

**Federal Decree-Law No. 33/2021**  
**On Regulation of Labour Relations**  
*Labour Code*

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**Abrogating**

**Federal Law No. 8/1980 dated 20/04/1980**

**Amended by:**

**Federal Decree-Law No. 14/2022 dated 15/09/2022**

**Federal Decree-Law No. 20/2023 dated 13/09/2023**

**Federal Decree-Law No. 9/2024 dated 29/07/2024<sup>[1 p.21]</sup>**

We, Khalifa bin Zayed Al Nahyan President of the United Arab Emirates State,  
After perusal of the Constitution,  
Federal Law No. 1/1972 on the Competencies of Ministries and Powers of Ministers, and its amendments;  
Federal Law No. 6/1973 on the Entry and Residence of Foreigners, and its amendments;  
Federal Law No. 8/1980 regulating Employment Relationships, and its amendments;  
Federal Law No. 3/1987 promulgating the Penal Code, and its amendments;  
Federal Law No. 10/1992 promulgating the Law of Evidence in Civil Transactions, and its amendments;  
Federal Law No. 11/1992 on the Civil Procedures and its amendments;  
Federal Law No. 35/1992 promulgating the Penal Procedure Law and its amendments;  
Federal Law No. 7/1999 promulgating the Pensions and Social Security Law, and its amendments;  
Federal Law No. 29/2006 on the Rights of People with Special Needs, and its amendments;  
Federal Decree-Law No. 2/2015 on Combating Discrimination and Hatred, and its amendments;  
Federal Law No. 13/2016 on the judicial fees before the Federal Courts;  
Federal Law No. 14/2016 on the Violations and Administrative Sanctions in the Federal Government;  
Federal Law No. 13/2020 on Public Health;  
And according to the suggestion of the Minister of Human Resources and Emiratisation and the approval of the Cabinet,  
Issued the following Decree-Law:

**Article 1 - Definitions**

In the implementation of the provisions of this Decree-Law, the following words and expressions shall have the meanings stated beside them unless the context requires otherwise:

State: The United Arab Emirates.

Ministry: Ministry of Human Resources and Emiratisation.

Minister: Minister of Human Resources and Emiratisation.

Private Sector: Companies, institutions, Establishments or any other entities wholly owned by individuals or jointly with the federal or local government, and companies and institutions wholly owned by the federal or local government unless the laws of their Establishment stipulate that they are subject to the provisions of another law.

Establishment: Every technical, industrial, commercial, or other economic unit approved in the State, employing Workers, aiming to produce goods, market them or provide services, and is licensed by the competent entities.

Employer: Every physical or legal person who employs one or more Workers in return for Remuneration.

Worker: Every physical person authorised by the Ministry to work for one of the licensed Establishments in the State, under the supervision and direction of the Employer.

Juvenile: Whoever completed fifteen years old and has not yet passed the age of eighteen.

Work: Every human, intellectual, technical or physical effort, performed according to different types of Work.

Work Permit: A document issued by the Ministry, according to which a physical person is allowed to work for the licensed Establishment.

Employment Contract: Every agreement concluded between the Employer and the Worker, in which the latter commits to work in the service of the Employer and under his supervision and guidance, in return for Remuneration that the Employer is obligated to pay, in accordance with the contract forms specified by the Implementing Regulation of this Decree-Law.

Probation Period: The period that may be required by the Employer, which enables him to evaluate the Worker's performance, and enables the Worker to become familiar with his job duties and the Work environment, upon which the Employment Contract may be continued or terminated in accordance with the provisions of this Decree-Law.

Notice Period: The Notice Period specified in the Employment Contract, which requires both parties to the contract to abide by in the event that either of them wishes to terminate the Employment Contract.

**Basic Salary:** The Remuneration stipulated in the Employment Contract, which is given to the Worker in return for his Work under the Employment Contract, on a monthly, weekly, daily, hourly or piecework basis, and does not include any other allowances or benefits in kind.

**Remuneration:** Basic Salary, in addition to the cash payment and benefits in kind that are decided for the Worker under the Employment Contract or this Decree-Law, and may include: The benefits in kind that the Employer is obligated to provide to the Worker, or their cash equivalent, if they are prescribed as part of the Remuneration in the Employment Contract or the Establishment's system, or the allowances that the Worker is entitled to in return for the effort he exerts, or the risks he is exposed to in the performance of his Work, or any other reasons, or the allowances given to meet the cost of living, or a percentage of sales, or a percentage of the profits paid for what the Worker markets, produces, or collects.

**Working Day:** Official Working Day determined by the executive decisions of this Decree-Law.

**Workplace:** The Work site agreed upon in the Employment Contract, or in which the Worker provides the tasks and services agreed upon to the Employer.

**Continuous Service:** The ongoing service for the same Employer or his legal successor, from the date of commencement of Work.

**Day Labourer:** Every Worker receiving daily wage.

**Work Injury:** Suffering one of the occupational diseases specified in the table issued by a decision of the Cabinet, or any other injury arising during or because of the Worker's performance of Work. Every accident that is proven to have occurred to the Worker during the period of his commute to and from Work, without interruption or deviation of the normal journey, shall be considered as Work Injury.

**Medical Entity:** Any federal or local government entity concerned with health affairs or any private health Establishment licensed to provide health services in the State.

**Worker Family:** Spouse, sons and daughters.

**Individual Labour Disputes:** Every dispute between an Employer and the Worker alone, the subject matter of which is related to this Decree-Law, its Implementing Regulation and the decisions issued in implementation thereof.

**Collective Labour Disputes:** Every dispute between an Employer and his Workers, the subject matter of which is related to the common interest of all Workers or a group of them.

## Article 2 - Objectives

This Decree-Law aims to:

1. Ensure the efficiency of the labour market in the State, which contributes to attracting and maintaining the best competencies and future skills from the workforce, and providing an attractive business environment for Employers, which helps both parties to participate in achieving the State's national development goals.
2. Regulate employment relationships and determine the rights and obligations of the parties in this legal relationship in a balanced manner.
3. Enhance the flexibility and sustainability of the labour market in the State by ensuring the protection of the parties to the employment relationship, its developments, and the exceptional circumstances that it may face and may affect such relationship.
4. Support and rehabilitate the capabilities and skills of Workers in the Private Sector, in a way that enhances the efficiency and productivity of the workforce in the State's labour market.
5. Provide protection to both parties to the employment relationship, and enable them to obtain their rights within the framework of this Decree-Law.

## Article 3 - Scope of Application

1. The provisions of this Decree-Law shall apply to all Establishments, Employers and Workers in the Private Sector in the State.
2. The following categories shall not be subject to the provisions of this Decree-Law:
  - a- Employees of federal and local government entities.
  - b- Members of the armed forces, police and security.
  - c- Domestic Workers.
3. The Cabinet may, upon a proposal by the Minister, exclude any category from being subject to all or some of the provisions of this Decree-Law, and specify the legislation to be applied thereto.

## Article 4 - Equality and Non-discrimination

1. It shall be prohibited to discriminate on the basis of race, colour, sex, religion, national origin, social origin, or because of disability, which would impair equal opportunities or prejudice equality in obtaining or continuing a job and enjoying the rights. The Employer shall also be prohibited from discrimination in jobs with single tasks.

2. The rules and procedures that would enhance the participation of the State nationals in the labour market shall not be considered as discrimination.
3. Without prejudice to the rights of working women prescribed in this Decree-Law, all provisions regulating the employment of Workers without discrimination shall apply to working women.
4. Female Workers shall be granted Remuneration equal to male Workers' Remuneration if they perform the same Work or another Work of equal value. A decision by the Cabinet, based on a proposal by the Minister, shall issue the procedures, rules, and criteria necessary for evaluating the Work of equal value.

#### **Article 5 - Employment of Juveniles**

1. It shall be prohibited to employ a person under the age of fifteen.
2. The following conditions shall be met for the employment of Juveniles:
  - a- The written consent of their guardian or custodian.
  - b- A certificate proving their health fitness for the required Work, issued by the Medical Entity.
  - c- The actual working hours shall not exceed six hours per day, and shall include one or more rest periods, the total of which shall not be less than one hour. Such period or periods shall be determined so that the Juvenile does not work for more than four consecutive hours.
  - d- He shall not be employed during the period from 7 PM to 7 AM.
  - e- He shall not be employed in dangerous or arduous jobs or in Works that, by their nature, cause harm to his health, safety or morals, which are determined by a decision of the Minister in coordination with the concerned entities.
  - f- He shall not be assigned overtime hours, or kept at the Workplace beyond the times prescribed for him, or employed on weekends or official holidays.
3. The Implementing Regulation of this Decree-Law shall specify the Juvenile employment system, the procedures that the Employer is bound by, the Works in which it is prohibited to employ Juveniles, and the rules for excluding entities that aim to train and qualify Juveniles on a professional level, including charitable, educational and training institutions, from some provisions of this Article.

#### **Article 6 - Workers' Recruitment and Employment**

1. Work shall not be practiced in the State, nor may the Employer recruit or employ any Worker, except after obtaining a Work Permit from the Ministry in accordance with the provisions of this Decree-Law and its Implementing Regulation.
2. The Implementing Regulation of this Decree-Law shall specify the conditions, rules, and types of Work Permits, and the procedures for granting, renewing and cancelling the same.
3. It shall not be permissible to engage in the activity of recruitment or mediation to recruit or employ Workers without a licence from the Ministry, in accordance with the conditions and procedures specified in the Implementing Regulation of this Decree-Law.
4. The Employer shall be prohibited from charging the Worker the fees and costs of recruitment and employment or collecting them from him, whether directly or indirectly.
5. The Minister shall, in coordination with the concerned entities in the State, issue the decisions regulating the Works in which the recruitment and employment of Workers is prohibited, and the rules for the same.

#### **Article 7 - Work Patterns**

1. The Work patterns to be contracted upon shall be according to the following:
  - a- Full-time, which is working for one Employer for the full daily working hours throughout the Working Days.
  - b- Part-time, which is working for an Employer or Employers for a specified number of working hours or days designated for Work.
  - c- Temporary Work, which is Work whose nature requires a specific period of time to be executed, or is focused on a specific Work and ends with its completion.
  - d- Flexible Work, which is Work whose working hours or days change according to the volume of Work and the economic and operational variables of the Employer. The Worker may work for the Employer at variable times according to the Work conditions and requirements.
  - e- Any other patterns specified by the Implementing Regulation of this Decree-Law.
2. The Implementing Regulation shall specify the conditions and rules of Work patterns, and the obligations arising from both the Worker and the Employer, according to each pattern.

## Article 8 - Employment Contract

*The provisions of Clause 3 were replaced by Article 1 of Federal Decree-Law No. 14/2022 dated 15/09/2022, to read as follows:*

1. The Employer shall conclude an Employment Contract with the Worker, according to the Work pattern agreed upon, provided that the contract is in two copies. The Employer shall keep a copy, and the other shall be handed over to the Worker, in accordance with the forms specified by the Implementing Regulation of this Decree-Law.
2. The Worker or his representative may prove the Employment Contract, the amount of Remuneration and any of the rights he is entitled to under the provisions of this Decree-Law and its Implementing Regulation and the decisions issued in implementation thereof, by all means of proof.
3. The Employment Contract shall be concluded for a fixed term that shall be renewable as agreed by the parties.
4. In the event of the contract extension or renewal, the new period or periods shall be considered an extension of the original period and shall be added to it in calculating the Worker's Continuous Service period.
5. If both parties continue to implement the contract after expiry of its original period or the end of the Work agreed upon without an express agreement, the original contract shall be considered implicitly extended under the same conditions contained therein.
6. Without prejudice to Clause (3) of this Article, the Implementing Regulation of this Decree-Law shall specify the forms of Employment Contracts according to the approved skill levels, and the provisions for changing the contract from one Work pattern to another, and registering them at the Ministry.

## Article 9 - Probation Period

1. The Employer may appoint the Worker under a Probation Period not exceeding (6) six months from the date of commencement of Work, and the Employer may terminate the service of the Worker during this period after notifying the Worker of the same in writing at least (14) fourteen days before the date specified for termination of service.
2. The Worker under probation may not be appointed more than once with one Employer, and if the Worker successfully passes the Probation Period and continues to work, the contract becomes valid in accordance with the agreed terms, and such period shall be counted within the service period.
3. In the event where the Worker wishes to move, during the Probation Period, to work for another Employer in the State, he shall notify the original Employer of the same in writing within a period not less than one month from the date of his wish to terminate the contract, and the new Employer shall compensate the original Employer with the costs of recruitment or contracting with the Worker, unless agreed upon otherwise.
4. In the event where the foreign Worker wishes to terminate the Employment Contract, during the Probation Period, to leave the State, he shall notify the Employer of the same in writing, at least (14) fourteen days before the date specified for the termination of the contract and in the event where he wishes to return to the State and obtain a new Work Permit within (3) three months from the date of departure, the new Employer shall be obligated to pay the compensation stipulated in Clause (3) of this Article, unless there is an agreement between the Worker and the original Employer to the contrary.
5. If either party terminates the Employment Contract without taking in consideration the provisions of this Article, it shall pay the Second Party a compensation equal to the Worker's Remuneration for the Notice Period or the remaining period of the Notice Period.
6. If the foreign Worker leaves the State without observing the provisions of this Article, he shall not be granted a Work Permit to work in the State for a period of one year from the date of leaving the State.
7. The Ministry may exempt some job categories, skill levels, or Workers from the condition of not granting a Work Permit, stipulated in Clauses (4) and (6) of this Article, in accordance with the rules and procedures specified by the Implementing Regulation of this Decree-Law.

## Article 10 - Non-compete Clause

1. If the Work entrusted to the Worker allows him to be aware of the Employer's clients or to access the secrets of his Work, the Employer may stipulate in the Employment Contract that the Worker shall not, after the end of the contract, compete with him or participate in any competing project in the same sector, provided that the condition is determined in terms of time, location and type of Work to the extent necessary to protect the legitimate business interests, and the period of non-compete shall not exceed two years from the date of expiry of the contract.
2. This condition shall be nullified if the Employer terminates the Employment Contract in violation of the provisions of this Decree-Law.
3. The lawsuit filed by the Employer for the Worker's violation of the provisions of this Article shall not be heard after the lapse of one year from the date of discovering the violation.

4. The Implementing Regulation of this Decree-Law shall specify the provisions regulating this Article, and the skill levels or occupational professions that may be excluded from the provision of Clause (1) of this Article, in accordance with the conditions and rules specified by the Regulation.

### **Article 11 - An Employer Entrusting some of his Works to another Employer**

The Employer may entrust another Employer with the performance of any of his original Works or part thereof, and the latter in this case shall be solely responsible for the rights of his Workers who carry out that Work which accrue to them under the provisions of this Decree-Law, unless both parties agree otherwise.

### **Article 12 - Assigning another Job to the Worker**

1. It shall not be permissible to assign the Worker a Work that is fundamentally different from the Work agreed upon in the Employment Contract, unless necessary, or with the aim of preventing the occurrence of an accident or repairing the result of an accident, provided that the assignment is temporary in accordance with what is specified in the Implementing Regulation of this Decree-Law.
2. The Employer may assign the Worker, in cases other than those referred to in Clause (1) of this Article, to perform a Work not agreed upon in the Employment Contract, provided that the Worker agrees upon the same in writing.
3. If the Work assigned to the Worker and not agreed upon in the Employment Contract necessitates that the Worker changes his place of residence, the Employer shall bear all the financial costs resulting from the same, including the costs of the Worker's movement and residence.

### **Article 13 - Employer's Obligations**

The Employer shall:

1. Keep the Workers' files and records in accordance with the conditions, rules and procedures issued by a decision from the Ministry, provided that the period of keeping the Worker's file is not less than two years after the date of the Worker's termination of service.
2. Not seize the official documents of the Worker, or force him to leave the State upon the end of the employment relationship.
3. Set the Work regulations, such as a list of Work instructions, penalties, promotions, bonuses, and other bylaws and regulations according to the rules specified by the Implementing Regulation of this Decree-Law.
4. Provide the Worker with adequate housing licensed by the competent entities in accordance with the rules, conditions and standards in force in the State, or pay him a cash alternative for housing or to have it included in the Remuneration.
5. Invest in developing the skills of the Workers who work for his service, and provide the minimum number of training, qualification and empowerment tools and programmes in accordance with the provisions of this Decree-Law and its Implementing Regulation.
6. Provide the necessary means of prevention to protect Workers from the dangers of occupational injuries and diseases that may occur during Work, ensure the provision of guiding and awareness regulations, provide appropriate training for Workers to avoid falling into such risks, and conduct periodic evaluation to ensure that all parties to the Work comply with the requirements of health and occupational security and safety, in accordance with the provisions of this Decree-Law, its Implementing Regulation, and the legislation in force in this regard.
7. Take all that is necessary to ensure that the Worker is aware of his rights and obligations at Work, according to the tools and methods appropriate to the nature of Work and the Workers therein.
8. Bear the Worker's medical costs in accordance with the legislation in force in the State.
9. Bear the expenses of insurances, subscriptions and guarantees determined by the legislation in force.
10. Not let the Worker work for others except in accordance with the provisions of this Decree-Law.
11. Give the Worker, upon his request and upon expiry of the Employment Contract, an experience certificate free of charge, in which he states the date of joining the Work, the date of its expiry, the total period of his service, the job title or type of Work he was performing, the last Remuneration he received, and the reason for termination of the Employment Contract. The certificate shall not include anything that might harm the Worker's reputation or reduce his job opportunities.
12. Bear the expenses of returning the Worker to his recruitment country or any other place that both parties have agreed upon, unless he has joined the service of another Employer, or the reason for terminating the contract is due to the Worker, then the latter shall bear such expenses.
13. Provide a safe and appropriate Work environment.
14. Any other obligations stipulated under the provisions of this Decree-Law and its Implementing Regulation, Cabinet decisions, or any other legislation in force in the State.

## Article 14 - Prohibition of Forced Labour and other Prohibitions

1. The Employer shall not use any means that would force or compel the Worker or threaten him with any penalty to work for him, or force him to carry out a Work or provide a service against his will.
2. Sexual harassment, bullying, or any verbal, physical or psychological violence against the Worker by the Worker's Employer, superiors, colleagues or those working with him, shall be prohibited.

## Article 15 - Worker's Entitlements upon his Death

1. In the event of the Worker's death, the Employer shall hand over to the Worker's family any Remuneration or financial entitlements due to the Worker in addition to the end-of-service gratuity to which the Worker is entitled in accordance with the provisions of this Decree-Law and its Implementing Regulation, within a period not exceeding (10) ten days from the date of the Worker's death, or from the date the Employer became aware of the Worker's death.
2. Taking in consideration the provision of Clause (1) of this Article, the Worker may specify in writing the concerned person from his family to receive his rights in the event of his death.
3. The Employer shall bear all costs incurred in preparing and transporting the body of the deceased Worker to his home country or place of residence if his family requested the same.
4. The Ministry may, in coordination with the concerned entities, establish a mechanism to retain the Worker's entitlements in the event of his death and in case it was not possible to hand them over to his family or those who are entitled to the same.

## Article 16 - Worker's Obligations

The Worker shall:

1. Perform the Work by himself under the direction and supervision of the Employer or his representative, and in accordance with what is specified in the contract, and shall not outsource the Work to any other Worker or person.
2. Be of good behaviour and morals during Work, be honest and have professional integrity.
3. Preserve the means of production and the tools of Work that are in his custody, and maintain them by taking the necessary measures to preserve them in the places designated for the same.
4. Maintain the confidentiality of the information and data that he has access to by virtue of his Work, not disclose Work secrets, and return the custody to the Employer upon the end of his service.
5. Not keep, in a personal capacity, any original papers, hard copies or soft copies related to Work secrets without the permission of the Employer or his representative.
6. Implement occupational safety and health instructions prescribed in the Establishment in accordance with the legislation in force or Work systems and instructions.
7. Work within the approved Working Days and working hours specified in the Employment Contract, and communicate and respond effectively to accomplish the tasks assigned to him in an efficient manner.
8. Work continuously and diligently to develop his functional and professional skills, and raise the level of performance he provides to the Employer.
9. Not work for others, in violation of the provisions of this Decree-Law and other applicable legislation in this regard.
10. Evacuate the residence provided by the Employer, within a period not exceeding (30) thirty days from the date of end of his service. However, the Worker may stay in the residence after the expiry of the above-mentioned period, if the Employer agrees upon the same, in return for the Worker bearing the cost of stay, or as agreed upon in writing with the Employer.
11. Any other obligations stipulated under the provisions of this Decree-Law and its Implementing Regulation, or any other legislation in force in the State.

## Article 17 - Working Hours

1. The maximum normal working hours for Workers shall be (8) eight hours per day or (48) forty-eight hours per week.
2. The Cabinet may, based on the Minister's proposal and in coordination with the concerned entities, increase or decrease the daily working hours for some economic sectors or some categories of Workers, in addition to working hours, rest hours, and hours during which it is prohibited to work for certain categories of Workers, according to the employment classification determined in the Implementing Regulation of this Decree-Law.
3. The periods of commute between the Worker's place of residence and the Workplace shall not be counted within working hours, except for some categories of Workers in accordance with the rules specified by the Implementing Regulation of this Decree-Law.
4. The Implementing Regulation of this Decree-Law shall specify the working hours during the month of Ramadan.

5. In the event where the Work is not within the full-time pattern, the original Employer, or any other Employer for whom the Worker works in accordance with the provisions of this Decree-Law, may not require the Worker to work for him more than the hours agreed upon in the Employment Contract, except with the Worker's written consent.
6. If the Worker wishes to perform his Work remotely, whether from inside or outside the State, and with the approval of the Employer, the Employer may stipulate specific working hours.

### **Article 18 - Consecutive Working Hours**

A Worker shall not work more than (5) five consecutive hours without a rest period or periods of not less than an hour in total, provided that these periods are not included in the calculation of working hours. Working hours and rest periods shall be regulated in the Establishments that operate on a shift system, or for some job categories according to their nature - such as field jobs - and according to the workforce classification specified in the Implementing Regulation of this Decree-Law.

### **Article 19 - Overtime Working Hours**

1. The Employer may employ the Worker for overtime working hours additionally to the normal working hours, provided that they do not exceed two hours per day, and he may not be employed more than that except in accordance with the conditions and rules specified by the Implementing Regulation of this Decree-Law. In all cases, the total working hours shall not exceed (144) one hundred and forty-four hours every (3) three weeks.
2. If the working conditions require the Worker to work more than the normal working hours, the period of the increase shall be considered as an overtime for which the Worker shall receive Remuneration equal to the Remuneration corresponding to the normal working hours - calculated according to the Basic Salary - plus an increase of not less than (25%) twenty-five percent over that Remuneration.
3. If the working conditions require the Worker to work overtime between 10 PM and 4 AM, the Worker shall be entitled against the overtime, the Remuneration prescribed for the normal working hours - - calculated according to the Basic Salary - plus an increase of not less than (50%) fifty percent over that Remuneration. This clause does not apply to the Workers on the shift system.
4. If the circumstances require the Worker to work on the day of rest specified in the Employment Contract or the Work regulations, he shall be compensated with another day of rest, or he shall be paid the Remuneration of that day according to the Remuneration prescribed for normal Working Days, plus an increase of not less than (50%) fifty percent of the Basic Salary for that day.
5. A Worker may not be employed for more than two consecutive days of rest, with the exception of Workers by the day.

### **Article 20 - Excluded Workforce Categories**

The Implementing Regulation of this Decree-Law shall determine the categories of Workers that may be exempted from the provisions set forth regarding working hours stated in this Decree-Law.

### **Article 21 - Weekly Rest**

The Worker shall be granted a paid weekly rest of not less than one day, according to the Employment Contract or the Work regulations. It is permissible by a decision of the Cabinet, to increase the weekly rest period of one day stipulated in this Article.

### **Article 22 - Determining the Amount or Type of Remuneration and Payment thereof**

1. The amount or type of Remuneration shall be specified in the Employment Contract, and if it is not specified, the competent Court shall determine it as a labour dispute.
2. The Employer shall pay the Remuneration to his employees on their due dates in accordance with the regulations approved in the Ministry and the conditions, rules and procedures specified in the Implementing Regulation of this Decree-Law.
3. The Remuneration shall be paid in UAE Dirhams, and they may be paid in another currency if it is agreed upon the same between both parties in the Employment Contract.

### **Article 23 - Method of Calculation of Remuneration for the Workers on Piecework Basis**

The daily wage of Workers who receive their Remuneration by piece shall be calculated according to the average Remuneration for the actual Working Days during the (6) six months preceding the request or the lawsuit on any subject related to the Remuneration.



#### **Article 24 - Transfer of the Worker with Monthly Salary to other Categories**

A Worker with monthly salary may be transferred to the category of Workers by day or Workers appointed on a weekly, piecework, or hourly basis, if the Worker agrees upon the same in writing, and without prejudice to the rights acquired by the Worker during the period he spent with monthly salary.

#### **Article 25 - Cases of Deduction from the Worker's Remuneration**

1. No amount may be deducted from the Worker's Remuneration except in the following cases:
  - a- To redeem the loans granted to the Worker, within the maximum monthly deduction percentage of the Worker's Remuneration stipulated in this Article, after the Worker's written consent, and without any interest.
  - b- To redeem the amounts paid to the Worker in excess of his rights, provided that the amount deducted does not exceed (20%) twenty percent of the Remuneration.
  - c- The amounts deducted for the purpose of calculating contribution in retirement pensions and benefits, and insurances, in accordance with the legislation in force in the State.
  - d- The Worker's contributions to the Establishment's provident fund or the loans owed to the fund, approved by the Ministry.
  - e- Premiums for any social project or any other benefits or services provided by the Employer and approved by the Ministry, provided that the Worker agrees in writing to participate in the project.
  - f- The amounts deducted from the Worker because of the violations committed by him, in accordance with the list of penalties in force in the Establishment and approved by the Ministry, provided that it does not exceed (5%) five percent of the Remuneration.
  - g- The debts due in implementation of a judicial ruling, provided that they do not exceed a quarter of the Remuneration due to the Worker, with the exception of the alimony debt, where more than a quarter of the Remuneration may be deducted. In case of several debts, the amounts to be paid shall be distributed according to the ranks of privilege.
  - h- The amounts necessary to repair the damage caused by the Worker, as a result of his fault or violation of the Employer's instructions, that led to the destruction, damage or loss of tools, machines, products or materials owned by the Employer, provided that the deducted amount does not exceed the wage of (5) five days per month. No amount exceeding the same may be deducted except with the approval of the competent Court.
2. If there are multiple reasons for deduction from the Remuneration, it shall not be permissible in all cases, that the deduction exceeds (50%) fifty percent of the Remuneration.

#### **Article 26 - Enabling the Worker to carry out his Work**

1. The Remuneration shall be in exchange for the Work, and the Employer shall be obligated to enable the Worker to carry out his Work, otherwise he shall be obligated to pay his agreed Remuneration.
2. The Implementing Regulation shall determine the procedures for quitting by the Worker in the event where he is not able to perform the Work agreed upon in the Employment Contract.

#### **Article 27 - Minimum Wage**

The Cabinet may, based on a proposal by the Minister and in coordination with the concerned entities, issue a decision determining the minimum wage for Workers, or any category thereof.

#### **Article 28 - Official Holidays and Employment of the Worker during Holidays**

1. The Worker shall be entitled to an official fully paid holiday on the official holidays to be determined by a decision of the Cabinet.
2. If the circumstances of Work require the Worker to work during any of the official holidays, the Employer shall compensate him with another day of rest, in exchange for every day of holiday, or he shall be paid the Remuneration of that day according to the Remuneration prescribed for normal Working Days, plus an increase of not less than (50%) fifty percent of the Basic Salary for that day.

#### **Article 29 - Annual Leave**

1. Without prejudice to the Worker's acquired rights for the period preceding the date of enforcement of the provisions of this Decree-Law, the Worker shall be entitled to an annual leave with full pay of not less than:
  - a- Thirty days for each year of his extended service.
  - b- Two days for each month, if his service period is between six months and one year.
  - c- Leave for fractions of the last year he spent at Work, in case his service ends before using his annual leave balance.

2. The part-time Worker shall be entitled to an annual leave according to the actual working hours spent by the Worker with the Employer, the duration of which shall be determined in the Employment Contract, in accordance with the Implementing Regulation of this Decree-Law.
3. The Employer may agree to grant the Worker leave from the balance of his annual leave during the Probation Period, while the Worker retains the right to be compensated for the remainder of his annual leave balance, in case he did not pass the Probation Period.
4. The Worker shall use his leave in the year of its entitlement, and the Employer may determine the dates of such leaves in accordance with the Work requirements and in agreement with the Worker, or grant them alternately among the Workers of the Establishment in order to ensure workflow. He shall notify the Worker of the specified date for his leave within a sufficient time of not less than one month.
5. The Worker may, with the approval of the Employer and in accordance with the applicable regulations in the Establishment, carry over the balance of his annual leave, or days thereof, to the following year.
6. The Worker shall be entitled to Remuneration for the period of his annual leave.
7. In calculating the duration of the annual leave, the holidays established by law or by agreement shall be included if they fall within the annual leave enjoyed by the Worker, and shall be considered part thereof, unless the Employment Contract or the regulations in force in the Establishment stipulate what is more beneficial to the Worker.
8. The Employer may not prevent the Worker from benefiting from his annual leave due for more than two years, unless the Worker wishes to carry it over or obtain a cash payment for it in accordance with the regulations in force in the Establishment, and according to what is specified in the Implementing Regulation of this Decree-Law.
9. The Worker shall be entitled to receive Remuneration for the due days of leave if he leaves the Work before using it, regardless of its duration, in relation to the period for which he did not obtain his leave. He shall also be entitled to the leave Remuneration for the fractions of the year in proportion to the period thereof that he spent at Work, and it shall be calculated according to the Basic Salary.
10. The Implementing Regulation of this Decree-Law shall specify the rules and conditions for the organisation of leaves and compensation thereof.

### **Article 30 - Maternity Leave**

1. The female Worker shall be entitled to a maternity leave of (60) sixty days according to the following:
  - a- The first forty-five (45) days with full pay.
  - b- The following fifteen (15) days with half pay.
2. The female Worker may, after exhausting the maternity leave, cease working without pay for a period not exceeding (45) forty-five continuous or intermittent days, if such interruption is due to an illness that befell her or her child resulting from pregnancy or childbirth and does not enable her to return to Work. Sickness shall be proved by a medical certificate issued by the Medical Entity, and such period shall not fall within the period of service for which the female Worker is entitled to the end of service gratuity or the period of contribution in the retirement scheme in accordance with the legislation in force in this regard.
3. The female Worker shall be entitled to the maternity leave stated in Clause (1) of this Article, if the childbirth took place after (6) six months or more of pregnancy, whether the foetus was born dead, or alive and then died.
4. A female Worker shall be entitled, in the event where she gives birth to a sick or disabled child “people of determination” and whose health condition requires a constant companion according to a medical report issued by the Medical Entity, to a leave of (30) thirty days with full pay starting after the end of the period of maternity leave. She shall have the right to extend the leave for thirty (30) days without pay.
5. The Employer shall grant the female Worker a maternity leave whenever she requests it at any time starting from the last day of the month immediately preceding the expected month of delivery, and this shall be proven by a certificate from the Medical Entity.
6. Obtaining the maternity leave or interruption referred to in this Article shall not prejudice the right of the female Worker to obtain the other leaves.
7. If the female Worker works for another Employer during the period of her leave authorised in this Article, the original Employer may deprive her of her Remuneration for the period of the leave, and recover what he already paid to her.
8. The female Worker’s service may not be terminated or she may not be warned of termination because of pregnancy, because she obtained her maternity leave, or because of her absence from Work in accordance with the provisions of this Article.
9. After returning from maternity leave and for a period not exceeding (6) six months from the date of delivery, a female Worker shall be entitled to one or two rest periods per day to breastfeed her child, provided that the duration of both periods does not exceed one hour.

### **Article 31 - Sick Leave**

1. If the Worker suffers a disease that is not caused by a Work Injury, he shall inform the Employer or his representative of his sickness, within a period not exceeding (3) three Working Days, and submit a medical report on his condition issued by the Medical Entity.
2. The Worker shall not be entitled to a paid sick leave during the Probation Period, however, the Employer may grant him a sick leave without pay, based on a medical report issued by the Medical Entity stating the necessity of granting the leave.
3. The Worker may, after the end of the Probation Period, have a sick leave of not more than (90) ninety consecutive or intermittent days per year, provided that it is calculated as follows:
  - a- The first fifteen (15) days with full pay.
  - b- The following thirty (30) days with half pay.
  - c- The subsequent period without pay.
4. The sick leave shall not be paid if the sickness resulted from the Worker's misconduct, in accordance with the cases specified in the Implementing Regulation of this Decree-Law.
5. The Employer may terminate the Worker's service after exhausting his sick leave referred to in this Article, if he is unable to return to his Work, provided that the Worker receives all his financial entitlements in accordance with the provisions of this Decree-Law and its Implementing Regulation.

### **Article 32 - Miscellaneous Leaves**

1. The Worker shall be entitled to a paid leave according to the following cases:
  - a- A bereavement leave for (5) five days, in the event of death of the husband or wife, and (3) three days in the event of death of the mother, father, child, brother, sister, grandchild, grandfather or grandmother, starting from the date of death.
  - b- A parental leave for a period of (5) five Working Days, for the Worker (whether the father or the mother) who has a child, to take care of his child. He shall be entitled to it continuously or intermittently within a period of (6) six months from the date of the child's birth.
  - c- Any other leaves prescribed by the Cabinet.
2. The Worker may be granted a study leave for a period of (10) ten Working Days per year, if he is affiliated or is regularly studying in one of the educational institutions approved in the State, in order to sit for the exams, provided that the period of service with the Employer is not less than two years.
3. The national Worker shall be entitled to a sabbatical leave to perform the national military and reserve force service with pay, in accordance with the legislation in force in the State.
4. To obtain the leaves referred to in this Article, evidence of the same shall be submitted by the concerned entities.
5. The Implementing Regulation shall specify the provisions for granting and regulating the leaves referred to in this Article.

### **Article 33 - Unpaid Leave**

1. The Worker may, after the approval of the Employer, obtain an unpaid leave, other than those referred to in this Decree-Law.
2. The leave referred to in this Article shall not be counted within the Worker's service period with the Employer or within the period of participation in the retirement scheme in accordance with the legislation in force in this regard.

### **Article 34 - Absence after the End of the Leave**

A Worker who does not return directly to Work without a legitimate reason after the end of his leave shall not be entitled to his Remuneration for the period of absence following the end of the leave.

### **Article 35 - Validity of the Warning Period in case of Termination of the Contract during the Leave Period**

In the event where either party to the Employment Contract wishes to terminate the contract in accordance with the provisions of this Decree-Law and its Implementing Regulation during the Worker's leave period, the warning period agreed upon in the Employment Contract shall not begin to take effect, except from the day following the day prescribed for the Worker's return from leave, unless both parties agree otherwise.

### **Article 36 - Occupational Care and Safety**

Establishments shall abide by the provisions contained in Federal Law No. 13/2020 on Public Health and all decisions issued in implementation thereof, and any other legislation issued in this regard. The Implementing Regulation of this Decree-Law shall define the role of the Ministry and the provisions relating to Workers' safety, protection and health care.

### **Article 37 - Compensation for Work Injuries and Occupational Diseases**

1. A decision of the Cabinet, based on a proposal by the Minister and in coordination with the concerned entities, shall determine the Work Injuries and occupational diseases, the conditions and procedures to be followed in the event of any of them occurring, the obligations of the Employer in this regard and the amount of compensation due to the Worker in the event of permanent total or partial disability, as well as the compensation due to his family in the event of his death, the rules for its distribution and the amount thereof.
2. In case the Worker suffers a Work Injury or an occupational disease, the Employer shall:
  - a- Bear the expenses of the Worker's treatment until he recovers and is able to return to Work or until his disability is proven, in accordance with the conditions, rules and procedures specified by the Implementing Regulation of this Decree-Law.
  - b- If the Work Injury or occupational disease prevents the Worker from performing his Work, the Employer shall pay the Worker the equivalent of his full Remuneration for the duration of the treatment or for a period of (6) six months, whichever is less. If the treatment period exceeds (6) six months, half of the Remuneration shall be paid to him for another (6) six months, or until the Worker's recovery, proof of disability, or death, whichever comes first.
3. If the Work Injury or occupational disease leads to the death of the Worker, the family of the deceased shall be entitled to compensation equal to the Basic Salary of the Worker for a period of (24) twenty-four months, provided that the value of compensation is not less than (18,000) eighteen thousand Dirhams and not more than (200,000) two hundred thousand Dirhams. The value of the compensation shall be calculated according to the Basic Salary that the Worker was receiving before his death, and the compensation shall be distributed to the beneficiaries of the deceased Worker as determined by the Implementing Regulation of this Decree-Law, while preserving the rights of the family of the deceased to obtain the end-of-service gratuity, and any other financial entitlements due to the Worker.

### **Article 38 - Cases of the Worker's Non-Entitlement to Work Injury Compensation**

The Worker shall not be entitled to Work Injury compensation, if it is proven through the investigations of the competent authorities that any of the following cases occurred:

1. If the Worker wilfully injured himself for any reason whatsoever.
2. The injury occurred under the effect of alcoholic drinks, drugs or other psychotropic substances.
3. The injury occurred as a result of an intentional violation of the preventive instructions announced in visible places in the Workplace, as determined by the Implementing Regulation of this Decree-Law.
4. The injury occurred as a result of wilful misconduct by the Worker.
5. The Worker's refusal without serious reason to be examined, or to follow the treatment decided by the Medical Entity.

### **Article 39 - Disciplinary Penalties**

1. The Employer or his representative may impose any of the following penalties to the Worker who violates the provisions of this Decree-Law, its Implementing Regulation and the decisions issued in implementation thereof:
  - a- Written notice.
  - b- Written warning.
  - c- Deduction from Remuneration without exceeding the Remuneration of (5) five days per month.
  - d- Suspension from Work for a period not exceeding (14) fourteen days, and non-payment of Remuneration for the days of suspension.
  - e- Deprivation of the periodical increment for a period not exceeding one year, for the Establishments that adopt the system of periodical increments, and the Worker was entitled to the same in accordance with the provisions of the Employment Contract or the Establishment's regulations.
  - f- Denial of promotion, in the Establishments having a promotion system, for a period not exceeding two years.
  - g- Dismissal from service while preserving the Worker's right to an end-of-service gratuity.
2. The Implementing Regulation of this Decree-Law shall determine the rules and procedures necessary for imposing any of the penalties set forth in Clause (1) of this Article, and the mechanism of appealing the same.

#### **Article 40 - Temporary Suspension from Work**

1. The Employer may suspend the Worker temporarily from Work for a period not exceeding (30) thirty days, with the aim of conducting a disciplinary investigation with him if the interest of the investigation requires the same, with a suspension of half of the Remuneration during the suspension period. If the investigation concludes archiving, non-violation, or penalising the Worker with a warning, the suspended Remuneration for the suspension period shall be paid to him.
2. The Employer may suspend the Worker temporarily from Work when he is accused of committing a crime of assault on persons or money, or crimes against honour or trust, until a final decision is issued by the competent judicial authority. His Remuneration shall be suspended for the period of suspension. If a decision is issued not to present the Worker for trial, if he was acquitted for lack of felony, or if the investigation concluded archiving due to insufficient evidence, he shall return to his Work with full payment of his suspended Remuneration.

#### **Article 41 - Some Rules of Imposing Disciplinary Penalties**

1. No disciplinary penalty may be imposed on the Worker for an act he committed outside the Workplace unless it is related to Work.
2. It shall not be permissible to impose more than one disciplinary penalty for a single violation, in accordance with the provisions of Article (39) of this Decree-Law.

#### **Article 42 - Cases of Termination of the Employment Contract**

The Employment Contract shall be terminated in any of the following cases:

1. Both parties agree upon its termination in writing.
2. Expiry of the period specified in the contract, unless it is extended or renewed in accordance with the provisions of this Decree-Law.
3. At the request of either party, provided that the provisions of this Decree-Law regarding termination of the Employment Contract and the Notice Period agreed upon in the contract are observed.
4. Death of the Employer if the subject of the contract is related to him in person.
5. Death or permanent total disability of the Worker, as evidenced by a certificate issued by the Medical Entity.
6. Sentencing the Worker by a final judgment with a freedom-restricting penalty for a period of not less than (3) three months.
7. Permanent closure of the Establishment, in accordance with the legislation in force in the State.
8. Bankruptcy or insolvency of the Employer or any economic or exceptional reasons that prevent the continuation of the project, in accordance with the conditions, rules and procedures specified in the Implementing Regulation and the legislation in force in the State.
9. Failure of the Worker to meet the conditions for renewing the Work Permit for any reason beyond the control of the Employer.

#### **Article 43 - Notice for Termination of the Employment Contract**

1. Either party to the Employment Contract may terminate the contract for any legitimate reason, provided that the other party is notified in writing and commits to work within the Notice Period agreed upon in the contract, and provided that the period is not less than (30) thirty days and not more than (90) ninety days.
2. The Employment Contract shall continue to be effective during the Notice Period referred to in this Article, and shall be terminated upon expiry of the period. The Worker shall be entitled to his full Remuneration for that period according to the last salary he was receiving, and he shall work during that period if the Employer asks him to do so. It shall be permissible to agree on an exemption from the notice condition or reduce this period while preserving all the rights of the Worker for the Notice Period agreed upon in the Employment Contract. The Notice Period shall be the same for both parties unless it is for the benefit of the Worker.
3. The party who did not comply with the Notice Period shall pay to the other party compensation under the name "payment in lieu of notice", even if the failure of notice did not result in harm to the other party. The compensation shall be equal to the Worker's Remuneration for the entire Notice Period or the remaining part thereof.
4. The payment in lieu of notice shall be calculated according to the last salary that the Worker was receiving if the Worker receives Remuneration by month, week, day or hour, and according to the average daily wage referred to in this Decree-Law if the Worker receives Remuneration on a piecework basis.
5. If the Work is terminated by the Employer, the Worker shall have the right to be absent during the Notice Period for one unpaid Working Day per week, in order to search for another job. The Worker may specify the day of absence provided that he informs the Employer of the same at least (3) days prior to the day of absence.

#### **Article 44 - Cases of Dismissal of the Worker without Notice**

The Employer may dismiss the Worker without notice, after conducting a written investigation with him, and the dismissal decision shall be in writing and justified. The Employer or his representative shall deliver the decision to the Worker in any of the following cases:

1. It is proved that the Worker impersonated another person, or submitted forged certificates or documents.
2. The Worker committed a mistake that resulted in a serious material loss to the Employer, or the Worker deliberately damaged the property of the Employer and acknowledged the same, provided that the latter informs the Ministry of the accident within (7) seven Working Days from the time of his knowledge of the occurrence of the accident.
3. The Worker violated the instructions of the Establishment's bylaws related to the safety of Work and Workers or the Workplace, provided that they are written and posted in a conspicuous place, and that the Worker has been informed of them.
4. The Worker's failure to perform his basic duties according to the Employment Contract, and the continuation of breaching them despite conducting a written investigation with him for this reason, and warning him twice of dismissal if this is repeated.
5. Disclosure by the Worker of a Work secret related to industrial or intellectual property, which resulted in losses to the Employer, or loss of an opportunity, or brought a personal benefit to the Worker.
6. The Worker being in a state of drunkenness during working hours, or under the influence of a narcotic or psychotropic substance, or committing an act against public morals in the Workplace.
7. The Worker's assault during Work on the Employer, the manager in charge, one of his superiors or his colleagues at Work, verbally, physically, or by any form of assault punishable under the legislation in force in the State.
8. The Worker's absence without a legitimate reason or excuse accepted by the Employer for more than (20) twenty intermittent days during one year, or more than (7) seven consecutive days.
9. The Worker illegally exploiting his job position to obtain results and personal gains.
10. The Worker joining Work with another Establishment without complying with the rules and procedures prescribed in this regard.

#### **Article 45 - Cases of the Worker leaving Work without Notice**

The Worker may leave Work without notice while retaining his rights upon termination of service in any of the following cases:

1. The Employer's breach of his obligations towards the Worker stipulated in the contract, this Decree-Law, or the decisions issued in implementation thereof, provided that the Worker has notified the Ministry fourteen (14) Working Days prior to the date of leaving Work, and without the Employer removing the effects resulting from this breach despite being notified of the same by the Ministry.
2. It is proved that the Employer or his legal representative has assaulted the Worker or subjected him to violence or harassment during Work, provided that he informs the concerned authorities and the Ministry within (5) five Working Days from the date of his ability to report.
3. If there is a serious danger in the Workplace that threatens the safety or health of the Worker, provided that the Employer has known of its existence, and no measures were taken to indicate its removal. The Implementing Regulation of this Decree-Law shall specify the controls of serious danger.
4. The Employer assigning the Worker to carry out Work that is fundamentally different from the Work agreed upon under the Employment Contract, without the Worker's written consent to the same, except for cases of necessity in accordance with the provisions of Article (12) of this Decree-Law.

#### **Article 46 - Termination of Service for Lack of Health Fitness**

The Employer may not terminate the Worker's service for lack of health fitness, before he has exhausted the leaves legally entitled to him. Any agreement to the contrary shall be void, even if it was concluded prior to the enforcement of the provisions of this Decree-Law.

#### **Article 47 - Illegal Termination of the Worker's Service**

1. The termination of the Worker's service by the Employer shall be illegal if such termination is due to his filing a serious complaint with the Ministry or filing a lawsuit against the Employer that has been proven to be valid.
2. The Employer shall pay a fair compensation to the Worker estimated by the competent Court, if it is proven that the dismissal is unlawful according to Clause (1) of this Article. The amount of compensation shall be determined by taking into account the type of Work, the amount of damage sustained by the Worker and the length of his service. In all cases, the amount of compensation shall not exceed the Remuneration of the Worker for a period of (3) three months, calculated according to the last salary he was receiving.
3. The provisions of Clause (2) of this Article shall not prejudice the right of the Worker to payment in lieu of notice and the end-of-service gratuity due to him in accordance with the provisions of this Decree-Law.

#### **Article 48 - Continuity of Employment Contracts**

Employment Contracts shall continue to be valid upon a change in the Establishment's form or legal status, and the new Employer shall be responsible for implementing the provisions of those contracts, in addition to implementing the provisions of this Decree-Law, its Implementing Regulation and the decisions issued in implementation thereof, from the date of amending the Establishment's data with the competent entities.

#### **Article 49 - Movement of the Worker after Termination of the Employment Contract**

In the event of the termination of the Employment Contract in accordance with the provisions of this Decree-Law, the Worker may move to work for another Employer in accordance with the conditions and procedures specified in the Implementing Regulation of this Decree-Law.

#### **Article 50 - Illegal Suspension of Work**

1. If the foreign Worker leaves Work for an illegal reason, before the end of the contract term, no other Work Permit shall be granted to him to join another job in the State in accordance with the provisions of this Decree-Law, for a period of one year from the date of suspension of Work. No other Employer who is aware of the same may employ him or keep him in his service during that period.
2. The Ministry may exempt some job categories, skill levels, or Workers from the provision of Clause (1) of this Article, in accordance with the rules and procedures specified by the Implementing Regulation of this Decree-Law.
3. The Employer shall notify the Ministry of the incident of Work suspension in accordance with the procedures specified in the Implementing Regulation of this Decree-Law.

#### **Article 51 - End-of-Service Gratuity for Full-time Workers**

1. 1-The national Worker shall be entitled to an end-of-service gratuity upon the end of his service, in accordance with the legislation regulating pensions and social security in force in the State.
2. 2-A foreign Worker who works in a full-time pattern, and who has completed one year or more in Continuous Service, shall be entitled to an end-of-service gratuity upon the end of his service, calculated according to the Basic Salary, as follows:
  - a-Remuneration of (21) twenty-one Days for every year of service of the first five years.
  - b-Remuneration of (30) thirty Days for each year after the first five years.
3. 3-The foreign Worker shall be entitled to a gratuity for fractions of the year in proportion to the period he has worked during that year, provided that he has completed one year of Continuous Service.
4. 4-The days of absence without pay shall not be included in the calculation of the length of service.
5. 5-Without prejudice to what is decided by the legislation regarding the granting of pensions or retirement benefits to Workers in some Establishments, the end-of-service gratuity shall be calculated according to the last Basic Salary that the foreign Worker was entitled to if he receives his Remuneration by month, by week, or by day and according to the average daily wage stipulated in the provisions of this Decree-Law if he receives his Remuneration on a piecework basis.
6. 6-It is stipulated, regarding the above, that the end-of-service gratuity for the foreign Worker shall not exceed in its entirety two years' Remuneration.
7. 7-The Employer may deduct from the end-of-service gratuity any amounts due legally or by judicial ruling, in accordance with the conditions and procedures specified by the Implementing Regulation of this Decree-Law.
8. 8-The Cabinet may, upon the proposal of the Minister and after coordination with the concerned entities, approve other alternative systems for the end-of-service gratuity system, and the decision issued by the same shall specify the conditions, rules and mechanism of participation in such systems.

#### **Article 52 - End-of-Service Gratuity for other Types of Work Patterns**

The Implementing Regulation of this Decree-Law shall specify the mechanism for regulating the end-of-service gratuity for foreign Workers in Work patterns other than full-time, in a manner that enhances the efficiency and attractiveness of the labour market, and according to what is required by the interests of both parties to the Employment Contract.

#### **Article 53 - Payment of the Worker's Entitlements upon Termination of the Contract**

The Employer shall pay the Worker, within (14) fourteen days from the date of the contract termination, his Remuneration and all other entitlements stipulated in this Decree-Law and the decisions issued in implementation thereof, the contract or the Establishment's bylaws.

## Article 54 - Individual Labour Disputes

*The text of Article 54 was replaced by virtue of Article 1 of Federal Decree-Law No. 20/2023 dated 13/09/2023, then was replaced by virtue of Article 1 of Federal Decree-Law No. 9/2024 dated 29/07/2024, to read as follows:*

1. If the Employer, Worker, or any beneficiary of both disputes any of the rights entailed from either of them under the provisions of this Decree-Law, he shall submit a request of the same to the Ministry, which will examine the request and take the actions it deems necessary to settle the dispute amicably between them.
2. The Ministry shall settle the dispute by a decision in case the value of the claim subject-matter of the dispute does not exceed (AED 50,000) fifty thousand Dirhams, or in case the dispute results from the non-compliance of any of the parties with the amicable settlement decision that has been previously issued on its subject-matter by the Ministry and regardless of the value of the claim.
3. The decision of the Ministry issued on the dispute according to the powers stipulated in Clause (2) of this Article shall have the power of a writ of execution, and shall be stamped with the executory formula according to the usual procedures, and any party to the dispute may file a lawsuit before the competent Court of Appeal to consider the subject-matter of the dispute within (15) working days from the date of notification of the decision. The Court shall determine a session to consider the lawsuit within 3 working days from date of filing the lawsuit and notifying both parties thereof, and shall decide thereon within (30) thirty working days from the date on which the lawsuit is filed. The judgement issued by the Court of First Instance competent in the subject of the dispute shall be final as per the provisions of this Clause, and the filing of the lawsuit shall result in the stay of enforcement of the Ministry's decision referred to herein.
4. The Ministry shall, in case of failure to reach an amicable settlement within the duration determined in the Implementing Regulation of this Decree-Law, and in other than the cases stipulated in Clause (2) of this Article, refer the dispute to the competent court and such referral shall be accompanied with a memorandum including a summary of the dispute and the arguments of both parties as well as the recommendation of the Ministry.
5. The Ministry may, throughout the dispute, oblige the employer to keep paying the salary of the worker for 2 months at most in case the dispute has resulted in the suspension of disbursement of the salary of the worker, according to the Implementing Regulation of this Decree-Law.
6. By a decision of the Minister, other administrative procedures or measures may be imposed on the Establishment, in order to prevent the rising of a collective labour dispute that affects the public interest from the existing individual dispute
7. The competent Court of First Instance shall, within 3 working days from the date of receiving the application, determine a session for the consideration of the lawsuit to be notified to both parties to the dispute. A decision shall be issued thereon urgently.
8. The lawsuit filed by any party in any of the disputes referred to in this Article before the competent Court of First Instance shall not be accepted without observing or following any of the procedures and deadlines stipulated in this Article.
9. The lawsuit related to any right stipulated in the provisions of this Decree-Law shall not be heard after the lapse of two years from the date of termination of the employment relationship.

## Article 55 - Exemption from Judicial Fees

1. Labour cases shall be exempted from judicial fees at all stages of litigation and execution, as well as the requests submitted by Workers or their heirs whose value does not exceed (100,000) one hundred thousand Dirhams.
2. The Cabinet may - based on the proposal of the Minister of Justice - increase or decrease the value referred to in Clause (1) of this Article, when necessary.

## Article 56 - Collective Labour Disputes

1. In case of dispute between the Employer and all the Workers of the Establishment or a group thereof, and amicable settlement is not possible, the Employer or Workers shall file a complaint to the Ministry in accordance with the rules and procedures specified in the Implementing Regulation of this Decree-Law.
2. The Minister may impose administrative procedures or measures on the Establishment, to avoid that the existing collective dispute harms the public interest.
3. The Cabinet may – based on the Minister's proposal – form one or more committees under the name (Collective Labour Disputes Committee), to consider Collective Labour Disputes that the Ministry is unable to settle amicably. The issued decision shall specify the Committee's formation, tasks, system of Work, the mechanism for issuing and implementing its decisions, and other provisions related to the proper workflow before the Committee.



## Article 57 - Work Inspection

1. The Ministry's employees authorised by a decision from the Minister of Justice, under agreement with the Minister, shall have the capacity of law enforcement officers as per proving the violations to the provisions of this Decree-Law, its Implementing Regulation and the decisions issued in implementation thereof. They shall have the right to enter the relevant Establishments, detect violations, and issue the necessary reports.
2. The Implementing Regulation of this Decree-Law shall specify the Work inspection procedures.

## Penalties

### Article 58

The imposition of the penalties set forth in this Decree-Law shall not prejudice any other more severe penalty stipulated in another Law.

### Article 59

Shall be punished by a fine not less than (20,000) twenty thousand Dirhams and not exceeding (100,000) one hundred thousand Dirhams, whoever:

1. Provides incorrect information or documents with the intention of recruiting a foreigner to the State to work therein.
2. Obstructs or prevents one of the officials charged with implementing the provisions of this Decree-Law and its Implementing Regulation and the decisions issued in implementation thereof, tries or attempts to prevent him from performing his job, whether by using force, violence or threatening to use it.
3. Divulges a Work secret that he has been aware of by virtue of his Work as a public employee charged with implementing the provisions of this Decree-Law and its Implementing Regulation and the decisions issued in implementation thereof, even after leaving Work.

### Article 60

*The text of Article 60 was replaced by virtue of Article 1 of Federal Decree-Law No. 9/2024 dated 29/07/2024 to read as follows:*

1. Shall be punished by a fine not less than (100,000) one hundred thousand Dirhams and not exceeding (1,000,000) one million Dirhams, whoever:
  - a- Employs a Worker who was not authorised to work for him.
  - b- Recruits or employs a Worker and leaves him without Work.
  - c- Uses Work Permits for purposes other than those designated for their issuance.
  - d- Closes down an Establishment or suspends its activities without taking the procedures for settling the rights of the Workers, in violation of the provisions of this Decree-Law and its Implementing Regulation and the decisions issued in implementation thereof.
  - e- Employs a Juvenile in violation of the provisions of this Decree-Law.
  - f- Agrees to employ a Juvenile in violation of the provisions of this Decree-Law, who has guardianship or custody over the Juvenile.
2. Any employer who circumvents the provisions of the laws, regulations or decisions regulating the labour market and appoints one or more workers in a fictitious manner shall be punished by a fine of not less than (100,000) one hundred thousand Dirhams and not more than (1,000,000) one million Dirhams. If this results in the worker obtaining any benefit or advantage from any Ministry, council, fund, authority or any other government entity that the Law or decisions issued by the Cabinet have granted one or more powers to regulate the labour market or increase the competitiveness of the cadres working in it or helped him evade meeting the obligations stipulated by the legislation, the Court shall order the employer to return the value of the financial incentives provided to the worker to any of the entities referred to in this Clause. The employer may not recourse to the worker to claim the value of the financial incentives that he paid to any of those entities. The penalty stipulated in this Clause shall be multiplied by the number of workers who were appointed in a fictitious manner.
3. A criminal case may not be initiated regarding the crime stipulated in Clause (2) of this Article except at the request of the Minister or his authorised representative.
4. The Ministry may make a settlement regarding the crime stipulated in Clause (2) of this Article based on the employer's request before a ruling is issued in it, in return for paying an amount not less than (50%) of the minimum value of the fine specified for this crime, in addition to the employer returning all the values of the financial incentives obtained by his workers who were appointed in a fictitious manner. The criminal case shall expire upon payment of the settlement amount.

### **Article 61**

Whoever exploits or misuses the electronic authorities granted to him to access the Ministry's systems or enables others to do so, which results in a disruption in the procedures or employment relationships, shall be punished by imprisonment for a period not less than one year and/or a fine not less than (200,000) two hundred thousand Dirhams and not exceeding (1,000,000) one million Dirhams.

### **Article 62**

The fine imposed in accordance with the provisions of this Decree-Law on Employers shall be multiplied by the number of Workers in respect of whom the violation occurred, and up to a maximum of (10,000,000) ten million Dirhams.

### **Article 63**

Whoever violates any other provision of this Decree-Law, its Implementing Regulation and the decisions issued in implementation thereof, shall be punished with a fine of not less than (5,000) five thousand Dirhams and not exceeding (1,000,000) one million Dirhams.

### **Article 64**

In case of recidivism in committing any of the violations referred to in this Decree-Law its Implementing Regulation, and the decisions issued in implementation thereof, before the lapse of one year from the previous ruling against the perpetrator for a similar violation, the perpetrator shall be punished by imprisonment with double the fine prescribed in this Decree-Law or one of these two penalties.

### **Final Provisions**

### **Article 65**

1. The rights prescribed in this Decree-Law represent the minimum rights for Workers, and the provisions of this Decree-Law shall not prejudice any of the rights granted to the Worker under any other legislation, agreement, approval, system, or Employment Contract that entitles the Worker to rights that are more beneficial than the rights prescribed under the provisions of this Decree-Law.
2. The Employer or Worker shall not abuse the provisions of this Decree-Law, its Implementing Regulation and the decisions issued in implementation thereof, and neither of them shall perform an action that would pressure the freedom of the other or the freedom of other Workers or Employers to achieve any interest or point of view adopted by him, which is incompatible with the freedom of Work or competence of the competent entity to settle disputes.
3. Any condition that violates the provisions of this Decree-Law, even if it was prior to its enforcement, shall be considered null and void, unless it is more beneficial to the Worker. Every acquittal, reconciliation or waiver of the rights arising to the Worker under this Decree-Law, if it is in violation of its provisions, shall be null and void.
4. The Employer may create and implement programmes or organisational regulations in the Establishment that are more beneficial to the Worker than those prescribed under the provisions of this Decree-Law and its Implementing Regulation. If these programmes and regulations conflict with the provisions of this Decree-Law, the conditions that are most beneficial to the Worker shall apply.
5. The Employer shall not review the terms and conditions of the Employment Contract in force with the Worker prior to the issuance of this Decree-Law, with the aim of implementing the provisions of this Decree-Law, unless those amendments aim to achieve a greater benefit and interest of the Worker. The Employment Contract may be updated after its termination in accordance with the provisions of this Decree-Law.
6. The Employer or Worker may terminate the Employment Contract of indefinite duration, concluded before the entry into force of this Decree-Law, for a legitimate reason after warning the other party in writing for a period of not less than (30) thirty days if the service period is less than (5) five years, a period of not less than (60) sixty days if the service period is more than (5) five years, and a period of not less than (90) ninety days if the service period is more than (10) ten years.
7. The amounts due to the Worker or his family members under the provisions of this Decree-Law shall have a priority over all the funds of the Employer, and they shall be collected directly after the amounts due to the public treasury and the legal alimony awarded to the wife and children.

### **Article 66 - Adopted Language**

1. The Arabic language shall be the language adopted in all records, files, data, forms, and others stipulated in the provisions of this Decree-Law, its Implementing Regulation and the decisions issued in implementation thereof.
2. The Employer shall use the Arabic language in concluding contracts with the Workers, and in writing and publishing the instructions and circulars that he is obliged to issue, provided that next to the Arabic language there is another language understood by the non-Arabic speaking Worker, taking into account that the text in the other language matches the Arabic text. In case of difference, the Arabic text shall prevail.

### **Article 67 - Calculating Periods and Dates**

The calculation of the periods and dates stipulated in this Decree-Law shall be in the Gregorian calendar. The Gregorian year, in applying the provisions of this Decree-Law, shall be of (365) three hundred and sixty-five days, and the month is of (30) thirty days.

### **Article 68 - Adjustment of Situations**

1. The provisions of this Decree-Law shall apply to Employment Contracts of indefinite duration concluded in accordance with above-mentioned Federal Law No. 8/1980.
2. Employers shall adjust their situations and convert Employment Contracts of indefinite duration into fixed-term Employment Contracts, in accordance with the conditions, rules and procedures set forth in this Decree-Law within one year from the date of its entry into force. The Minister may extend this period for other periods as required by the public interest.
3. Subject to the provision of Clause (2) of this Article, the Employer may calculate the end-of-service gratuity in accordance with the provisions of the Employment Contract of indefinite duration contained in above-mentioned Federal Law No. 8/1980.

### **Article 69 - Appeal of the Ministry's Decisions**

Both parties to the employment relationship may appeal against the decisions issued by the Ministry in accordance with the procedures specified in the Implementing Regulation of this Decree-Law.

### **Article 70 - Competencies of the Cabinet**

For the purposes of this Decree-Law, the Cabinet shall:

1. Approve the conditions, rules, and procedures for classifying the Establishments subject to the provisions of this Decree-Law, and the privileges offered for each category of these Establishments.
2. Approve the conditions, rules, and procedures for classifying the workforce skill levels in the labour market subject to the provisions of this Decree-Law, and the privileges offered for each level.
3. Approve the conditions, rules and procedures for employing students of educational institutions accredited in the State, in a way that enhances the efficiency of the labour market and the competitiveness of manpower and enables Employers to benefit from human capabilities.
4. Approve the conditions and rules of employment of persons with disabilities (people of determination) in the State, in jobs appropriate to them and their physical, technical and intellectual abilities, and define their rights, duties and privileges prescribed to them in a manner that contributes to empowering this category and involving them in the development process, motivate Employers to employ them and provide all means to support and empower them.
5. Approve policies, legislation and regulations that would regulate the labour market in the State, enhance the participation of the State nationals in the labour market, and motivate Employers to attract and employ nationals.
6. Issue decisions that would limit the repercussions of any general exceptional circumstances that the State is going through on the labour sector therein.
7. Change the periods, percentages, or values mentioned in this Decree-Law, according to the changes and needs of the labour market, and what is required by the public interest.
8. Specify the fees necessary for the implementation of the provisions of this Decree-Law and its Implementing Regulation.

### **Article 71 - Competencies of the Ministry**

For the purposes of this Decree-Law, the Ministry shall:

1. Suggest policies, strategies and legislation regarding the following:
  - a- Encouraging and motivating Establishments to invest in training and empowering Workers, and raising their skill level, competence and productivity.
  - b- Adopting recent and technological techniques, and attracting the best competencies in accordance with the requirements of the labour market in the State to increase productivity.
  - c- Training students of public and higher education institutions accredited in the State.
2. Develop unified models for the organisational regulations for employment relationships in Establishments, and issue rules and mechanisms for their approval in a manner that achieves the interest of the Worker and the Employer.

### **Article 72 - Implementing Regulation**

The Cabinet shall, upon the suggestion of the Minister, issue the Implementing Regulation of the provisions of this Decree-Law.

### **Article 73 - Abrogation**

1. Federal Law No. 8/1980 regulating Employment Relationships shall be abrogated.
2. Any provision violating or contradicting the provisions of this Decree-Law shall be abrogated.
3. The decisions, regulations, and rules in force before the provisions of this Decree-Law come into force, and in a manner that does not conflict with its provisions, shall continue to be effective until the issuance of their replacement in accordance with the provisions of this Decree-Law.

### **Article 74 - Publication and Entry into Effect of the Decree-Law**

This Decree-Law shall be published in the Official Gazette and shall come into force with effect from February 2, 2022.

Issued by us at the Presidential Palace in Abu Dhabi:

On: 13 Safar 1443 H

Corresponding to: 20 September 2021

**Khalifa bin Zayed Al Nahyan**

**President of the United Arab Emirates State**

This Federal Decree-Law was published in the Official Gazette of the State of the United Arab Emirates, Issue no. (712) (annex) dated 26/09/2021, page 327.

## Notes

1. <sup>^ [p.2]</sup> Article 3 of this Decree-Law stipulates the following:

“1- The Courts of Appeal shall, sua sponte, refer all requests, disputes and grievances subject to the provisions of Article 54(3) of Federal Decree-Law No. 33/2021 on the Regulation of Employment Relationships to the competent Court of First Instance in their current status, without fees, from the date of implementation of the provisions of this Decree-Law.

2- The provisions of Clause (1) of this Article shall not apply to disputes that have been adjudicated or reserved for the issuance of a judgement.”