

Ministerial Resolution No. (1188) for 2010

Regulations and Conditions for the Issuance of Domestic Work Permits

The Minister of Labour:

- After reviewing Federal Law No. (1) for 1972 and the amendments thereto regarding ministry competencies and ministerial powers,
- Federal Law No. (6) for 1973 regarding the entry and residency of foreigners, the amending laws thereto, and its executive regulation,
- Federal Law No. (8) for 1980 regarding the regulation of work relationships and the amending laws thereto,
- Cabinet of Ministers Resolution No. (25) for 2010 regarding domestic work permits,
- And Cabinet of Ministers Resolution No. (27) for 2010 regarding the fees and fines for services provided by the Ministry.

It was decided:

Article (1)

The Ministry may only approve the issuance of a domestic work permit to a foreign national after ensuring that there is no one among the citizens seeking employment able to perform the requested job.

Article (2)

The Ministry may only issue all the permits mentioned in this Resolution after providing statements to the following:

- a. The license of the establishment – the applicant – is valid.
- b. The establishment's adherence to the provisions mentioned in the sample contract approved by the ministry in relation to the requested permit.
- c. Payment of the fee for this permit.
- d. Continued validity of the non-national employee's residence, and that of his family in the event of a family-sponsored work permit.
- e. Approval from the entity where the applicant works in case of part-time or temporary work, if he works at another establishment.

Article (3)

- a. A temporary work permit and a part-time work permit shall be issued to the following categories:
 - 1- Employees registered at the Ministry who hold valid labour cards.
 - 2- Persons who meet the conditions to be granted work permits based on the residency of their families.
 - 3- Students over 18 years of age.
 - 4- Government employees.
- b. The permits mentioned in the article may not be issued to a non-national employee who is over sixty five years of age.

Article (4)

The Ministry may approve issuing the worker a temporary work permit without the need for the consent of the establishment where the employee works and without the

necessary validity of his residency and labour card in the event that the employee has an ongoing labour complaint referred by the Ministry to the court.

Article (5)

The Ministry, at its discretion, may issue the employee a part-time work permit for more than one establishment.

Article (6)

A work permit is issued to those sponsored by their family residency under the following categories:

- 1- Females over the age of 18.
- 2- Husband of a female national.
- 3- Sons and daughters of female nationals.

Article (7)

The employee working under any of the systems stipulated in this Resolution shall be entitled to the accruals for workers in accordance with the aforementioned law regulating work relationships, if the said employee meets the conditions and taking into account the wages paid to him and his durations of work.

Article (8)

The Assistant Undersecretary for Labour Affairs shall issue via resolution the procedures necessary to issue the domestic work permits mentioned in this Resolution.

Article (9)

Any establishment wishing to employ a worker in accordance with the permits mentioned in this Resolution shall bear the expenses for issuing and approving the permits. It shall not be allowed, under any circumstances, to obligate the employee to pay for his costs of employment, including the issuance and approval of permits, or deduct such costs from his wages.

Article (10)

The domestic work permits issued by the Ministry which are still in force at the time of implementing this Resolution shall remain valid until expiry. Any renewals or new permits shall be issued in accordance with the provisions of this Resolution.

Article (11)

The domestic work permits issued by the Ministry in accordance with the provisions of this Resolution shall not be renewed if expired; a new application must be submitted if there is a desire to continue working under any of the regulations of these permits.

Article (12)

Any text or provision contrary to this Resolution shall be null and void.

Article (13)

This Resolution shall be published in the Official Gazette and shall be put into force as of 1/1/2011.

Saqr Ghobash
Minister of Labour

Issued by us in Abu Dhabi on: 29/11/2010