

Ministerial Resolution No. (370) for 2005 A.D.

Dated: 30/5/2005 A.D.

Minister of Labour and Social Affairs:

- *After reviewing Federal Law No. (1) for 1972 A.D. regarding the ministries competencies and ministers' capacities and the amending laws thereto,
- *Federal Law No. (8) for 1980 in regards to organizing work relationships and the amending laws thereto,
- * Cabinet of Ministers Resolution No. (5) for 1990 A.D. regarding the organizational structure of the Ministry of Labour and Social Affairs,
- *Ministerial Resolution No. (401) for 1997 A.D. regarding the organization of temporary and part-time employment in the private sector facilities in the State,
- *Ministerial Resolution No. 1982/2/37M regarding the level of medical care the employer is committed to provide to his workers.
- *The approval by the Naturalization and Residency Administration.
- *and based on what was presented by the Under-secretary of the Ministry,
- *and for the public interest.

It was decided

First article

Excluded from the provisions of Article Three of Ministerial Resolution No. (401) for 1997 A.D. on organizing temporary and part-time work at private sector facilities in the state, the Ministry may grant temporary work assignment permits valid for a maximum of (90) days to the facilities where work conditions necessitate the acquisition of such permits.

Second article

Facilities applying for temporary work assignment permits shall commit to the following:

- 1- Provide a (round trip) ticket to each worker to bring the worker into the country and send him back to his native country or to where it was agreed upon.
- 2- Affirm the medical fitness of the worker to perform the work he was brought in to do, and that he is free from communicable diseases, according to a medical certificate as per the regulations in force.
- 3- Pay a fee of AED (500) for each worker approved to be recruited as expatriate worker under a temporary work assignment permit.
- 4- Issue a labour contract after the worker's entry into the country to be signed by both the facility and the worker, and ratified at the competent labour directorate.
- 5- The establishment shall be committed to provide the levels of medical care required based on Ministerial Resolution No. 37/2/1982, and to provide health insurance from one of the establishments working in this field.
- 6- Commit to submit the consent issued by the Ministry to recruit expatriate workers under temporary work assignment permits to the competent Naturalization and Residency Administration in order to issue its entry permit as stipulated in this matter.
- 7- Do not employ the recruited expatriate worker at any other facility or place of work.
- 8- Commit to pay the wages of the said workers monthly throughout the duration of their work, on a business day, at the work place, and to submit these statements to the competent labour directorate.

9- Commit to return the worker to his home country or to any other place, as agreed upon, once the work has been completed his work or within a maximum of seven days from the expiry date of the permit.

10- Commit to the other conditions included in the application to recruit expatriate workers for a temporary work assignment as issued by the Ministry in this respect, or any other conditions as specified by the Ministry in the future.

Third article

The Under-secretary for the Labour Sector shall set the regulations pertaining to the implementation of this resolution, and shall set the conditions and forms necessary for that.

Fourth article

The facility that wishes to acquire temporary work permits shall submit an application to the Facilities Affairs Unit to list the facility under the licenses facilities to acquire such permits, upon completion of the necessary documents. The application shall be referred to the Electronic Committee.

Fifth article

An Electronic Committee shall be formed to undertake checking the extent to which the conditions apply to the facilities submitting the applications, and their actual need for written permits, as well as determine the (quota) granted to the requesting facility and open an electronic file for the facility.

Sixth article

Applications to get the mentioned permits shall be submitted electronically to the Ministry or the competent Labour Office in accordance with the prepared form for that purpose, provided that the Ministry sends the consent electronically.

Seventh article

The Ministry shall have the right to renew the validity date of temporary work assignment permits for other durations, in accordance with the conditions stipulated by the Ministry in that respect.

Eighth Article

In the event of the facility's violation of any of the conditions for granting temporary work assignment permits, or providing any data or documents that are found to be incorrect for the purpose of getting the approval of the Ministry on temporary work assignment permits or that are in violation of any of the provisions of Law No. (8) for 1980 A.D and the laws amending thereto, the Resolutions and Regulations issued for its implementation, the facility file shall be suspended electronically, in addition to taking legal action against the same, in accordance with the provisions of Chapter Eleven of the Law and the other Ministerial Resolutions on this matter.

Ninth article

This resolution shall be put into force as of its date, the concerned authorities shall implement the same according to its competence, and shall be published in the Official Gazette.

Dr. Ali Abdullah Al-Kaabi

Minister of Labour and Social Affairs