of the offence.

ARTICLE (111)

An employee may not be charged with a disciplinary offence after lapse of

thirty days

from disclosure of the same, nor may a disciplinary penalty be imposed after the lapse

of sixty days from closing of investigation on the offence and finding an evidence against the employee.

ARTICLE (112)\*

If the employee has been charged with premeditated crime, such as his involvement in a physical assault or robbery of property or other offenses such as the abuse of honesty, breach of trust or strikes, the said employee may be temporarily suspended from work.

If a judgement releases the employee from standing a trial or acquits him he shall be reinstated to his work and his remuneration for the suspension period be paid to him in full in cases where his suspension was maliciously contrived by the employer.

\*

Amended by Federal Law No. (12) of 1986.

## CHAPTER VII

### TERMINATION OF EMPLOYMENT CONTRACT AND END OF SERVICE REMUNERATION SECTION

#### 1. TERMINATION OF EMPLOYMENT CONTRACT

ARTICLE (113)

The employment contract is deemed to be terminated in any of the following cases:

- In the event of mutual consent by both parties to terminate the contract provided

that the employee's consent is made in writing.

- On expiry of the period specified in the contract unless the contract is expressly

or implicitly extended in accordance with the provisions of this Law.

- At the option of either party in unlimited contracts provided that the provisions

of this Law regarding warnings and acceptable causes for termination of the contract without abuse are fully complied with.

ARTICLE (114)

A contract of employment shall not expire by reason of death of the employer unless the

subject matter of the contract is related to him in person. However, the



contract shall terminate by reason of death of the employee or in case of his total disability to perform duties established by a medical report approved by the competent State Medical Authority.

If partial disability of an employee permits him to perform different duties which conform with his health state, the employer shall transfer the employee, at the latter's request, to another job of such other duties and shall pay him the remuneration normally paid by the employer in similar cases without prejudice to entitlement and indemnity accrued to the employee in accordance with this Law.

ARTICLE (115)\*

If the employer has terminated an employment contract with a limited period, for reasons other than those provided for under Article (120) hereof, he becomes liable for payment of compensation to the employee against damages sustained by him, provided

\*

Amended by Federal Law No. (12) of 1986.

that the sum of compensation in all events, may not exceed the total pay due to him for a period of three months or for the remaining period of contract whichever is shorter, unless the terms of the contract provide otherwise.

ARTICLE (116)\*

If the contract has been terminated on part of the employee, for reasons other than those provided for under Article (121) hereof, the employee becomes liable for compensating the employer against losses incurred by him in consequence of contract termination, provided that the amount of compensation, may not exceed half a month's pay for a period of three months or for the remaining period of contract whichever is shorter, unless the terms of the contract provide otherwise.

ARTICLE (117)

1. The employer and employee may terminate the employment contract with

unlimited period, for a valid reason at any time after conclusion of the contract

by written notice duly given to other party, thirty days at least prior to termination.

2. In respect of daily pay employees period of notice shall be as follows:

a. On week in the employee has worked for more than six months but less than one year.

b. Two weeks if the employee has worked for at least one year.

c. One month if the employee has worked for at least five years.

#### ARTICLE (118)

The contract shall continue to be valid throughout the period of warning referred to in

the preceding Article and shall expire with the expiry date of the warning.

The

employee shall be entitled to full pay during the notice period on the basis of last pay he

earned, and he shall have to perform his duties during such period if so instructed by the

employer.

It may not be agreed to waive or reduce period of warning but it may be agreed to

increase such period.

#### ARTICLE (119)

If the employer or the employee has failed to serve notice to the other party for

termination of the contract or has reduced the notice period, the party obliged to serve

the notice shall pay to the other party an indemnity called "Compensation in lieu of

\*

Amended by Federal Law No. (12) of 1986.

notice", and it is incurred by the other party as a result of failure to give notice or for

reduction of said period, and the indemnity shall be equal to the employee's pay for the

notice period in full or in proportion to the diminished part. In regard to employees on

monthly, weekly, daily or per hour work pay the notice allowance shall be computed on

the basis of last pay earned by them. With regard to employees paid on piece work

basis, allowance shall be calculated on the basis of the average daily pay provided for in

Article (57) hereof.

#### ARTICLE (120)

The employer may dismiss the employee without notice in the following cases:

1. If the employee adopts a false identity or nationality or if he submits forged documents or certificates.
2. If the employee is appointed under a probationary period and dismissal occurred during or at the end of said period.
3. If he commits an error causing substantial material loss to the employer provided that the latter advises the labour department of the incident within 48 hours from having knowledge of the same.
4. If the employee violates instructions concerning safety of the place of business provided that such instructions are displayed in writing at conspicuous places and in case of an illiterate employee the latter be informed verbally of the same.
5. If he fails to perform his basic duties under the contract of employment and persists in violating them despite formal investigation with him in this respect and warning him of dismissal if the same is repeated.
6. If he divulges any secrets of the establishment where he is employed.
7. If he is awarded final judgement by the competent court in respect of an offence prejudicing honour, honesty or public morals.
8. If during working hours he is found drunk or under the influence of drug.
9. If in the course of his work he commits an assault on the employer, the manager or any of his colleagues.
10. If he absents himself without lawful excuse for more than twenty intermittent days or for more than seven successive day during one year.

#### ARTICLE (121)

The employee may leave the service without notice in the following cases:

- a. If the employer does not fulfil his obligations towards the employee as provided for in the contract or in this Law.
- b. If the employer or his legal representative has committed an act of assault against the employee.

ARTICLE (122)

Termination by the employer of an employee's service is considered arbitrary if the cause for such termination has nothing to do with the work. In particular, termination is considered arbitrary if the employee's service has been terminated on grounds, or a reasonable complaint lodged by him to the competent authorities, or on grounds of a justifiable action brought by him against the employer.

ARTICLE (123)\*

a. If the employee has been arbitrarily dismissed, the competent court has the jurisdiction to give judgement against the employer for payment of compensation to the employee.

The court shall determine the amount of this compensation, taking into consideration the nature of work sustained by the employee, period of service and after investigation of dismissal circumstances. Provided that in all cases the

amount of compensation should not exceed the employee's pay for a period of three months, to be worked out on the basis of last pay due to him.

b. The provisions of the preceding clause shall not prejudice to the employee's entitlement to the gratuity due to him and notice period provided for in this Law.

ARTICLE (124)

The employer may not terminate the service of an employee for his health deficiency before he avails himself of the leaves lawfully due to him. Any agreement to the contrary is deemed null and void even if it is made before this Law comes into operation.

ARTICLE (125)

The employer shall provide the employee at the end of his service and at the latter's

request with an end of service certificate free of charge. Said Certificate shall include

date of appointment and date of termination, total period of service, nature of work

performed by him and his last pay plus allowances, if any. Certificates or diplomas,

\*

Amended by Federal Law No. (12) of 1986.

papers and tools belonging to the employee shall be returned to him.

ARTICLE (126)

If any change takes place in the form of the establishment or in its legal status, valid contracts at the time of change shall continue to exist so between the new employer and the employees of the establishment, and service shall be deemed to be continuous. Both the former and the new employers shall jointly be liable for a period of six months for the fulfillment of obligations arising from contracts of employment in the period prior to such change and after the lapse of the said period the new employer shall be solely responsible.

ARTICLE (127)

If work assigned to the employee allows to acquaint with the employer's clients or have access to the secrets of his work, the employer may oblige the employee that after termination of the contract he may not compete with him or take part in any business interest competitive to the employer's. Such agreement shall be valid only if the employee has reached the age of 21 years at the time of its being executed and if the agreement is limited with respect to the place, time and nature of work to the extent as is necessary to safeguard the lawful interest of business.

ARTICLE (128)

Any non-national employee who absents himself from work without lawful reasons prior to the end of the contract for a limited period, may not take up employment elsewhere even with the consent of the employer for one year after the date on which he absented himself from duties. And no other employer who is aware of that may employ or keep such employee in his service during such period.

ARTICLE (129)

If the non-national employee has notified the employer of his desire to terminate the contract with unlimited period and has absented himself from work before the end of the legal notice period, he may not take up employment elsewhere before the

lapse of  
one year from date of absence from work, even with consent of employer, and no  
other  
employer, who is aware of the case may recruit him or keep him in service  
before the  
end of such period.

#### ARTICLE (130)

The provisions of Article (128) and (129) exempt non-national employee who  
obtains  
prior approval of the Minister of Labour and Social Affairs before taking up  
another employment with the approval of the original employer.

#### ARTICLE (131)

Expenses for repatriation of an employee to his place of origin or any other  
place agreed  
upon by both parties shall be borne by the employer. If the employee after the  
end of his  
contract takes up employment somewhere else, repatriation expenses upon  
termination  
of his service shall be paid by the last employer subject to the provisions in  
the  
preceding clauses, and if the employer has failed to repatriate the employee  
and has not  
paid the repatriation expenses, the competent authorities shall do this at the  
employer's  
expense by way of attachment. If the cause for termination of contract is  
attributed to  
the employee, his repatriation will be arranged at his own expense if he has  
the mean to  
pay.

#### ARTICLE (131) (REPEATED) \*

1. In application of the provisions stated in the preceding clause, the  
expenses of  
employer's repatriation shall mean the cost of his travel ticket and whatever  
is  
provided for in the employment contract or in the bylaws of the Establishment,  
such as the employee's entitlement to travel tickets for his family and costs for  
shipment of his luggage.
2. In the cases where the employer provides the employee with accommodation,  
the employee shall be obliged to vacate the accommodation within a period not  
to exceed thirty days from the date of his service termination.
3. The employee may not delay vacation of accommodation, thereafter, for any  
reason whatsoever, provided that the employer fulfills his obligation towards  
the

employee with respect to the followings:

- a) Expenses defined in Clause (1) under this Article.
  - b) End of service remuneration and any other dues assumed by the employer under the employment contract or the bylaws or the Law.
4. However, if the employer raised a dispute with respect to the amount of expenses and dues referred to above; the competent labour Department shall determine urgently the amount of such expenses and dues, within one week of a notification being sent to it, provided always that after such determination is

\*

Added by Federal Law No. (12) of 1986.

made by the Labour Dept. the employee must be informed forthwith.

5. In such a case, the validity of the thirty days period referred to in Clause 2 under

this Article, shall take effect from the date, the employer deposits the expenses

and dues determined by the labour Department, with the treasury of Labour Dept. as a trust.

If however the employee has failed to vacate the accommodation after expiry of the said thirty days, the Labour Department, in cooperation with the competent authorities in the concerned Emirate, will take the necessary administrative action to secure vacation.

6. No provisions under this Article is deemed to prejudice the right of employee to litigate thereabout before the competent court.

Article (131-a-1) \*

1- Employer shall undertake to submit a bank guarantee to the competent labour department. The type, amount, procedures and companies and establishments subject to this condition, as well as other relevant provisions shall be defined by

a Cabinet Resolution. Such guarantee shall be for the good performance of the employer's obligations stipulated in Articles 131 and 131-a herein.

2. Deduction of amounts from the bank guarantee mentioned in para (1) of present article shall be by virtue of a court judgement, except for the following:

1. Return expenses of the employee to his home country or wherever as agreed with employer.

2. Amounts acknowledged by employer before the competent labour department as entitlements of employee. In both cases, the Ministry may deduct such entitlements from the guarantee referred to in Para (1) hereof and pay the same to the employee to settle his dues.

## SECTION (2)

\*

Added by Federal Law No. (14) of 1999.

### END OF SERVICE REMUNERATION

#### ARTICLE (132) \*

The employee who has completed one year or more in the continuous service, is entitled

to the end of service remuneration at the end of his service. Days of absence from work

without pay are not included in computing the period of service, and the remuneration is

to be calculated as follows :-

1. Twenty one day's pay for each year of the first five years of service.

2. Thirty days pay for each additional year.

Provided that the entire total remuneration shall not exceed two year's pay.

#### ARTICLE (133)

The employee shall be entitled to end of service remuneration in respect of fractions of

the year payable pro rata to the time actually worked provided that he has completed

one year of continuous service.

#### ARTICLE (134) \*\*

"Without prejudice to the provisions of some laws regarding the granting of pensions

and gratuities to employees of some establishments, the end of service gratuity shall be

computed on the basis of last wage which the employee was entitled to, in respect of

those drawing their salary per month, week or day, and on the basis of average daily

wage stipulated in Article (57) in respect of those drawing their wages on piece work

basis. The wage which is considered as basis for computation of the end of service

gratuity shall not include anything given to the labourer in kind, housing allowance,

transport allowance, travel allowance, overtime allowance, representation allowance,

cashier's allowance, children education allowance, recreation and social services

allowance or any other allowances".

#### ARTICLE (135)

The employer may deduct any amounts due to him from the employee's end of



service  
remuneration.

\*

Amended by Federal Law No. (12) of 1986

\*\*

Amended by Federal Law No. (15) of 1985.

#### ARTICLE (136)

In fulfillment of the provisions of Article (132), cases of employment preceding the effective date of this Law shall not be considered as cases entitling the employee to end of service gratuity. Without prejudice to rights acquired by the employee under any repealed labour law or contracts of employment, agreements, by-laws or regulations of the establishment. In the event of his death, the employee's gratuity shall be paid to his legal heirs.

#### ARTICLE (137)

If an employee under a contract with unlimited period has left his work at his own option 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 end of service gratuity provided for in the previous Article.

If the period of his continued service is more than 3 years and less than 5 years he becomes entitled to 2/3 of the said gratuity, but if his continued service exceeds 5 years, he becomes entitled to the entire gratuity.

#### ARTICLE (138)

If an employee under a contract with limited period leaves his work at his own option before the end of the contract period he shall not be entitled to end of service gratuity unless the period of his continuous service exceeds five years.

#### ARTICLE (139)

The employee shall be fully deprived of the end of service gratuity in any of the following cases:

a. if he is dismissed from service for any reason in accordance with Article

(120)

of this Law or if he leaves his work to avoid dismissal in accordance with the provisions of this Article.

b. If he leaves his work willingly and without notice in cases other than those enumerated in Article (121) under this law with respect to unlimited period contracts or before he completes five years of continuous service with respect to limited period contracts.

#### ARTICLE (140)

In any establishment where a saving fund is raised for employees and if the regulations of such fund provide that payments made by the employer to the fund for the account of employee is a legal commitment against the end of service gratuity, the amount of savings or benefits due hereunder shall be paid whichever is greater. If the fund regulations have no provisions that amounts paid by employers is a legal commitment for the end of service gratuity, the employee shall collect amount due to him from the saving fund in addition to the legal gratuity.

#### ARTICLE (141)

In any establishment where a pension or security schemes or similar schemes are maintained, the employee who is entitled to retirement pension may select either this latter or the prescribed gratuity or whichever from both thus is more favourable to him.

### CHAPTER VIII

#### INDEMNITY FOR LABOUR ACCIDENTS AND OCCUPATIONAL DISEASES

#### ARTICLE (142)

If the employee sustains a labour injury or occupational disease as enumerated in Schedule (1) and (2) attached to this Law, the employer or its representative must report the accident instantly to the Police and Labour Department or any of its branches having jurisdiction over the place of business.

The report must include employee's name, age, vocation, address, and nationality in

addition to a brief description of the accident, its circumstances and the arrangements made for the employee's medical aid or treatment. The police shall carry out necessary investigation, upon receipt of the report which contains statements of witnesses and employer or his representative and statement of injured if his condition so allows, and the report must indicate in particular if the accident is related to work, and whether it was deliberate or a result of gross misconduct on the part of the employee.

#### ARTICLE (143)

Following the investigation, the police must send a copy of the report to the Labour Department and another to the employer. The Labour Department may request that the investigation be completed or otherwise it shall have the investigation directly completed if it is deemed necessary.

#### ARTICLE (144)

In cases of Labour accidents and occupational diseases the employer shall pay the employee's treatment expenses at government or private hospitals until he recovers or his disability is proven. Treatment includes admission in hospitals or sanatorium, and surgical operation, X-ray and laboratory fees in addition to medicines and rehabilitation equipment purchased, artificial limbs and apparatus provided to the disabled persons.

Moreover, the employer must pay the transport expenses arising from the treatment of employee.

#### ARTICLE (145)

If the injury prevents the employee from carrying out his duties, the employer must pay him a financial subsidy equal to full pay throughout the period of treatment or for a period of six months, whichever is shorter. If treatment lasts from more than six months, said subsidy shall be reduced to the half for another period of six months or until the employee recovers from illness or his disability becomes certain or he dies

whichever occurs first.

#### ARTICLE (146)

Financial subsidy referred to in the preceding Article is calculated on the basis of last pay received by the employee in respect of employees who receive monthly, weekly, daily, hourly wages and on the basis of the daily average pay provided in Article (57) with respect to employees on piece work pay.

#### ARTICLE (147)

The medical practitioner in charge shall at the end of treatment make a duplicate report, a copy of which shall be handed to the employee and the other to the employer, and shall defined in the report kind and cause of injury, date of accident, its relation to work and period of treatment and whether the employee has sustained permanent infirmity, or otherwise and degree of disability, if any, and whether such disability is total or partial as well as his ability to carry on duties with the existing disability.

#### ARTICLE (148)

If a dispute arises in connection with the extent of employee's physical fitness for work or grade of disability or other matters related to injury or treatment, the question must be referred to the Minister of Health through the competent Labour Department. A medical board comprising three government physicians shall be formed by the Ministry of Health each time such dispute is referred to it to decide the extent of the employee's physical fitness for service or grade of his disability or any matter related to the injury and treatment. The board may consult with specialized experts and the decision of the board shall be final and forwarded to the Labour Department to take necessary steps for its execution.

#### ARTICLE (149)

If the employee dies as a result of a labour accident or occupational disease, the employee's family members shall be entitled to an indemnity equal to the basic pay of the employee for a period of 24 months, provided that the amount of indemnity

shall not

be less than eighteen thousand Dirhams and not more than thirty five thousand Dirhams.

The amount of indemnity shall be calculated on the basis of the last pay earned by the employee prior to his death. Such indemnity shall be distributed among the beneficiaries of the deceased employee in accordance with the provisions of the schedule attached hereto.

In application of the provisions of this Article, the term "members of the deceased family" shall mean such persons who at the time of death of the employee used to be entirely or mainly supported by the income of deceased, that is:

- a. Widow or widower
- b. Children, namely:

1. Sons who have reached the age of 17 years and those who regularly attend schools and have not completed 24 years of age, or those who mentally or physically are incapable to earn living.

The term sons includes sons of the husband or of the wife who were under the guardianship of the deceased at time of his death;

2. Unmarried daughters, including the daughters of the husband or wife who are not married and at the time of death were under the guardianship of the deceased.

3. Parents;

4. Brothers and sisters according to terms provided for sons and daughters.

#### ARTICLE (150)

If labour accident or occupational disease results in a permanent partial disability of the employee, he shall be entitled to indemnity in accordance with rates enumerated in the two schedules attached to this Law multiplied by the amount of death indemnity prescribed in the first paragraph of the preceding Article, as the case may be.

#### ARTICLE (151)

The amount of indemnity due to the employee in the event of a permanent total disability shall be equal to that due in the event of death.

#### ARTICLE (152)

The Minister of Labour and Social Affairs may if necessary and in agreement with the Minister of Health, amend the occupational diseases in Schedule (1) and indemnity of disability in Schedule (2) attached to this Law.

## ARTICLE (153)

Neither the injured employee nor the members of his family shall be entitled to indemnity in respect of injury or disability if it has not caused death and if the investigations by the competent authorities have established that the employee has deliberately caused injury to himself with intention of committing suicide or to obtain indemnity or sick leave or otherwise, or if the employee was at the time of the incident under the influence of drug or alcoholic drinks, or if he has wilfully violated safety instructions displayed conspicuously at the place of business or if his injury or disability resulted from serious premeditated misdemeanor on his part or if he has refused unreasonably the medical checkup or treatment as prescribed by the medical board formed in accordance with the provisions of Article (148).

In any of the cases hereinabove, the employer shall not be under obligation to provide treatment or any financial subsidy to the employee.

## CHAPTER IX

### COLLECTIVE LABOUR DISPUTES

#### ARTICLE (154)

Collective labour disputes means any dispute between the employer and his employees, concerning common interests for all or part of the employees in an establishment or vocation or a certain profession or in any specific vocational sector.

#### ARTICLE (155)

If a dispute arises between an employer(s) and all or part of his/their employees and both parties fail to reach an amicable settlement, the following steps shall be taken:

1. The employees shall submit their complaint in writing to the employer and simultaneously dispatch a copy thereof to the Labour Department.
2. The employer shall reply in writing to the complaint or claims of the employees within seven working days from date of receipt of the complaint. A simultaneous copy thereof shall be submitted to the Labour Department at the same time.
3. If the employer fails to submit his reply to the complaint within the fixed

period

or if his reply does not result in settlement of the dispute, the competent Labour

Department of its own motion or at request of either party shall mediate to settle

the dispute amicably.

4. If the complaint is made by the employer, he must submit the complaint directly

to the Labour Department to mediate for an amicable settlement of the dispute.

#### ARTICLE (156)

If mediation efforts by the competent Labour Department have failed to reach a settlement on the dispute within 10 days from date of the Department's

knowledge

thereof the Department must refer the dispute to the competent conciliation board for

settlement and notify both parties of its decision in writing.

#### ARTICLE (157)

In each Labour Dept. a board is to be set up and called the Conciliation Board, and for

this purpose a decision shall be taken by the Minister of Labour and Social Affair.

#### ARTICLE (158)

Each party to the dispute shall follow-up the matter before the Conciliation Board until

a decision is awarded and the Board shall issue its decision by majority within two

weeks from date on which the dispute was referred to it.

The decision shall be binding on both parties only if they have agreed in writing before

the Board to accept it decision. If such agreement is not made, either party or both

parties may challenge the Board's decision before the Supreme Arbitration Committee

within thirty days from date on which decision was made, otherwise, the decision shall be deemed to be final and enforceable.

#### ARTICLE (159)

Rescission of employment contract or dismissal of the employees' representatives who

are members of the Conciliation Board shall not prevent performance of their duties on

the Board unless the employees elect other representatives.

#### ARTICLE (160)

A Committee called the Supreme Arbitration Committee is to be formed for

Settlement

of collective Labour Dispute, at the Ministry of Labour and Social Affairs, composed as

follows:

1. The Minister of Labour as Chairman, and in his absence the Under Secretary or the Director – General of the Ministry of Labour and Social Affairs shall replace him.
2. A judge of the Supreme Federal Court is nominated by the General Assembly of this Court as a member and appointed by order of the Minister of Justice.
3. A person with experience and knowledge in labour matters and known for his impartiality is appointed as member by order of the Minister of Labour and Social Affairs. Two alternate members may be selected from the two categories of the two regular members to act for them in their absence. Appointment of regular and alternate members shall be valid for three renewable years, and renewal shall take place in the same manner as the appointment.

#### ARTICLE (161)

The Supreme Arbitration Committee for settlement of collective labour disputes shall

have the powers to issue final and conclusive judgements on all disputes referred to it

by the concerned parties. Decisions of said Committee shall be taken by majority the grounds shall be stated.

#### ARTICLE (162)

In accordance with a proposal from the Minister of Labour and Social Affairs, and in

consultation with the Minister of Justice, a decision shall be taken by the Council of

Ministers regulating litigation proceedings and other rules necessary for the good

progress of the work before the Conciliation Boards and the Supreme Arbitration

Committee for solving Collective Labour disputes. For the purpose of performing their

functions these Boards and Committees may inspect papers and documents, records and other evidences and compel persons in possession of the same to submit these materials.

They may also enter the establishment to conduct necessary investigation and to take

whatever measures that are deemed to be necessary for settlement of the dispute.



ARTICLE (163)\*

Neither party to the dispute may again raise the conflict regarding which a final judgement has been given by any of the Boards referred to herein, unless with the mutual agreement of both parties to the dispute.

ARTICLE (164)

The Boards referred to herein, shall apply the provisions of this Law, the laws in force and the rules of Islamic Sharia as well as any other customary rules, principles of justice, natural and comparative laws which are consistent therewith.

ARTICLE (165)

The decisions rendered by the Supreme Committee of Arbitration in settlement of collective labour disputes shall be enforced with the cooperation of the competent authorities in each Emirate.

## CHAPTER X

### LABOUR INSPECTION

ARTICLE (166)

Labour inspection shall be undertaken by specialized inspectors attached to the Ministry of Labour and Social Affairs, and having the prerogatives and powers provided for in this law. Labour inspectors shall carry cards issued by the Ministry of labour and Social Affairs certifying their capacity.

ARTICLE (167)

Labour inspectors shall have the following powers:

a. Control the proper implementation of the provisions of the Labour Law particularly in respect of the conditions of work, remuneration and protection and safety of employees during the performance of their duties and such other matters related to the health and safety of employees and the employment of juveniles and women.

\*

Amended by Federal Law No. (12) of 1986.

b. Supply employers and employees with information and technical guidance to enable them adopt the best methods for the implementation of the provisions of this law.

c. Report to competent authorities, any problems which the existing rules cannot remedy and to propose whatever is necessary to this .

d. Make report of cases found in violation of the provisions of the Labour Law, regulations and decisions issued for their implementation.

#### ARTICLE (168)

Before assuming their functions, labour inspectors shall take an oath before the Minister of Labour and Social Affairs that they will honour law, perform their duties sincerely and honestly and that even after cessation from their present posts they shall not divulge any secret or industrial trade mark or other secrets which may come to their knowledge ex officio, and to treat the complaints received by them in full secrecy and shall not disclose to employer or to his agents the contents of such complaints.

#### ARTICLE (169)

The employers and their agents must provide the inspectors designated to perform labour inspection, with , all such necessary facilities and information for the performance of their functions and to comply with the summons to appear before them and to send their representatives when they are requested to do so.

#### ARTICLE (170)

The labour inspector shall have the following powers:

1. Enter any establishment governed by the provisions of this Law at any time of the day or night without prior notice provided he performs that during working hours.
2. Carry out any inspection or investigation as may be necessary to ensure the proper implementation of the Law, and in particular he shall :
  - a. Interrogate the employer or employees either alone or in presence of witnesses in respect of any matter related to implementation of the provisions of the Law.
  - b. Inspect all documents required to be kept in accordance with the provisions of the Labour Law and decisions made in execution thereof and to obtain photocopies and extracts therefrom.
  - c. Take one or more samples of materials used or related to the industrial operations or in other operations subject to inspection if such materials

are believed to be harmful to the health or safety of employees, in order to have them analyzed in government laboratories to determine the extent of harm and inform the employer or his representative of the results and to take appropriate measures in this regard.

d. Ensure that notices and publications are displayed conspicuously at the place of business in accordance with the provisions of the Law.

#### ARTICLE (171)

The Minister of Labour and Social Affairs shall issue the necessary regulations for organizing inspection measures stipulated in the preceding Article.

#### ARTICLE (172)

Without prejudice to the provisions of Article 169 hereinabove, any person carrying out inspection must notify the employer or its representative of his presence unless he believes that the purpose of inspection requires otherwise.

#### ARTICLE (173)

A labour inspector may, in order to secure the compliance with the provisions concerning the health and safety of the employees, instruct the employers or their representatives to alter the machines and equipment used by them and to perform this within the time-limits prescribed by him. And in the event where an imminent danger threatens the health and safety of the employees, he may impose any necessary measures aiming at averting such danger immediately.

#### ARTICLE (174)

If during an inspection visit, the inspector finds any violation of this Law, regulations or executive decisions, he shall report the violation in writing and refer the same to the competent Labour Department for necessary action against the offender.

#### ARTICLE (175)

The labour inspector may, if necessary, request the competent administrative authorities and policemen to provide necessary help.

In cases where inspection relates to health aspects of the business the inspector must, with the consent of the director of the concerned Labour Department be accompanied by a specialized physician from the Ministry of Health or the physician appointed for this purpose.

#### ARTICLE (176)

The Chief Labour Inspector shall make a monthly report on the activities of

labour

inspection, areas of inspection, and organizations inspected, number and nature of contraventions made and to make an annual report on inspection in the area showing results and effects of inspection and whatever remarks and proposals he may have with a copy of the monthly and annual reports to be sent to the Labour Department.

ARTICLE (177)

The Ministry of Labour shall prepare an annual report on inspection in the State, containing the role played by the Ministry in supervising the application of the Labour

Law, and in particular, the following matters:

1. A statement on the provisions regulating inspection.
2. A statement on officials having the authority to inspect.
3. Statistic in respect of inspected establishments, number of employees, number of visits and inspection visits made by the inspectors, as well as violations committed and penalties imposed labour accidents and cases of occupational diseases.

ARTICLE (178)

Forms for violation reports, inspection registers, notices and warnings, as well as appropriate regulations to maintain and use them, are to be made and circulated by the Ministry of Labour to labour Departments in different areas.

ARTICLE (179)

Subject to the priority given to nationals and to the general pre-requisite conditions for

appointment of employees, the labour inspectors are required to :

1. Have the character of complete impartiality.
2. Have no direct interest in the establishments they inspect.
3. Pass a special test in behaviour, following a training course of at least three months.

ARTICLE (180)

Special training courses for labour inspectors shall be organized by the Ministry of

Labour, during which the inspectors shall in particular receive training on the following:

1. Principles of organization of inspection visits and contact with the employers and employees.

2. Methods of checking registers and books.
3. Principles of guidance of the employers on the interpretation of and the results obtained from the application of the Law provisions, and assisting them in the implementation of such provisions.
4. Basic principles of industrial technology and safety methods against labour accidents and occupational diseases.
5. Basic principles of self-sufficient production and its effect on maintaining favourable conditions for the performance of the work.

## CHAPTER XI

### PENALTIES

#### ARTICLE (181)\*

Without prejudice to any severe penalty provided for in another law of imprisonment for a period not to exceed six months, and a fine not less than Dhs three thousand and not more than Dhs. ten thousand or either of the two penalties shall be inflicted to:

1. Any person who violates any of the obligatory provisions of this Law or any of the executive regulations or orders issued thereunder.
2. Any person who hinders or prevents any of the official assigned to enforce the provisions of this Law or any of its executive regulations or resolutions, or whoever attempts or starts to prevent him from performing his job either by force or violence or by threatening to use force or violence.
3. An official entrusted with the implementations of the provisions hereof and who disclose any confidential matter in respect of work, or any industrial patent or any other activities of work which may have come to his knowledge, in the course of his assignment, even though he has left the work.

#### ARTICLE (182)

Execution of judgements to pay fines may not be stayed. Fines imposed on the employer shall vary in accordance with the number of employees regarding whom the violation was committed, provided that the total amount of the penalty imposed shall not exceed three times the maximum limit of the fine fixed. The provisions of this Article shall apply on the cases where a violation is committed against the following rules

and any regulations and orders issued in implementation thereto :

\*

Amended by Federal Law No. (12) of 1986.1. Violation of the provisions of Article 13.

2. Violation of the provisions of Section 2 and 3 of Chapter II.

3. Violation of the provisions of Chapter III.

4. Violation of the provisions of Articles 114, 124, 125, 128 129, 142 and 144.

#### ARTICLE (183)

In the event where an offence is committed again before the lapse of one year from the

act of a judgement being rendered against the perpetrator in respect of a similar offence,

the Court may inflict the double of the penalty.

#### ARTICLE (184)

Subject to the provisions stipulated in Articles 34, 41 and 126 criminal proceedings may

be filed against the General Manager who is responsible for the management of the

establishment and against the employer if circumstances give the belief that he was not

unaware of the facts constituting the violation.

#### ARTICLE (185)

If the employer has not fulfilled his obligations hereunder the competent Labour

Department may issue a decision showing the subject of violation, and instructing the

employer to complete the work within a period to be fixed from date on which he has

been notified, otherwise the Department shall carry out such work at the expense of the

employer and collect costs by way of sequestration.

#### ARTICLE (186)

In application of the provisions of this Law, the regulations and decisions in execution

thereof, the Labour Department shall not in as far as possible, resort to criminal

proceedings except after advise and guidance ar given to the employers and employees

involved in the violation and when necessary warning is given to them in writing to

rectify their situation in accordance with the Law, before initiating any procedure.

## CHAPTER XII

### CONCLUDING PROVISIONS

#### ARTICLE (187)

The Minister of Labour shall take a decision establishing Labour Departments and offices vested with powers to implement this law and determine their areas of jurisdiction.

#### ARTICLE (188)

The Directors of Labour Departments and Officials of the Inspection Section at the Ministry of Labour shall be vested with Judiciary capacity for the implementation of this Law, regulations, decisions and orders issued in execution thereof.

#### ARTICLE (189)

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

#### ARTICLE (190)

Without prejudice to the cases under this Law regarding the exemption from fees, the Minister of Labour shall determine in a decision given by him the fees due for the issue of Labour recruitment offices licenses, employment visas, work permits, renewal and issue of copies thereof provided that such fee shall not exceed Dh. 500 (five hundred only).

#### ARTICLE (191)

According to a proposal by the Minister of Labour and Social Affairs the Council of Ministry may issue rules which are more beneficial to national employees.

#### ARTICLE (192)

The Ministry of Labour shall take the necessary decisions for the enforcement of the provisions of this law, and Ministers according to their areas of jurisdiction shall put such rules into effect.

#### ARTICLE (193)

This Law shall be published in the Official Gazette and shall take effect sixty days after the date of its publication.

Zayed Bin Sultan Al- Nahyan  
President of

The United Arab Emirates  
Presidential Court - Abu Dhabi

6 Jumadi Ul Thani 1400 Ah

Corresponding to 20 April, 1980 AD.

SCHEDULE NO. 1

OCCUPATIONAL DISEASES

Sr. No. DISEASE OCCUPATION CAUSING THE DISEASE

1. Poisoning by lead and its compounds

Any occupation which requires use or handling of lead or its compounds containing lead.

2. Poisoning by mercury and its compounds

Any occupation requiring use or handling of mercury or its compounds or any items containing mercury or exposure to mercury dust or gases or its compounds or items containing mercury.

3. Poisoning by arsenic and its compounds.

Any occupation requiring use or handling of arsenic or its compounds or any items containing arsenic or exposure to dust or gases of arsenic or its compounds or items containing arsenic .

4. Poisoning by antimony and its compounds.

Any occupation requiring use or handling of antimony or its compounds or any items containing antimony or exposure to dust or gases of antimony or its compounds or items containing antimony.

5. Poisoning by phosphorus and its compounds.

Any occupation requiring use or handling of phosphorus or its compounds or exposure to the dust or gases of phosphorus or its compounds or items containing phosphorus.

6. Poisoning by products, benzene or its homologues or any compounds or derivatives thereof.



Any occupation requiring use or handling of such products or any work requiring exposure to its dust or gases.

7. Poisoning by manganese and its compounds.

Any occupation requiring use or handling of manganese or its compounds or any items containing manganese or exposure to the dust or gases of manganese or any other items with manganese content.

8. Poisoning by sulfuric metal and its compounds.

Any occupation requiring use or handling of sulfuric metal or its compounds or any items having sulfuric content or exposure to the dust and gases of sulfuric metal and its compounds or any items having sulfuric content.

9. Poisoning by petroleum, its gases, derivatives or compounds.

Any occupation requiring use or handling of benzene and its derivatives or its compounds or exposure to the dust or vapors of benzene whether in solid, liquid or gaseous form.

10. Poisoning by chloroform or carbon tetrachloride.

Any occupation requiring use or handling of chloroform or carbon tetrachloride or exposure to the gases containing them.

11. Diseases resulting from Radium or radio-active (X-rays).

Any occupation requiring exposure or radium or any other radio-active substance or X-rays.

12. Chronic skin disease and burns of the skin and the eye.

Any occupation requiring use or handling of tar or coal tar equipment, mineral oil or kerosene (or cement, flour or similar dust or any of their

compounds, products or residues).

13. Eye affections from the heat and light, and the consequences of such affections.

Any occupation requiring recurrent or continuous exposure to reflection of light, heat or radiation emitted by molten glass, hot or molten metals or exposure to powerful light and high temperature that could cause harm to eye or sight.

14. Pneumoconioses resulting from :

1. Silicosis (Silicon dust)
2. Asbestosis (Asbestos dust)
3. Byssinosis (cotton dust)

Any occupation requiring exposure to silicon dust or any items with silicon content in a concentration of more than 5%, such as work in rock cement factories, sandblasting of metals or any other occupation requiring a similar exposure, as well as any work requiring exposure to asbestos or cotton dust to such an extent as to result in such a disease.

15. Anthrax Any work requiring contact with animals affected by such a disease or with their skins, horns and hair.

16. Glanders Any works requiring contact with animals affected by this disease.

17. Pulmonary Tuberculosis Any work in hospitals providing treatment patients affected by this disease.

18. Enteric Fever Any work in hospitals specialized in the treatment of this disease.

## SCHEDULE NO. 2

### PERMANENT DISABILITY COMPENSATION ASSESSMENT

-----  
DISABILITY S/R NATURE OF PERMANENT DISABILITY PERCENTAGE  
DEGREE  
-----

Total 1 Loss of both arms from the shoulder  
or loss of any two or more limbs 100

2 Total loss of sight or loss of both eyes 100

- 3 Total paralysis 100
  - 4 Imbecility or total mental deficiency 100
  - 5 Injuries or accidents to the head or skull causing continuous headache 100
  - 6 Total disfigurement of face. 100
  - 7 Injuries and accidents to the chest and internal organs causing permanent and total inability to function normally 100
- 

- Partial 8 Loss of both legs from the thigh 90
  - 9 Loss of both arms from elbow or above 85
  - 10 Excessive disfigurement of the face 80
  - 11 Total loss of both hands from the elbow 70
  - 12 Total loss of right arm from shoulder joint or from the elbow 70
  - 13 Loss of both legs from the knee or above 70
  - 14 Total loss of left arm from the shoulder joint or from the elbow 60
  - 15 Loss of one leg from the knee or above 60
  - 16 Loss of right arm from the elbow or below. 60
  - 17 Loss of one leg from the thigh 60
  - 18 Loss of both legs from below the knee 60
  - 19 Total loss of tight hand including thumb 60
  - 20 Loss of left arm from above or below the elbow 50
  - 21 Loss of the left hand fingers including thumb 50
  - 22 Loss of one leg below the knee 50
  - 23 Total and permanent loss of hearing 50
  - 24 Loss of tongue or permanent dumbness 45
  - 25 Loss of both feet from the ankle or below 45
  - 26 Loss of genital organ 45
  - 27 Loss of sight of one eye 45
  - 28 Loss of right hand from the wrist 38
  - 29 Loss of thumb or four fingers of the right hand. 35
  - 30 Loss of left hand from the wrist 34
  - 31 Loss of thumb or four of the left hand fingers 25
- 

DISABILITY S/R NATURE OF PERMANENT DISABILITY PERCENTAGE DEGREE

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- Partial 32 Loss of one foot from the ankle or below 20
- 33 Loss of all toes of one foot including the big toe 20
- 34 Loss of three of the right hand fingers excluding the thumb 15
- 35 Loss of the index finger of the right hand 15
- 36 Loss of the phalanges joint of the right hand thumb 10
- 37 Loss of the index finger of the left hand 10

- 38 Loss of three of the left hand fingers excluding the thumb 10  
39 Loss of all toes foot of one excluding the big toe 10  
40 Loss of big toe of one foot 10  
41 Loss of the last phalanges joint of the left foot great toe. 6  
42 Loss of the right hand middle finger 6  
43 Loss of the left hand middle finger 6  
44 Loss of the right hand annular finger 6  
45 Loss of the left hand annular finger 6  
46 Loss of the right hand auricular finger 6  
47 Loss of one finger of the left hand 6  
48 Loss of the phalanges joint of any finger  
excluding the thumb 5  
49 Loss of the right hand index finger second joint 5  
50 Loss of the foot toes excluding the great toe 5  
51 Loss of one molar tooth 3  
52 Loss of one canine tooth 2

- 
1. Total incapacity to use any organ of the body or part thereof is considered equal to total loss of such organ or part of the body.
2. If the person injured is a left - handed the compensation hereinabove provided for the left hand shall be the same as for the right hand.
3. In the case of marring, disfigurement or unnatural alternation of any organ or part of the body or any sense not covered by the above schedule, the rate of disability shall be estimated, in case of dispute, by the medical board referred to in Article 148 hereof which shall take into consideration nearest similar case in the above schedule.

#### SCHEDULE NO. (3)

#### TERMS AND PROVISIONS GOVERNING THE DISTRIBUTION OF THE DEATH COMPENSATION AMONG THE FAMILY MEMBERS OF THE DECEASED EMPLOYEE

1. In the presence of the widow/widower with parents and the child who were in the care of deceased, the compensation shall be distributed in such a way that the widower shall get one eighth and the widows, if more than one, shall have one eighth divided equally among them, the father shall have on third, and both parents shall have one third equally between them, and the rest to the child. Should there be no child, the widower or widows, if more than one, shall get two thirds of compensation, the father shall have the rest, and if both parents

are alive,  
they shall have the rest to be divided equally between them.  
In the absence of the parents the widow/widower shall have one eighth provided  
it  
is divided equally among widows if more than one, and the child shall have the  
rest. In the absence of either a child or a father with the widower/widow,  
the  
latter, shall have the full compensation provided it is divided equally  
between  
widows if more than one.

2. In the presence of a father and a child who were under the care of the  
deceased but  
in absence of a widow, the child shall have two thirds and the rest to the  
father or  
equally to both parents if they are still in existence.

3. In the presence of children used to be supported by the deceased employee,  
and in  
absence of the widower, widow, parent, or parents, or brothers or sisters who  
were  
supported by him, the compensation shall be distributed among the children  
equally, and if there is only one child he shall have the full amount of the  
compensation.

4. In the presence of parents who were supported by the deceased employee  
without  
children, widow or widower, the compensation shall be distributed between the  
parents equally. Unless only one parent exists he/she shall have the full  
compensation. Brothers and sisters supported by the employee prior to his  
death  
shall have the same share as parents in the absence of the latter.

