

Labour Inspection Country Profile: UNITED ARAB EMIRATES

Labour Inspection Structure and Organization

Name of institution that manager work issues

[The Ministry of Labour \(MoL\)](#) is responsible for labour and employment issues.

Department(s) responsible for Labour Inspection

The Inspection Affairs Sector in the MoL has four central organizational units: the Administration of Labour Inspection, the Administration of Guidance, the Administration of Occupational Safety and Health and the Wages Protection Office. The Administration of Labour Inspection conducts inspection campaigns to ensure continuous monitoring of the enterprises' compliance with the legal provisions and assesses the level of compliance with the Federal Labour Law, and its executive regulations. The Administration of Occupational Safety and Health organizes periodic inspection visits to enterprises, of all sites and sectors, to ensure compliance with the OSH legal provisions and monitor OSH and living standards in the workers' dormitories. The Wages Protection Office organizes periodic inspection visits to monitor payment of wages. The role of the Administration of Guidance is mostly supervisory and preventive.

There are also 5 Labour Support Units run by labour inspectors supervised by the Administration of Guidance, distributed in the newly developed workers' residential cities and have the following functions: raising the workers' awareness on the labour law and their legal rights and duties, through workshops, seminars and brochures and receiving the workers' comments and complaints and referring them to the concerned departments and authorities.

Law that covers organization and functional composition

Federal Law No. (8) of 1980

Scope of labour inspection

Labour inspectors ensure compliance with the provisions of the labour law, particularly those related to employment terms, wage, and protection of workers during the performance of their work, and matters related to the health and safety of workers and the employment of juveniles and women. The labour law excludes from its scope of application domestic workers, workers in agriculture, public sector, members of the Armed Forces, Police and Security. Although the labour law does not exclude them, the Free Economic Zones are practically completely excluded, as each of those zones is subject to its own law only. OSH inspectors direct most of their resources and activities to inspecting the living conditions in the workers' dormitories. Inspecting working conditions and monitoring workplace hazards are not among their priorities. The labour inspection functions are divided into field and administrative ones. Only field inspectors conduct inspection visits to workplaces.

Local divisions

The Inspection Affairs Sector is based in the headquarters of the MOL, in the Emirate of Dubai, and has a second office in the Emirate of Abu Dhabi. There are three regional labour administrations, which have specific sections of inspection.

Programming and communication

There is no documented labour inspection policy or enforcement strategy. Labour inspection visits are included in the annual strategic plan of the central labour inspection authority, which sets a target of labour inspection visits for each of the regional inspectorates. In accordance with such targets, the regional directors and supervisors prepare, in coordination with the administrative staff, inspection plans on weekly or daily basis and give them to the concerned field inspectors for implementation.

The labour inspection procedures and practices are not standardized. They differ, not only from an emirate to another, but also from a labour office to another within the same emirate.

There are no channels of coordination and collaboration among the different institutions involved in activities related to labour inspection. Although there are many other institutions which have activities and functions related to labour inspection, the MOL has very limited work with those authorities and the collaboration with them is limited to very few OSH activities. Several Memorandums of Understanding have been, signed with some of these authorities: Ministry of Interior, The Higher Commission for the Specialized Economic Zones, The Health Authority of Abu Dhabi and Municipalities.

Current reforms

Improving labour inspection services, and creating a modern labour inspection system seem to be among the top priorities of the MOL.

Human Resources and career development

Permanency of inspectors

The labour inspectors are Government's officials. The performance of labour inspectors is usually monitored by their supervisors. This sometimes includes selecting a random sample of inspected enterprises and re-inspecting them. There is no career development system for the labour inspectors, which results in very high turn over rate among inspectors.

Selection process

The MOL does not have clear profiles for labour inspectors, or criteria for the selecting and recruiting them. The law stipulates that they shall pass a special professional examination after completing a period of training of at least three months and that the MOL shall organize special courses for training labour inspectors in different topics.

Background required

Labour inspectors have qualifications ranging from high school education, who have the titles of "assistant labour inspectors", to university graduates, who have either the title of "labour inspectors" or "labour inspector first", depending only on their seniority and years of service. The law does not stipulate any qualification or experience for the selection and recruitment of labour inspectors.

Visits and functions

Types of visits

The labour inspection visits are usually of the following types: periodic inspection visits (routine inspections to the enterprises, of all sectors, for the enforcement of the provision of the labour law, including those related to OSH), work volume inspection visits (to estimate the load of work and the actual need of workers, for the enterprises applying to the MOL for importing new migrant workers from abroad), inspection of private recruitment agencies, workers' follow-up inspection (visiting the enterprises that have been closed, to see if they still have any activities and to follow-up the situation of their migrant workers), wages protection inspection visits, occupational safety and health visits, joint inspection campaigns (include other governmental institutions, beside the MOL. Joint visits with the Ministry of Interior, for detection and detention of undocumented migrant workers, and with the municipalities, for inspecting OSH standards in the workers' dormitories), after noon inspection visits (detection of the violations to the prohibition of work between 12:30 pm and 03:00 pm under the sunlight, in the exposed places, during the hot months of the Summer) and nationalization inspection visits (which involves the enterprises which employ more than 100 migrant workers).

The most common type of those visits is the one that targets undocumented and illegal workers, during which the inspectors are usually accompanied by policemen, who detain such workers on the spot, and keep them in custody until they are deported. This type of reactive visits consumes most of the labour inspection time and resources. A very small percentage of labour inspection visits is related to working conditions and labour rights.

Most of periodic, routine, inspection visits are announced. If some employers state that they are not yet ready for such visits, they are usually given extra time and visits are delayed for few days.

Since 2009, all enterprises are legally required to pay wages of both national and migrant workers through banks and other financial services' providers. This system allows the MOL to have a comprehensive wages data base and an electronic wages' payment monitoring mechanism for the enterprises in the country. This system also allows the MOL to timely detect any delay of wages' payment in any of the covered enterprises. The banks and other service providers report to the MOL, regularly and timely, on the wages paid. Non compliant employers, who do not contribute to this system, or those who have delayed wages' payment, are subject to sanctions, including blocking new authorizations for bringing new migrant workers into the country, not only for the concerned companies, but also for all other enterprise owned by the same employers.

Role of preventive measures

The Administration of Guidance of the MoL supervises the development of awareness-raising materials, such as booklets and brochures, related to LI and labour law and policies, and disseminating them, conduct field visits for guiding workers and employers on labour policies and compliance with the law, and advises and educates workers, employers and residents through the media and awareness-raising workshops, in collaboration with other concerned departments and institutions.

The Administration of Occupational Safety and Health also raise workers' awareness of OSH.

Programming

The enterprises to be inspected are not usually specified in the plans in case of routine periodic inspection, but they are, in the other types of inspection. The inspectors are not involved in the planning process and are not consulted concerning the enterprises, sectors or areas to be inspected. All labour inspection plans are prepared mostly on daily basis, then given to inspectors on the same day for implementation.

Most of labour inspection activities take a reactive approach, by focusing on detecting the undocumented and illegally working foreign workers for deporting them and imposing sanctions against the violators.

Registries and reporting of accidents/diseases at work

The MOL has an enterprises' and workers' database that includes almost all enterprises and all workers in the private sector. This database is updated regularly. This database is made available to all labour inspectors, which provides them with detailed and reliable information for a better planning and facilitates the provision of more comprehensive LI services.

The law requires employers to report to the MOL the occupational diseases and work-related injuries, of their employees, on quarterly basis, but in practice, work-related injuries are greatly under reported, while the occupational diseases are never reported. The Health Authority of Abu Dhabi (HAAD) has been working on the development of a fully computerized comprehensive system for reporting occupational injuries.

Sanction and administrative processes

Labour inspectors are not empowered to decide on the outcome of their inspection visits. They do not have the authority to impose sanctions or to decide on a prompt action, such as stopping work, when a very serious or a high-risk situation is encountered. They report their findings by providing a description of the situation in their written report to their supervisors.

Sanctions stipulated in the labour law (fines) are very high for the violations related to illegal employment of migrant workers, but they are not so concerning the violations related to working conditions and labour rights.

Social dialogue and labour inspection

The workers and employers are not involved in the labour inspection activities at any level.

ILO Conventions ratified

Convention No. 81 was ratified in 1982 but Convention No. 129 has not been ratified.

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