

**Ministerial Resolution No. (37/2) for 1982**  
**Regarding the level of medical attention the**  
**employer is obliged to provide to his workers**

**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 the work relationships and upon agreement with the Minister of Health.
- \*and based on what was proposed by the Undersecretary of the Labour Sector,

**It was decided:**

**Article (1)**

The commitment of the employer to treating the workers must be according to the levels of medical attention shown in the articles of this resolution and within the limitation of the methods available for treatment in the country.

**Article (2)**

The employer in whose facility the number of workers doesn't exceed fifty workers at one place, one country, or a radius of twenty kilometres must provide first aid means at the work places in his facility.

### **Article (3)**

The employer whose number of workers exceeds fifty workers but less than two hundred workers in one place, one country, or a radius of twenty kilometres, in addition to his commitment to provide first aid means, shall use a nurse holding a nursing certificate recognised by the Ministry of Health who shall administer the said aid, and shall assign a physician to the workers clinic and their treatment at the place prepared by the employer for that purpose, providing them with the necessary medications for treatment for free.

If the treatment requires a specialist physician, the facility doctor shall advise in writing to treat the worker at a specialist physician, with the costs of treatment in this case shared equally between the employer and worker.

### **Article (4)**

The employer who has two hundred workers or more in one place, one country, or a radius of twenty kilometres must provide the means of treatment stipulated in articles (2) and (3) of this resolution, in addition to his commitment to provide all other means of treatment in the cases where treatment requires specialist physicians, surgeries, or other, as well as the necessary medications, all at the expense of the employer.

If the worker was treated at a government, private, or charity hospital or treatment home, the employer shall pay to the management of the hospital or home the cost of treatment, medication, and accommodation as specified by the Ministry of Health with respect to government hospitals and treatment facilities, and in accordance with what is decided by the managers of the private or charity hospital or home, or the institution affiliated to that hospital or care facility with respect to treatment at private or charity hospitals or treatment facilities.

### **Article (5)**

The facility physician where the number of workers is two hundred or more must treat any of the illnesses in an ordinary way and decide to dispense the necessary medications, as well as refer the worker to a specialist or to the hospital in the cases where treatment requires that.

In this case, the worker may not ask to be treated at a specialist, to have a surgery, or to be treated at a hospital unless based on the decision of the facility physician or according to a certificate necessitating this issued by a specialist and approved by the competent medical administration or medical area at the Ministry of Health under which jurisdiction the facility falls.

A worker also may not request to be treated at a specialist other than those chosen by the employer or at hospitals not decided by him.

### **Article (6)**

When selecting the place for the workers clinic and treatment, it should be taken into consideration that it would be as close as possible to the place of work and to have good ventilation and lighting, with health and comfort conditions. It should also be equipped with the necessary machines and equipment.

### **Article (7)**

The costs for transporting the worker to the clinic should be at the expense of the employer at the times he specifies for treatment or checking.

The worker shall not be entitled to these expenses unless he follows the directions of the employer with respect to the times set for treatment or checking at the clinic, except in emergency and urgent situations.

The employer should allocate a mode of transportation for the sick and injured workers, in which case the worker may not refuse transportation as long as they are suitable for what it has been assigned for. The worker's right to any transportation expenses shall cease to exist using the transportation means allocated by the employer without reasonable justification.

#### **Article (8)**

If the facility has a fund or a system for providing medical services and the worker subscribe to it so that he would have the right to treat himself and the members of his family, the employer shall lower the worker's subscription fee to that fund or system in a way equivalent to the costs of his treatment at the expense of the employer in accordance with the provisions stipulated in this resolution.

#### **Article (9)**

Each employer using fifty workers or more must display the following data on the main doors used by workers to enter into the place of work:

- a- Place of the workers' clinic.
- b- The treatment days and times at that clinic.
- c- The address of the hospital and specialist physicians assigned to treat the workers and the times for that whenever the employer is obliged to them according to the provisions of this resolution.

The labour inspection section inspectors at the Ministry may order to hang all or some of the aforementioned data, depending on the case, in another place and in the appropriate places at the facility whenever they find it necessary.

These data must be hung in a way that is easy for the workers to view.

### **Article (10)**

The employer who uses foreign workers must affirm their physical fitness for work by a certified medical certificate proving that and that is certified by the competent official authorities.

In all cases, the employer must confirm the physical fitness of the worker he shall use before hiring him through a medical investigation, and the result of that must be proved in a written report certified by the competent authority at the Ministry of Health.

### **Article (11)**

**Every employer must prepare a medical for every worker showing the following:**

- The results of the medical investigation of the worker upon joining work.
- The results of the medical investigation and decided treatment whenever the worker takes a medical investigation and the date of each investigation.
- The results of the medical tests carried out for investigation or treatment as well as the X-rays prepared for the worker for the same reason, if any.
- The result of the investigation to affirm the absence of parasites and respiratory and skin diseases if any.

- The period during which the worker was absent from work because of illness, provided that the days of absence because of ordinary illness, occupational illness or work accidents are explained separately.

These files shall be confidential with only the treating physician, employer or who represents him having access to them.

#### **Article (12)**

The employer who uses fifty workers or more must send a statement of two copies once every three months to the competent work directorate showing the number of workers who were treated at the expense of the employer, the types of their illnesses, and the days of absence during which they did not come to work because of illness.

#### **Article (13)**

The implementation of the provisions of this resolution shall not jeopardise or disable the other systems of treatment at the facilities if these systems were better to realise the medical treatment organised under this resolution.

#### **Article (14)**

This Resolution shall be published in the Official Gazette and shall be put into force as of the date of its publication.

**Seif Ali Al-Jarwan**

**Minister of Labour and Social Affairs**

---

**Date: 17/7/1982**