



**MINISTERIAL DECREE NO. (1094) OF 2016  
AMENDING MINISTERIAL DECREE NO. 766 OF 2015  
ON RULES AND CONDITIONS FOR GRANTING A PERMIT TO A  
WORKER FOR EMPLOYMENT BY A NEW EMPLOYER**

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

- HAVING REVIEWED FEDERAL LAW NO. (1) OF 1972 ON THE COMPETENCIES OF THE MINISTRIES AND POWERS OF THE MINISTERS AND ITS AMENDMENTS,
- FEDERAL LAW (8) OF 1980 CONCERNING THE REGULATION OF LABOR RELATIONS, AS AMENDED
- COUNCIL OF MINISTERS DECREE (25) OF 2010 ON INTERNAL WORK PERMITS Applicable in THE MINISTRY OF LABOR,
- Ministerial DECREE NO. (826) OF 2005 ON The Executive Regulation of the TRANSFER OF SPONSORSHIP,
- MINISTERIAL DECREE NO. (707) OF 2006 ON TERMS AND PROCEDURES FOR GRANTING work permits to NON-NATIONALS work IN THE UAE;
- MINISTERIAL DECREE NO. (724) OF 2006 ON ADMINISTRATIVE TERMINATION OF SPONSORSHIPS;
- MINISTERIAL DECREE NO. (765) OF 2015 ON THE RULES AND REGULATIONS OF TERMINATING The Labor RELATION,
- MINISTERIAL DECREE NO. (766) OF 2015 ON RULES AND CONDITIONS FOR GRANTING A PERMIT TO A WORKER FOR EMPLOYMENT BY A NEW EMPLOYER And
- AT THE PRESENTATION OF THE UNDERSECRETARY FOR HUMAN RESOURCES AFFAIRS,



**Decrees:**

**Article 1**

Paragraphs 1 and 2 of Article 1 of Ministerial Decision No 766 of 2015 referred to above shall be replaced by the following text:

“A new work permit may be granted to a worker **upon the termination of the said worker’s employment relation** in the following instances:

**I. Term contracts**

1. The agreed term of the contract has expired and not been renewed.  
2. The two parties (the worker and the employer) mutually agree to terminate the contract during the course of its term, provided the worker has completed a period of no less than six months with the employer who brought him from outside the state. These requirements shall not apply to:

- (a) Workers that qualify for skill levels 1, 2 and 3
- (b) Workers that qualify for skill levels 4 and 5, if their new work permits are granted to work in works requiring skill levels 1, 2 or 3, and if they have the required qualifications for such skill-level jobs.
- (c) Workers that qualify for skill levels 4 and 5, if their old jobs were inside the state and if they completed a period of no less than six months with the old employer.
- (d) Workers who are on the sponsorship of their families and who satisfy the requirements for work permits.
- (e) Workers applying for a new work permit to work for the same establishment that cancelled their work permit, with no new work permit resulting from such cancellation, or for any other establishment owned by the same employer, severally or jointly with others.



3. The employer terminates the employment contract, without reason of non-compliance on the part of the worker, provided the worker has completed a period of no less than six months with the employer. These requirements shall not apply to:

- (a) Workers that qualify for skill levels 1, 2 and 3
- (b) Workers that qualify for skill levels 4 and 5, if their new work permits are granted to work in works requiring skill levels 1, 2 or 3, and if they have the required qualifications for such skill-level jobs.
- (c) Workers that qualify for skill levels 4 and 5, if their old jobs were inside the state and if they completed a period of no less than six months with the old employer.
- (d) Workers who are on the sponsorship of their families and who satisfy the requirements for work permits.
- (e) Workers applying for a new work permit to work for the same employer that cancelled their work permit, with no new work permit resulting from such cancellation, or for any other establishment owned by the same employer, severally or jointly with others.

4. Either party (the employer or the worker) acts unilaterally to terminate the employment relation following its renewal (irrespective of the period the worker has been in the employment of the employer and irrespective of the date of renewal) provided that:

- a. The terminating party notifies the other party in writing of the intent to terminate the contract in accordance with the notice period that was agreed to by the two parties, which may to exceed three months. If renewal of the contract occurs prior to this decree entering into effect,



and the two parties had not agreed to a notice period, then the notice period shall be three months.

- b. The worker continues to perform his job duties throughout the duration of the notice period.
- c. The terminating party indemnifies the other party in the amount that was agreed to by the two parties, not to exceed the equivalent of three months of gross wages.

## **II. Non-term contracts**

1. The two parties (worker and employer) mutually consent to terminating the contract provided the worker has completed a period of no less than six months with the employer who brought him from outside the state.

These requirements shall not apply to:

- (a) Workers that qualify for skill levels 1, 2 and 3.
- (b) Workers that qualify for skill levels 4 and 5, if their new work permits are granted to work in works requiring skill levels 1, 2 or 3, and if they have the required qualifications for such skill-level jobs.
- (c) Workers that qualify for skill levels 4 and 5, if their old jobs were inside the state and if they completed a period of no less than six months with the old employer.
- (d) Workers who are on the sponsorship of their families and who satisfy the requirements for work permits.
- (e) Workers applying for a new work permit to work for the same employer that cancelled their work permit, with no new work permit resulting from such cancellation, or for any other establishment owned by the same employer, severally or jointly with others.



2- Either party (the employer or the worker) acts unilaterally to terminate the employment contract, having served a notice to the other party to that effect and continued performing the contract during the agreed notice period, which may not exceed three months and provided the worker has completed a period of no less than six months for the employer. These requirements shall not apply to:

- (a) Workers that qualify for skill levels 1, 2 and 3.
- (b) Workers that qualify for skill levels 4 and 5, if their new work permits are granted to work in works requiring skill levels 1, 2 or 3, and if they have the required qualifications for such skill-level jobs.
- (c) Workers that qualify for skill levels 4 and 5, if their old jobs were inside the state and if they completed a period of no less than six months with the old employer.
- (d) Workers who are on the sponsorship of their families and who satisfy the requirements for work permits.
- (e) Workers applying for a new work permit to work for the same employer that cancelled their work permit, with no new work permit resulting from such cancellation, or for any other establishment owned by the same employer, severally or jointly with others.”

## **Article 2**

This Decree shall be communicated to competent entities to implement and shall become effective on 1/1/2017. All other provisions in violation hereof or in conflict herewith shall be cancelled.

**By Saqr Ghobash,**

**Minister of Human Resources and Emiratisation**

**Issued in the Ministry's Head Office in Abu Dhabi on 13/12/2015**