



**UNITED ARAB EMIRATES
MINISTRY OF LABOUR**

WAGE PROTECTION

Ministerial Resolution No. (788) for 2009

On Wage Protection

Minister of Labour

- After reviewing Federal Law No. (1) for 1972 A.D. regarding the ministries competencies and ministers' capacities and the amending laws thereto,
- Federal Law No. (8) for 1980 in regards to organizing the work relationships and the amending laws thereto,
- Federal Penal Law, issued by Law No. (3) for 1987 ,and the amending laws thereto,
- Cabinet of Ministers Resolution No. (1/133) for 2007 regarding wage protection
- Upon what was presented by the Acting Director General of the Ministry,

It was decided:

Article(1)

All facilities registered at the Ministry shall pay the salaries of their workers at least once a month, or at the times stated in the employment contract, if less than one month, provided that this payment is according to the procedures and times specified in this decision.

These facilities shall submit all what is required to prove the payment of these salaries.

Article(2)

The facilities, stated in Article(1) of this decision shall begin- as of 1/9/2009 - transferring all salaries of its workers to banks and financial establishments in the State through the Wage Protection System (WPS), provided that they complete this within the periods specified for it in Article (3) of this decision.

Article(3)

The facilities, stated in Article (1) of this decision shall be given the necessary periods of time to complete the transfer of the salaries of their workers through the (WPS) System according to the following table:

The facilities in which the number of workers reach	Maximum period allowed	End of period
100 and more	3 months as of 1/9/2009	30/11/2009
from 15 to 99	6 months as of 1/9/2009	28/2/2010
Less than 15	9 months as of 1/9/2009	31/5/2010

The periods mentioned in this table shall not apply to:

1. The facility prohibited from issuing work permits at the time of the issuance of this decision as a result of the non payment of salaries on time.
2. The facility that does not pay the salaries of its workers for one or more months after the issuance of this decision.

The facilities mentioned in Items(1, 2) of this paragraph shall begin to transfer salaries in accordance with Article(2) of this Decision for the prohibition to be lifted off them.

This does not prejudice the implementation of any other penalties on those facilities.

Article(4)

All work permits shall be suspended from the facility if it does not transfer salaries as mentioned in Article (2) of this Decision, within the periods specified in Article (3) thereof, and the suspension shall be lifted from the beginning of the month following its full transfer of the requested salaries.

Article(5)

Until the facilities transfer the salaries of its workers in accordance with Article (2) of this Decision, the facilities, in which the number of workers is fifty or more, shall submit a monthly statement as per the form attached to this Decision.

It is possible, through a decision made by the Director General of the Ministry, or his delegate, to add or dismiss facilities of what was mentioned in the First Paragraph of this Article.

Article(6)

The statement mentioned in Article(5) of this Decision must be submitted within two weeks from the date the salary is due and in accordance with the procedures approved by the Director General of the Ministry

Article(7)

Without prejudice to Articles(8and 9) of this Decision, the authorized signatory at the facility shall undertake to submit the statement stipulated in Article (5) of this

Decision, being civilly and criminally liable for the data and information in this statement.

Article(8)

If the Ministry confirms any of the two following violations:

- a) Not paying the salary within a month of its due date.
- b) Not submitting the statement, stipulated in Article(5) of this decision, within one month of the salary due date.

Without prejudice to any Ministerial Resolutions imposing other administrative penalties, the facility, where the violation took place, shall not be granted any new work permits for the following periods:

- Until the violation is amended if committed for the first time.
- One month, after the violation is amended if committed for the second time.
- Two months, after the violation is amended if committed for the third time.
- Three months, after the violation is amended if committed for the fourth time.

The Ministry, if it decided that the above mentioned situation was not feasible, may suspend the granting of any new work permits to all facilities belonging to the owner of the facility in violation, provided the full unity of partners, and refer all those responsible for the violation to the judicial entities to take action. The said suspension shall continue until the claim is settled or the violation is amended, whichever is sooner.

Article(9)

If the Ministry confirms that the statement, mentioned in Article (5) of this Decision, included incorrect data, it may suspend granting any new work permits to the facility,

where the violation took place, referring all those responsible for the said violation to judicial entities to take action. The suspension shall continue until the claim is settled.

Article(10)

The mentioned Ministerial Resolution No. (156) for 2003, and its obliging the facilities to submit an auditor's certificate shall be cancelled once this resolution is put into force.

Article(11)

This resolution shall be published in the official Gazette and put into force as of 1/9/2009.

Saqr Ghobash
Minister of Labour

Issued by us in Abu-Dhabi

Corresponding to 20/7/2009