



REGULATORY FRAMEWORK GOVERNING MIGRANT WORKERS¹

Updated November 2019



International
Labour
Organization

PRIVATE SECTOR WORKERS

(other than domestic workers)

DOMESTIC WORKERS

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| <u>KEY LEGISLATION</u> | Labour Law No. 14 of 2004 and Entry, Exit and Residence Law No. 21 of 2015. | Law No. 15 of 2017 concerning domestic workers. |
| RECRUITMENT | | |
| <u>RECRUITMENT FEES</u> | It is clearly prohibited by Labour Law to charge workers recruitment fees or expenses or any other costs. | Employers are prohibited from deducting recruitment fees, expenses or commissions from workers' pay. |
| <u>PASSPORT CONFISCATION</u> | <p>It is illegal for employers to confiscate passports. Persons engaging in such act may be subject to fines of up to 25,000 Qatari Riyal (QAR) (6865 US\$).</p> <p>Employers are required to design accommodation including personal storage facilities per person which is lockable while being accessible to workers at any time where they can keep their personal belongings and documents, including passports.</p> <p>Passports can only be kept at employers' custody with the written consent of the worker.</p> | |
| WORKING CONDITIONS | | |
| <u>CONTRACT</u> | <p>Contracts must be in Arabic and certified by the Ministry of Administrative Development, Labour and Social Affairs (ADLSA).</p> <p>It is possible to attach to the Arabic version a translated one in another language. ADLSA issued a standard contract in 2017, to be used by recruiters and employers.</p> <p>A copy is handed to each party to the contract.</p> | |
| <u>MINIMUM WAGE</u> | A temporary minimum basic wage of QAR 750 (US\$ 206) per month was introduced in 2017. | |
| <u>WORKING HOURS</u> | <p><u>The Rule</u> 8 hours per day or 48 hours per week.</p> <p><u>The Exception</u> The month of Ramadan.</p> | <p><u>The Rule</u> 10 hours per day, excluding rest, food and worship breaks.²</p> <p><u>The Exception</u> Can be longer if both parties agree.</p> |
| <u>REST PERIODS</u> | 1 day per week. | 1 day per week. |

¹ This fact sheet was prepared by the ILO FAIRWAY Project, supported by the Swiss Agency for Development and Cooperation. It was reviewed by representatives of Migrant Forum Asia and Migrant Rights.Org.

² Period of rest breaks not specified.

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| <p><u>OVERTIME</u></p> | <p><u>The Rule</u> Overtime provisions are at 125 per cent of the wage, noting that the actual working hours per day cannot exceed 10 hours.</p> <p><u>The Exceptions</u> Daily working hours can exceed 10 in very limited circumstances.³</p> <p>Workers who work between 9:00pm and 03:00am are paid 150 per cent of their basic wage, except for shift workers.</p> | <p>The Domestic Workers Law does not prohibit overtime work.</p> <p>However, the standard contract states that overtime work cannot exceed 2 hours per day.</p> <p>No additional wages are specified for overtime work.</p> |
| <p><u>PAYMENT OF WAGES</u></p> | <p>Employers have to pay wages electronically in accordance with the Wage Protection System introduced in November 2015.</p> | <p>It is possible for the employer to pay wages through the worker's bank account, or in cash by virtue of a receipt signed by the worker, which confirms his/her receipt of the full wage. Employers must pay wages at the end of the month and no later than the third day of the following month.</p> |
| <p><u>ANNUAL LEAVE</u></p> | <p><u>During the first 5 years</u> At least 3 weeks per year.</p> <p><u>After this period</u> At least 4 weeks per year.</p> | <p>3 weeks per year.</p> |
| <p><u>OTHER REQUIREMENTS</u></p> | <p>Working outdoors or in open spaces for more than 5 hours is banned during summer, from 15 June till 31 August.</p> <p>Working in the same spaces for the same period is totally banned between 11:00am and 3:00pm.⁴</p> | <p>Employers have to provide workers with accommodation, food and healthcare.</p> <p>There are no explicit legal provisions for sick leave.</p> |
| <p><u>END OF SERVICE GRATUITY</u></p> | <p>At least 3 weeks of basic salary per year.</p> | <p>At least 3 weeks per year.</p> |

FREEDOM OF ASSOCIATION

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| <p><u>ABILITY TO JOIN TRADE UNION</u></p> | <p>Worker committees – enterprise-level unions – are permitted at establishments in which the number of Qatari workers is 100 or more. Enterprise unions in the same industry can affiliate into an industry-wide federation⁵.</p> |
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GRIEVANCES AND DISPUTE RESOLUTION

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| <p><u>LODGING COMPLAINTS/ RESOLVING DISPUTES</u></p> | <p><u>Conciliation</u> Workers can submit their dispute to the ADLSA for amicable settlement.</p> <p><u>Judicial remedy:</u> In cases where an amicable solution is not reached, ADLSA submits the case to a Workers' Dispute Settlement Committee.⁶</p> <p>The Committee meets three times a week. It is chaired by judges of the First Instances Court and 2 representatives from ADLSA. During these hearings, parties can present their evidence and explain their reasons.</p> <p>It is possible to appeal against the decision issued by the Workers' Dispute Settlement Committee before the Appellate Court.</p> |
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³ if: "the overtime work is necessary for the prevention of gross loss or dangerous accident or for mitigation of the consequences of the said loss or accident".

⁴ Ministerial Resolution No. 16 of 2007.

⁵ Labour Law, Article. 116.

⁶ Created in 2018 by the Council of Ministers Decision No. 6.

SPONSORSHIP

SPONSORSHIP AND CHANGING EMPLOYERS

With permission of employer

Anytime, as long as there is permission from the ADLSA alongside with the employer's permission.

Without permission of employer

If the worker can prove the employer's abusive behavior.

At the expiry of the contract and at the end of a 5 year period for open end contracts.

In both cases,

The worker must register on the ADLSA website indicating whether he/she is applying for a change of employer or final departure.

The worker must submit a certified copy of the employment contract as well as a copy of a certificate attesting to the amicable termination of the contract or outlining abuse by the employer.

Penalties for non-compliance

Workers who terminate their contracts and leave the country prior to the completion of the contract period are not allowed to return to the country before the end of the contract period.

Workers who are terminated by their employer on disciplinary grounds can be banned for four years.

An administratively deported worker can be banned for life from Qatar.

LEAVING THE COUNTRY

Migrant workers willing to leave Qatar temporarily or definitively are free to do so provided they do not fall within the category of the 5% of workers who require the employer's prior approval.

If a worker is not able to leave the country, regardless the reason, he/she can appeal to the Expatriates' Exit Appeals Committee that issues a decision within 3 working days.