

**MINISTERIAL DECREE NO. (729) OF 2017 ON  
ON THE CONTROLS, STANDARDS AND CLASSIFICATION OF  
ESTABLISHMENTS AND THEIR EMPLOYEES**

**The Minister of Human Resources and Emiratization:**

- HAVING REVIEWED FEDERAL LAW NO. (1) FOR 1972 CONCERNING THE COMPETENCIES OF MINISTRIES AND MINISTERIAL POWERS,
- FEDERAL LAW (8) OF 1980 AND ITS AMENDMENTS GOVERNING LABOR RELATIONS,
- CABINET RESOLUTION NO. (26) OF 2010 ON THE CLASSIFICATION OF ESTABLISHMENTS GOVERNED BY THE LABOR RELATIONS LAW AND BANK GUARANTIES APPLICABLE THERETO,
- CABINET RESOLUTION NO. (15) OF 2017 CONCERNING SERVICE FEES AND ADMINISTRATIVE FINES APPLICABLE IN THE MINISTRY OF HUMAN RESOURCES AND EMIRATISATION,
- MINISTERIAL DECREES CONCERNING THE CLASSIFICATION OF ESTABLISHMENTS AND
- AT THE PRESENTATION OF THE UNDERSECRETARY OF HUMAN RESOURCES AFFAIRS AND THE DEPUTY ASSISTANT UNDERSECRETARY FOR POLICY AND STRATEGY SECTOR

**Decrees:**

**Article 1**

A worker of an establishment registered with MINISTRY OF HUMAN RESOURCES AND EMIRATISATION shall be classified as “skilled”, if he works in a job or occupation that requires a qualification higher than the secondary school certificate, or its equivalent, provided his certificate must

be authenticated by competent authorities according to the UAE applicable system.

## **Article 2**

A worker of an establishment registered with MINISTRY OF HUMAN RESOURCES AND EMIRATISATION shall be classified as “with limited skill”, if he fails to satisfy the requirements provided for in Article 1 hereof.

## **Article 3**

The following establishments shall be classified under Category (1):

- 1– Fishing boats owned by nationals.
- 2– Establishments that are members in Emiratisation Partners Club, who satisfy the standards and requirements provided for in the relevant Ministerial Decree.
- 3– SMEs that are members in youth support organizations, who satisfy the standards and requirements provided for in the relevant Ministerial Decree.
- 4– Tadbeer service centers.

## **Article 4**

- a) An establishment shall be classified in Category (2) level (a), (b), (c) or (d) according to the percentage of its skilled workers and cultural diversity, as follows:
  1. The establishment shall be classified under Category (2) level (a) if at least 40% of its registered workers are skilled and if it achieves at least 50% of cultural diversity.
  2. The establishment shall be classified under Category (2) level (B) if at least 10% up to less than 40% of its registered workers are skilled and if it achieves at least 50% of cultural diversity.

3. The establishment shall be classified under Category (2) level (C) if at least 5% up to less than 10% of its registered workers are skilled and if it achieves at least 50% of cultural diversity.
  4. The establishment shall be classified under Category (2) level (B) if at least 10% up to 40% of its registered workers are skilled and if it achieves at least 50% of cultural diversity.
  5. The establishment shall be classified under Category (2) level (D) if its registered skilled workers are less than 5% or if it fails to achieve at least 50% of cultural diversity.
- b) The provisions of this Article shall not apply to:
1. Establishments that are members in the EPC, which shall be classified according to the criteria and conditions set out in the relevant Ministerial Decree.
  2. Establishments who employ a maximum of three registered workers, which shall be classified under Category (2-B).
  3. Establishments who employ 10–14 registered workers, who shall be classified under Category (2-B), if they achieve 50% of cultural diversity. Otherwise, they shall be classified under Category (2-D).

### **Article 5**

- A) The Minister may issue a decree classifying any establishment under Category (3), if it is established to the Ministry that the establishment committed one or more of these violations:
1. If it is established by a final court judgement that it committed a human trafficking crime.
  2. If it is established by a final court judgement that it employed a person who entered the state illegally.

3. If it commits false Emiratisation.
4. If it entered false data into the WPS to circumvent or evade the System.
5. If it files a vexatious or false complaint of absence from work.
6. If it deliberately submits inaccurate documents or data to the Ministry.
7. If it fails to advise the Ministry of labor injuries or the death of the worker due to work conditions, according to Federal LAW NO. 8 of 1980, as amended.
8. If it conducts any activity without the Ministry's final written approval, in cases such a license is required from the Ministry to conduct such activity.
9. If the workers stop working for any legal causes in more 2 occasions in one single Gregorian year and the establishment failed to correct the reasons for such stoppage, despite an instruction to it on this regard.
10. If the establishment fails to pay the wages through the WPS during the time determined by the Ministry for this purpose.

B) Establishments described in item (a) of this Article may be reclassified into their deserved Category only by a decision by the Minister, or his nominee, and only after the issuance of a report from the competent authority in the Ministry stating that the violation was remedied and the fines resulting therefrom are settled.

### **Article 6**

Violating establishments shall be moved from one category to another and from one level to another (up and down) so long as they satisfy the requirements of the category or level they are moved to.

**Article 7**

All provisions to the contrary of or in confliction with this Decree shall be cancelled.

**Article 8**

This Decree shall be published in the Official Gazette and become effective on 1 December 2017.

**By Saqr Ghobash,  
Minister of Human Resources and Emiratisation**

**Issued in Abu Dhabi on 1/10/2017**

