# Employer survey of internal labour market mobility: promoting a more flexible workforce in Kuwait


## Executive summary

Kuwaiti employers across many sectors have faced a challenging fiscal and regulatory environment, made more challenging by the aftermath of the COVID-19 pandemic. This exploratory survey of 198 companies that responded to the Kuwait Chamber of Commerce and Industry (KCCI)-ILO survey between December 2022 to March 2023, demonstrated that some companies have faced challenges in being able to recruit workers already in Kuwait, although this should, in principle, be cheaper and faster than international recruitment.

When asked if they thought that rules on expatriate workers[1] being able to change employers in Kuwait should be made more strict, less strict or remain the same,

**more than half of survey respondents said that they wanted the rules to be less strict, in order to facilitate more transfers of expatriate workers among companies operating in Kuwait.**

This is a very significant finding because it nearly doubles the percentage of respondents who either wanted to keep the system as it is or make transfers more rigid. It was also a finding consistent across almost all sectors, and especially high in the food and beverage sector, retail/trade sector and the banking and financial sector. Moreover, the support for more flexible/less restrictive rules on workers changing employers was also consistently high among companies of all sizes – whether small, medium, or large.

Similarly,

**nearly three quarters of respondents approved of mobility reforms in neighbouring GCC countries that eased internal labour mobility and allowed visa transfers without the need for no objection certificates for workers,**

indicating that similar reforms would be a positive move towards a more dynamic labour market in Kuwait. These reforms, described in more detail in the Introduction and Annex, would help to remove the current obstacles to mobility which face companies operating in Kuwait.

Other findings from the survey, and the meeting organized by KCCI, ILO and the International Organization for Employers (IOE) on 7 March 2023, further pointed to an important debate about how to ensure mobility of expatriate workers, and a dynamic labour market that can benefit employers looking for workers, while recognizing the investment that employers make to workers' recruitment and skills development.

**A number of measures were discussed that could increase mobility of expatriate workers in Kuwait, such as online platforms where foreign workers in Kuwait can post their CVs, and the ability to employ workers on short-term visas.**

These measures may make it faster and easier for employers to recruit expatriate workers already in the country, without having to rely solely on international recruitment. Although the findings are not representative of the entire private sector in Kuwait, they provide a foundation for reflection and further dialogue on the kind of policy reform requested by companies.

1 It is important to note that while some governments in the Arab States use the terminology of 'expatriate worker', the term used by the ILO is that of 'migrant worker', in accordance with international standards, in particular, Article 2 of the International Convention on the Protection of all Migrant Workers and Members of their Families (1990), which defines a 'migrant worker' as a "person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national". Similar definitions are found in the ILO Migration for Employment Convention (Revised), 1949 (No. 97) and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143).

# Introduction

Kuwaiti employers in the private sector face a challenging task of filling vacancies and skills gaps to maintain business continuity. With the private sector labour force comprising 96 per cent expatriates and 4 per cent Kuwaitis, the COVID-19 pandemic exposed the vulnerability of employers to sudden immigration changes and blockages on international recruitment. The ILO-KCCI study of skills needs (2022) noted that a key factor in ensuring business continuity for Kuwaiti businesses is to promote internal labour market mobility, which allows foreign workers to change jobs more easily while remaining in Kuwait.[2] This is a recommendation made by many multilateral institutions, economists and labour lawyers.

The 2022 Kuwait Jobs Strategy, developed by the World Bank, contains a recommendation to reform/expand labour mobility for non-Kuwaitis. The World Bank argues that "allowing non-Kuwaiti workers to change jobs freely would enable workers to seek more productive jobs and drive a more efficient allocation of new investment" (p.172). This, it argues, would also have a flow-on effect to meeting nationalization objectives, as mobility would create a new wage equilibrium, raising the minimum wage in high-priority sectors that would support more Kuwaitis into the labour market.[3]

This recommendation follows earlier research and policy recommendations by the UN system in Kuwait in 2021, which argued that "changes to the sponsorship system to remove restrictions on foreign workers to change jobs are needed, which would enable[e] foreign workers to change employers by giving written notice,"[4] and could help to build a more productive economy. The UN recommended that reform of the sponsorship system, combined with efforts to tackle the absconding (worker absenteeism) regime, could be implemented through Ministerial Orders that would remove current restrictions on foreign workers' ability to change sponsors, including between government and private sector contractors, between sectors, and without the permission of the first sponsor. The brief highlighted that better internal labour market mobility would mean greater flexibility to companies, strategic job matching (easier to find the right worker with the appropriate skills and experience), increased productivity at company level (reducing absenteeism and recruitment gaps, increasing retention rate) and improved job satisfaction and motivation, leading to a greater retention rate.

# The Kuwait regulatory framework in the regional context

Compared with its neighbours, the sponsorship system in Kuwait is one of the most rigid in the region.

Whereas in Saudi Arabia and Bahrain, foreign workers can unilaterally change employers after 12 months of service and in Qatar at any time in accordance with contractual notice periods (see Table 1 below), Kuwait has complex rules limiting workers' ability to transfer between sectors, despite temporary relaxation of the rules during the COVID-19 period. Whether a worker is able to change employer depends on the sector they are employed in and the type of contract (government or private sector).

Under current rules in Kuwait, employers cannot hire an expatriate worker already in Kuwait, except if the first employer agrees, and only after one year of service and with the permission of the Public Authority for Manpower – PAM (Administrative Decision No. 375 of 2021). In certain sectors, there are additional restrictions which apply. For example:

- Workers cannot transfer work permits from the government sector to the private sector (unless they leave the country and apply for a new visa): Administrative Resolution no. 529/2020 for amending Resolution no. 842/2015 (exempting medical professionals in the Ministry of Health).[5] There is also a recent exemption for expatriate workers over the age of 60.

2 ILO, KCCI. 2022. Skills needs in Kuwait following the COVID-19 pandemic.
3 World Bank, 2022. Towards a National Jobs Strategy in Kuwait. According to the report, such a policy would support an increase in the cost of non-Kuwaiti labour and force employers to consider adopting more capital- and technology-intensive production functions, which is another priority of Vision 2035.
4 UN in Kuwait, 2021. Unlocking Human Capital Potential in Kuwait as a global actor in the knowledge economy. This Policy Brief notes that special provisions could be made for workers during their probation period (including having the second employer contribute to the costs of recruitment).
5 Such workers are permitted to transfer only to other government-contracted projects implemented by the same sponsor and only after the end of their contract. Workers with certain technical skills are permitted to transfer to other government-contracted projects run by another sponsor, if the implementing government entity approves the transfer.

- Workers in Free Trade Zones and the manufacturing, agricultural, cooperatives and fishing sectors cannot transfer outside of their sector/Free Trade Zone.
- Workers in small and medium-sized enterprises (SMEs) cannot transfer between employers except after the completion of three years of continuous employment.

Moreover, if the worker chooses to move to another employer despite these rules, they are subject to the absconding regime and thus may be declared as 'runaway' by the first employer, thus becoming subject to arrest, detention and deportation.

As shown in the table below, the Kuwaiti work visa sponsoring rules are far more restrictive than those of neighbouring countries.

▶ Table 1: Aspects of sponsorship rules in Kuwait, Qatar, KSA and Bahrain

| | Kuwait | Qatar | KSA | Bahrain |
|---|---|---|---|---|
| **Expatriate worker can terminate without permission of employer** | After the end of the contract period | Anytime, with notice | Anytime, after 12 months with 'first' employer, with notice | Anytime, after 12 months with 'first' employer, with notice |
| **Expatriate worker can change sectors** | After the end of the contract period (even with permission of the 'first' employer) | Anytime, with notice | Anytime, after 12 months with 'first' employer, with notice | Anytime, after 12 months with 'first' employer, with notice |
| **Expatriate worker can change from SMEs to other companies** | After the end of the contract period (even with permission of the 'first' employer) | Anytime, with notice | Anytime, after 12 months with 'first' employer, with notice | Anytime, after 12 months with 'first' employer, with notice |
| **Expatriate worker can change from government to private sector contracts** | After the end of the contract period (even with permission of the 'first' employer) | Anytime, with notice | Anytime, after 12 months with 'first' employer, with notice | Anytime, after 12 months with 'first' employer, with notice |

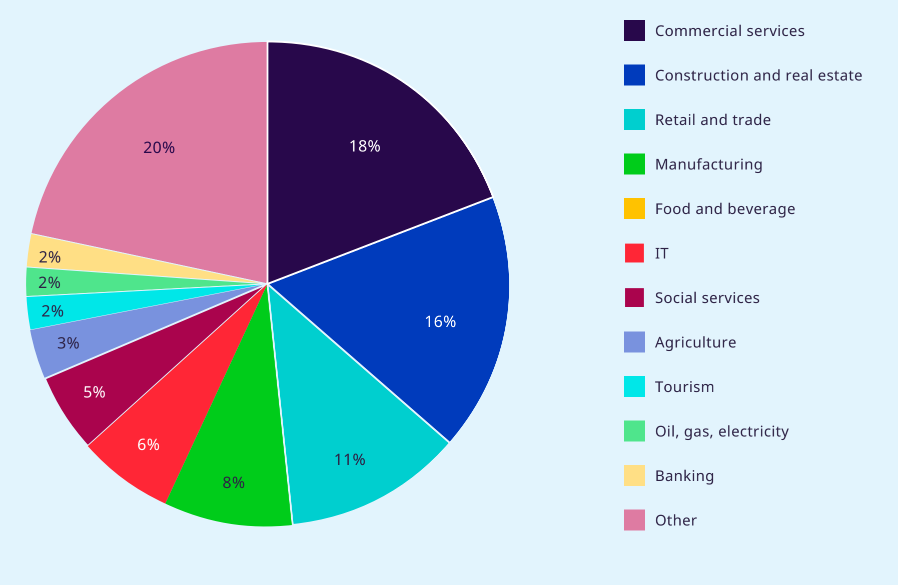
# ▶ Findings from the employers' survey

Between December 2022 and March 2023 an online survey prepared in collaboration with the Kuwait Chamber of Commerce and Industry (KCCI) was submitted to Kuwaiti companies (a total of 59,357 companies in the KCCI database) to better understand the employers' position regarding the current immigration system. The survey, which was distributed by KCCI to their members, is analysed in detail below. A total of 198 firms responded. It should be noted that this is still a very small sample with respect to the overall size of the private sector in Kuwait, so the results cannot be seen as representative. However, their analysis nonetheless presents a useful evidence base for further research and discussion. Moreover, despite efforts to oversample firms in underrepresented, sectors of the economy to allow for a sectoral analysis of the findings, such an analysis was ultimately not possible. Nonetheless, the data provides important insights at an aggregate level and is supplemented by other available data sources, including qualitative information provided during a face-to-face meeting in Kuwait, organized by the KCCI, ILO and the International Organization for Employers (IOE) on 7 March 2023.

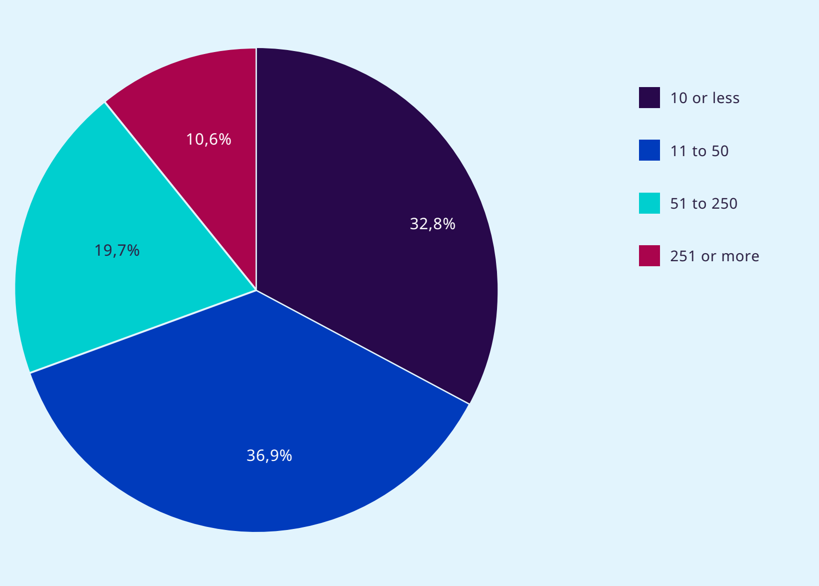
## Overview of the sample

Looking at the sample, a large number of firms were in the commercial services sector (18 per cent), which includes wholesale trade, transportation, entertainment, security, and other commercial services (figure 1). This was followed by construction and real estate (16 per cent), retail trade (11 per cent) and manufacturing (8 per cent). Small proportions of respondents were from the food and beverage industry and IT, while the lowest response rate was from oil and gas, and the banking sector. A large number of respondents (20 per cent) had selected 'other'.

▶ Figure 1: Survey sample by sector




▶ Figure 2: Survey sample by size of company (number of employees)



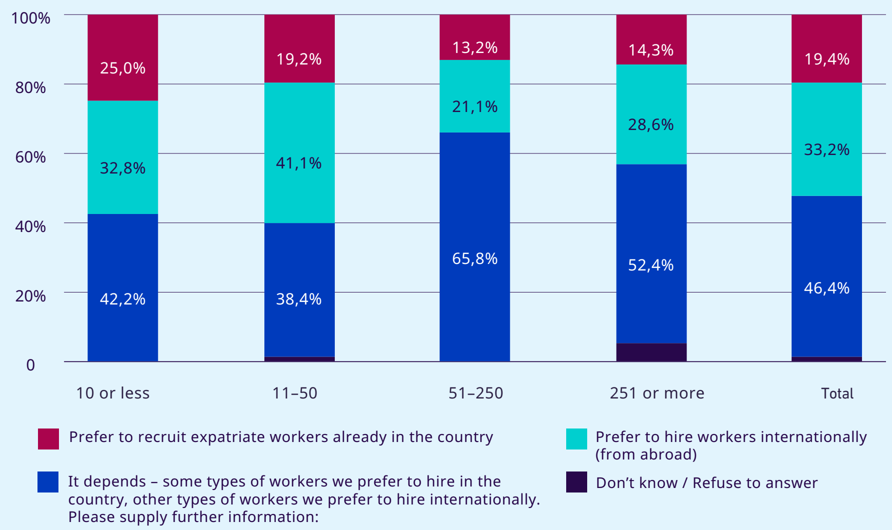

Using definitions of firm size proposed by researchers at the Kuwait Institute for Scientific Research (KISR) (2018), very small or micro firms (1–10 employees) represent 32.8 per cent of the sample; small firms (11–50 employees) represent 36.9 per cent of the sample; medium firms (51–250 employees) represent 19.7 per cent of the sample; and large firms (over 250 employees) represent 10.6 per cent of the sample.

## Preference to recruit workers (from abroad or in Kuwait)

In response to a question on preference for whether to recruit workers from Kuwait or abroad, around half of the respondents (46 per cent) indicated that it depended on the circumstances, including the profile of the worker required. Of the rest, a larger proportion indicated that they preferred to recruit from abroad (33 per cent) to recruiting in Kuwait (19 per cent). This is consistent with the findings of the ILO-KCCI study on skills which showed that 70 per cent of employers in 2022 were planning to recruit from abroad. This may be connected with subsequent questions showing the challenges of recruiting foreign workers already in Kuwait.

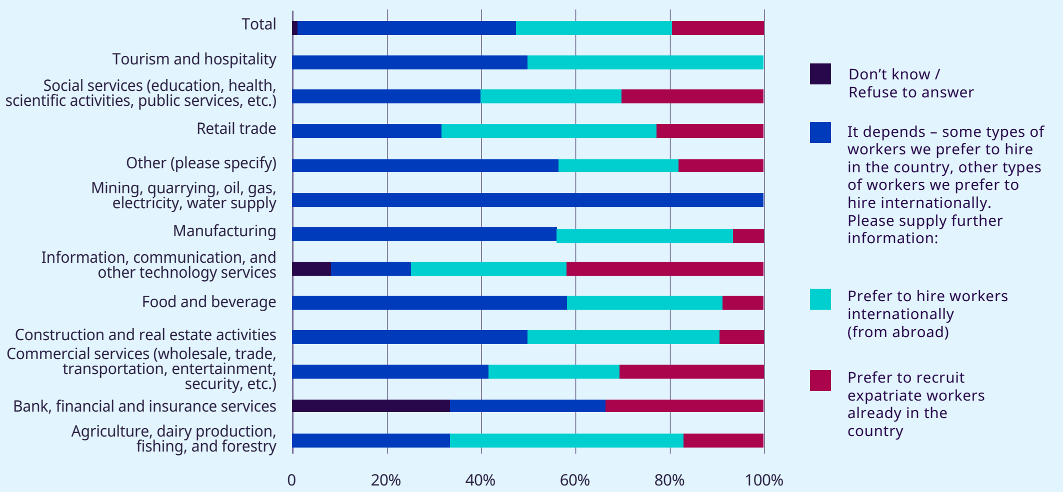
Interestingly, looking at the responses based on size, a slightly larger sample of small companies (10 or less workers) were interested to recruit in Kuwait, though the findings may have different interpretations. One reason why smaller companies may slightly prefer to hire local workers is the importance of a good job match, namely finding someone who fits in a small team, which may advantage local recruitment given the benefits of a face-to-face interview. A poor match may turn out to be more costly and could have serious impacts in terms of business continuity for a smaller company.

Figure 3: When recruiting expatriate workers, do you/your enterprise prefer to recruit expatriate workers already in Kuwait, or to hire workers internationally (i.e., recruit from abroad)? (disaggregation by size of company)




Sectorally, we can see that companies are more likely to recruit from abroad if they are in construction and manufacturing, which tend to rely on lower-wage workers. Sectors that tend to recruit domestically include commercial services, IT, and social services, perhaps because verification of soft and technical skills is more important in these sectors and this is easier to gauge if the applicant is already in Kuwait and can be interviewed in person.

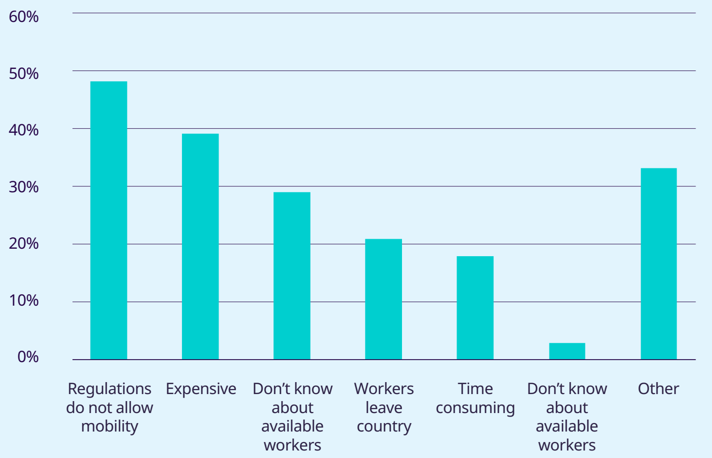
▶ Figure 4: When recruiting expatriate workers, do you/your enterprise prefer to recruit expatriate workers already in Kuwait, or to hire workers internationally (i.e., recruit from abroad)? (disaggregation by sector)




## Recruitment of workers in Kuwait

Almost all the companies indicated that they had tried to recruit a worker in Kuwait, however, 92 per cent responded that they had faced challenges in doing so (which might explain why the status quo – as noted in Figure 1 – still slightly preferences international recruitment). As shown in Figure 5 below, the primary reason, chosen by nearly half of those who responded, was because regulations do not currently allow mobility between employers. A sectoral breakdown also shows that all sectors found this aspect especially problematic. The next most common response was that it was expensive to recruit workers who are already in Kuwait. This might relate to the requirement that employers cover unpaid overstay fees, or the cost of the new work permit. Other responses included not knowing about the available pool of workers already in Kuwait – given that there is no public database (29 per cent), not being able to find workers because they often leave the country as soon as they finish their contract or leave their employer (21 per cent) and that it is time-consuming to obtain an approval for the transfer of a worker already in Kuwait (18 per cent).

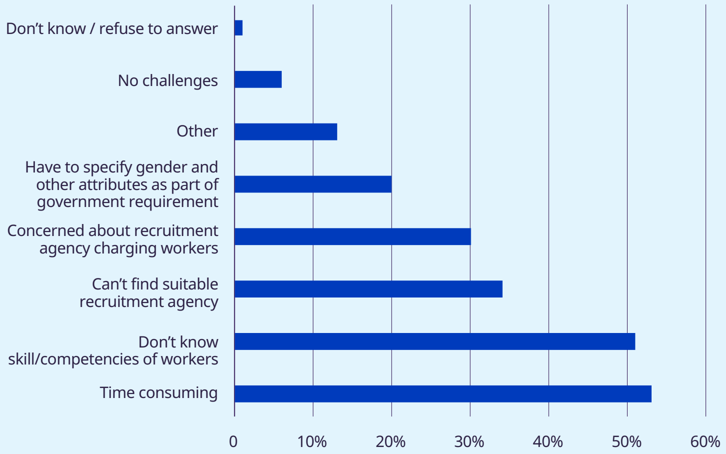
▶ Figure 5: What challenges, if any, did you experience in recruiting expatriate workers already in Kuwait? (up to three responses)



## Recruitment of workers from abroad

The biggest hurdle for companies in recruiting workers from abroad was the time and uncertainty of being able to find the right worker. In the responses (where up to three reasons could be selected) more than half of respondents (53 per cent) said that the process to obtain government permission to recruit a worker is very time-consuming. More than half (51 per cent) also indicated that they did not have information on the skills and competencies of the workers until they arrived – meaning having to entirely rely on assurances of private recruitment agencies or other labour intermediaries. A small percentage indicated difficulties in the recruitment process itself (challenges in finding the right candidate or concerns that the recruitment agency would charge workers for their recruitment, despite international labour standards prohibiting this practice).[6]

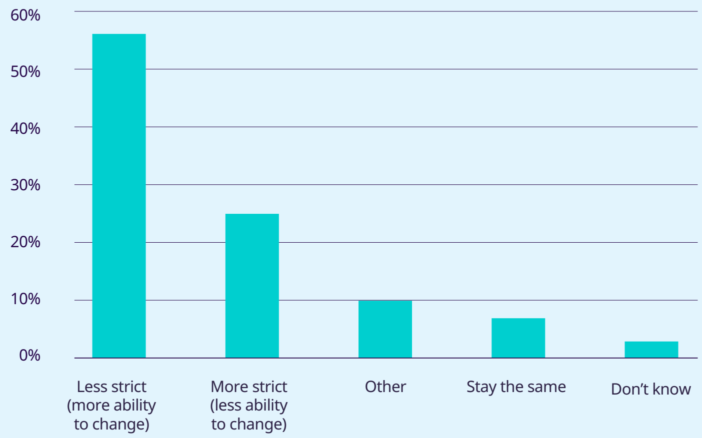
▶ Figure 6: What challenges, if any, did you experience in recruiting expatriate workers from outside of Kuwait? Select up to three reasons.




## Rules on internal labour market mobility

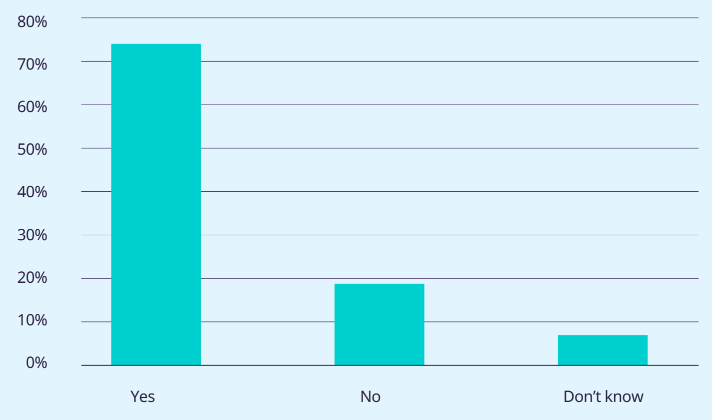
When asked if they thought that rules on expatriate workers to change employers in Kuwait should be made more strict, less strict or remain the same, more than half of respondents said that they wanted the rules to be less strict and thus facilitate the transfer of workers. This is a very significant finding because it nearly doubles the percentage of respondents who wanted either to keep the system as it is or make transfers more rigid. Importantly, the preference for more permissive rules on foreign workers' mobility was consistent across almost all sectors, and especially high in the food and beverage sector, retail/trade sector and the banking and financial sector. Moreover, it was also consistently high among companies of all sizes – whether small, medium, or large. In each of the size categories, more than half of the respondents expressed a preference for less strict rules on workers' mobility between employers.

▶ Figure 7: Do you think the rules on expatriate workers to change employers in Kuwait should be made more strict, less strict or remain the same?




6 See Private Employment Agencies Convention, 1997 (No. 181) and the ILO General principles and operational guidelines for fair recruitment and definition of recruitment fees and related costs.

▶ Figure 8: Would reforms in neighbouring GCC countries on internal labour mobility be a positive move for a more dynamic labour market in Kuwait?

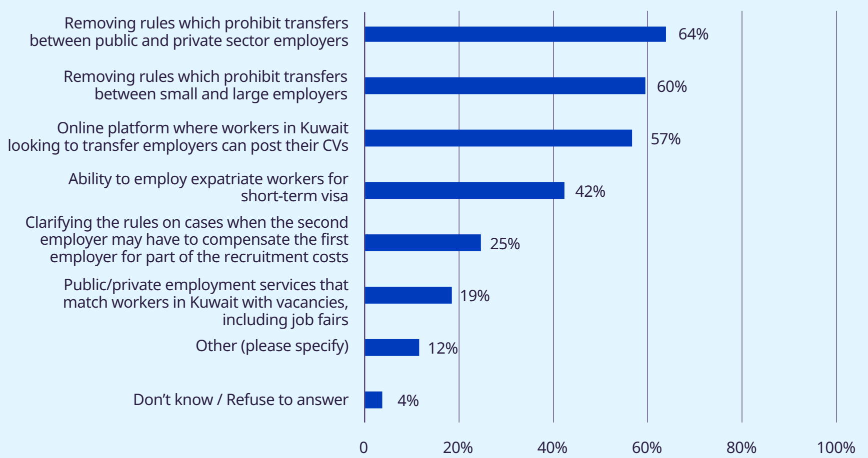



Similarly, nearly three quarters of respondents indicated that introducing similar mobility reforms to those in neighbouring GCC countries (that eased internal labour mobility and allowed visa transfers without the need for no objection certificates for workers) would be a positive move for a more dynamic labour market in Kuwait. These reforms are described in more detail in the Annex.

## Recommendations for reforms

When asked what reforms could make recruiting expatriate workers already in Kuwait easier or cheaper for their company (multiple responses permitted), a majority of respondents again highlighted the importance of removing rules which prohibit transfers between employers, particularly between public and private sector employers (64 per cent) and between small and large employers (60 per cent). From a sectoral breakdown, support for reforms was consistently high from almost all sectors, but especially from the food and beverage sector and social services. The only sector where respondents were less likely to select these options was the agricultural sector, suggesting that these employers would benefit from complementary support to recruit workers in a way that responds to the needs of the sector. For example, respondents from the agricultural sector were most likely to select the recommendation for 'ability to employ expatriate workers for short-term visa'. It is also telling that whether large, medium or small, there was consistent support from all companies for the recommendations around removing rules that prohibit transfers between employers.

▶ Figure 9: What reforms could make recruiting expatriate workers already in Kuwait easier or cheaper for your company?



## Qualitative feedback from employers

A meeting was held on 7 March 2023 attended by representatives from more than 30 companies, covering a range of sectors. The reflections focused on:

- Current rules on transfers of foreign workers already working in Kuwait;
- Minimum wage in the private sector;
- The impact of COVID-19 on the labour market, in particular how it exposed companies to the challenges of recruitment in Kuwait; and
- Suggested policy and legislative reforms.

Some company representatives in the meeting expressed the view that mobility restrictions were unnecessary and that companies which treated workers well did not need to 'hold on' to their workers through regulatory barriers. Motivating workers through financial incentives, benefits and skills training opportunities were seen as a more reliable mechanism to retain workers. Thus, it was argued by the representatives, companies should be supported to provide good labour conditions for their workers as a strategy to promote loyalty and retention. One company representative noted that the company had offered a 'no-objection certificate' to any workers who wanted to move employers, but found that a significant proportion of workers who left later returned to the company, because it offered better conditions than competitors. Some of these representatives also noted that importance of maintaining a good international reputation of the private sector in Kuwait, enabling companies to attract skilled workers.

> Our company's philosophy was – 'we will take care of you, so you will take care of the institution'. Meaning that if we respect workers' rights, we will be the company people want to stay in.
>
> ▶ **Former CEO of a commercial bank**

On the other hand, some company representatives voiced the concern that they would suffer an economic loss to recruit a worker from abroad if he/she left for another employer quickly after arriving in Kuwait. A number of promising practices were discussed in this context, including Qatar's legislation which allows workers to change employers without a no-objection certificate, but where this happens during the first year after the worker arrives in the country, the 'first' employer is partly compensated by the 'second' employer, who is required to pay back a portion of recruitment costs on a pro-rata basis.

> Food and beverage was a booming sector prior to COVID. But then when it hit, we were shocked we couldn't hire people from other restaurants – they were on an 'SME sector visa'. It was strange that we had vacancies and people queuing to find work [because their restaurants closed] and we couldn't hire them.
>
> ▶ **Company representative formerly from the food and beverage sector**

The restrictions on workers as a result of Administrative Decision No. 375 of 2021 (restricting workers moving between government and private contractors; and between SMEs and larger companies) were seen as an issue for companies regardless of size and sector. For example, a representative formally in the food and beverage sector spoke of the challenges of recruitment within the sector, although there was some debate about whether the restrictions on changing between sectors were relaxed during COVID-19.

A representative from a construction conglomerate also opined that the current restrictions made transfers challenging for large companies that had multiple contracts (e.g. government and private contracts) and wanted the opportunity to move staff between these contracts/branches of the company when one project ended and another began. The loss of skills and talent that restrictions on this type of mobility represent, not to mention the additional costs of international recruitment, are serious considerations for many companies. Another participant highlighted the fact that moving from the government to the private sector was also important, given that the government is replacing many expatriates in the public sector with Kuwaitis, and that many companies in the private sector could benefit from being able to recruit these qualified and skilled workers.

Another representative, from a large conglomerate, noted that workers being able to move between sectors was also critical for businesses such as theirs.

Another interesting aspect that emerged during the discussion was a recommendation to review the minimum wage. The minimum wage should be reviewed every five years as indicated in the Labour Law (no. 6/2010) with the current minimum wage set in 2017 (75 Kuwait Dinar, equivalent to approximately 243 USD). Thus, this review is on the radar of the KCCI and government and will hopefully be actioned once a new government is formed.

# Conclusion and recommendations

In conclusion, it is important to reflect on the fact that Kuwait has retained several restrictions on internal labour market mobility that have been removed in neighbouring GCC countries. It is important to consider, therefore, whether Kuwait would also benefit from similar reforms.

Reforms that facilitate job transfer during the contract period hold several advantages. Such reforms can enhance the overall productivity and competitiveness of the Kuwaiti economy by ensuring a more skilled and motivated workforce. Greater flexibility to companies supports strategic job matching (easier to find the right worker with the appropriate skills and experience) and can also lead increased productivity at company level (reducing absenteeism and recruitment gaps, increasing retention rate). Reforms would also promote the Kuwait labour market as an attractive avenue for workers, including skilled workers and investors. Labour disputes associated with workers changing employers would reduce, alleviating a burden on PAM and other government institutions. Additionally, promoting labor mobility can contribute to social cohesion and inclusivity, fostering a harmonious working environment that benefits all stakeholders. Reforms can help protect the fundamental rights and dignity of migrant workers by reducing their vulnerability to exploitation and abuse.

To support the implementation of these reforms, it is crucial to consider the needs of employers as well. By engaging employers and workers in a constructive manner, the government and social partners can create an environment conducive to positive change.

Based on the results of the employer survey, and practices from neighbouring countries that have made legislative reforms to enhance internal labour market mobility, the following recommendations are directed to the Kuwaiti government and social partners.

## Legislative reform to make changing jobs and sectors more streamlined

By removing the no-objection certificate, and the existing restrictions on migrant workers in changing jobs between the private and public sector or between SMEs and larger companies, workers will find new and better opportunities commensurate with their skills and employers will be able to recruit workers who match their needs within the local labour market. Moreover, skills and knowledge will remain in the country, accumulate, and benefit the economy. Such legislative reforms could be undertaken through a review and replacement of a series of administrative decisions, namely Administrative Decision No. 451 of 2016, Administrative Decision No. 842 of 2015, and Administrative Decision No. 712 of 2017 on the transfer of employment for workers in SMEs. Consideration should be given to how to compensate employers who paid international recruitment fees for a worker who changes employment quickly, for example within the first year. This could be done, for example, through PAM oversight of a scheme in which the second employer compensates the first on a pro-rata basis.

## Reducing the risk of employer retaliation for job transfer

Even where work permit transfer is currently permitted under Kuwaiti legislation, workers may be reluctant to avail themselves of this right because of the risk of retaliation by an unscrupulous employer through the use of a false 'absenteeism' notification against a worker who submitted a request to change jobs. To tackle this, the Kuwaiti government has tried connecting the electronic systems of the PAM and Ministry of Interior to prevent employers from taking such action after a worker had submitted their application through the PAM's electronic system. However, it is only by removing the administrative offence of 'absenteeism', and treating it soley as a cause for contract termination, that workers will be able to benefit from a more transparent and equitable system of contract termination. [7]

## Introducing complementary mechanisms that can facilitate a more dynamic job market

Ensuring that workers are – in practice and not only in law – able to change employers, requires the active intermediation of the state to support job seekers and employers to find out about relevant opportunities. Because recruitment is geared towards international recruitment, there were, prior to COVID-19, no national job portals or services that could help match migrant workers and employers. With the establishment of virtual platforms in Qatar, Saudi Arabia, the UAE and Bahrain, this would appear to be changing. Yet, ensuring that reforms are effective requires regular monitoring and data collection, as well as analysis to modify policies where necessary. Currently, there is limited opportunity to study how reforms are being implemented, and what impact they have on metrics such as worker welfare, productivity, wages, number and type of labour disputes, etc. More surveys directly with workers and employers, and social dialogue, can help ensure that policies are effective and responsive, and can also help to guide development of future reforms in Kuwait.

7 ILO, International Organization for Migration, Office of the United Nations High Commissioner for Human Rights and UN Women. Forthcoming. Policy Brief: *Abolishing 'absconding': Towards a rights-based approach to employment contract termination in the Gulf Cooperation Council countries*.

# Annex: Summary of mobility reforms in Qatar and Saudi Arabia

The rationale for reforms in Qatar, Bahrain and Saudi Arabia was not only driven by reputational concerns but also the economic benefits of labour mobility. In **Saudi Arabia**, the Government introduced the Labour Reform Initiative in 2020, which came into effect on 14 March 2021 as part of the National Transformation Programme, with the goals of "increasing [migrant] worker productivity, promoting protection of workers' rights and increasing competition". All workers covered by the Labour Law can change employers after one year of service with their first employer, without the permission of the first employer. This right is subject to certain conditions being met, including that the new employer submits a job offer and the notice period is complied with. For workers covered under the Labour Law, the exit permit was replaced with an "automatic exit visa", which workers can apply for through the Absher portal. Approval for the automatic exit visa is conditioned only on the worker not being subject to any unpaid fines or government violations, rather than having to secure employer approval. Domestic workers and others not covered by the Labour Law, however, have not yet been included in these reforms.

In **Qatar**, many legal restrictions on expatriate workers' ability to change jobs were eliminated through two laws amending the Labour Law (No. 14 of 2004) and Law No. 21 of 2015 on the entry and exit of expatriates and on their residence.8 Both of these laws entered into force on 8 September 2020. Earlier legislation passed in September 2018 (and later expanded in January 2020) also removed exit permit requirements for all workers, including domestic workers, workers in government and public institutions, and workers in agriculture and grazing, with only a small number of exceptions remaining.9 All workers can also change employers: (a) at the end of their six-month probation period, after giving written notice (one or two months, depending on their length of service); or (b) during the probation period (one month of notice), in which case the future employer must compensate the current employer for a portion of the recruitment fees and a one-way air ticket, not exceeding two months of the worker's basic wage. Furthermore, if the employer has failed to fulfil their legal obligations, the worker will not be bound to observe a notice period in order to change jobs. Under Ministerial Decision No. 51 of 2020, workers have up to 90 days after the expiry of their residence permit to find another job and change employers.

Ensuring that workers are able to change employers in practice and not only according to law, requires both workers and employers to be aware of relevant opportunities. Because so much recruitment is geared towards international recruitment, there were, prior to the COVID-19 pandemic, no national job portals or services that could help match expatriate workers and employers. However, since 2020, a number of countries including Bahrain, the United Arab Emirates, and Qatar have introduced job mobility platforms that provide for better job matching between workers whose jobs were terminated during the pandemic and employers looking for workers. While these platforms were developed to address the specific context created by the COVID-19 pandemic, it would appear that the platforms are evolving to provide a valuable service post-COVID-19 as an alternative to international recruitment.

8 Law No. 18 of 2020 amending Law No. 14 of 2004 introduced new provisions on termination of employment; and Law No. 19 of 2020 amending Law No. 21 of 2015 removed the requirement for workers to obtain a "No Objection Certificate" from employers in order to change jobs.

9 Exit permits were removed for workers covered by the Labour Law in September 2018. In January 2020, a Ministerial Decision extended this legislation to workers not covered by the Labour Law, including domestic workers, workers in government and public institutions, workers employed in the oil and gas sector, and workers employed at sea and in agriculture and grazing.

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