

Ministerial Decree No. (46) of 2022

Regarding Work Permits, Job Offers and Employment Contracts' Forms

His Excellency the Minister of Human Resources and Emiratisation:

- Having reviewed the following Federal Law No. (1) of 1972 regarding the functions of the Ministers and powers of the Ministers, and its amendments; and
- Federal Decree-Law No. 29 of 2021 regarding the Entry and Residence of Foreigners and its executive regulations; and
- Federal Decree-Law No. (33) of 2021 concerning the regulation of labour relations; and the Cabinet Resolution No. (1) of 2022 regarding the executive regulations of Federal Decree-Law No. 33 of 2021; and
- Cabinet Resolution No. (21) of 2020 concerning Service Fees and Administrative Fines at the Ministry of Human Resources and Emiratisation; and
- Cabinet Resolution No. (1) of 2022 regarding the executive regulations of Federal Decree-Law No. 33 of 2021;

Has resolved:

Article (1)

Standard Employment Contracts

Pursuant to the text of the aforementioned Article No. 10 of the Executive Regulations of Decree-Law No. 33 of 2021, the contract between the employer and the worker is concluded in accordance with the standard employment offers and contracts approved by the Ministry and listed on its website.

Article (2)

Employer Obligations Regarding Employment Contracts

Pursuant to the provisions of the Decree-Law and its Executive Regulations, an employer who wishes to employ any worker must abide by the following:

1. Utilise the approved standard employment contract that conforms with the job offer when requesting the issuance of the work permit. It is permissible to add more benefits to the worker in the contract than those mentioned in the job offer; it is also permissible to add Annexes to the contract provided that it does not conflict with the provisions of the decree-law and its executive regulations.
2. Maintaining a digital or hard copy of both the job offer and the employment contract for no less than two years from the date of expiry or termination of the employment relationship.

3. Educate the worker on his/her rights and obligations, as contained in the employment contract.

Article (3)

Exceptional cases for the issuance or renewal of work permits

The employer is not considered late in issuing and renewing the work permit in the following cases:

1. A worker who left the country and has been outside the country for more than six months, or his/her residence visa expired while being outside the country and his/her work permit expired after the date of departure.
2. A worker whose work permit has expired after being expelled by order, court ruling, or administrative decision from the competent authorities. This is for the period from the date of arrest or the date of deportation, whichever is earlier excluding other periods.
3. In case of the workers' death or if the worker suffers from a contagious disease that prevents him/her from working.
4. A worker whose work permit has expired or the Ministry referred his/her complaint to the court, for the period from the date of referral, excluding any other previous periods.
5. A worker who left the country during the settlement period is determined by the competent authorities.
6. An imprisoned or detained worker whose work permit expired during his imprisonment or detention period, for the period of imprisonment or detention.
7. Death of the owner of the establishment who is the sole manager, for a maximum period of three months from the date of death until a legal representative is duly appointed to manage the establishment by agreement of the heirs.

Article (4)

Suspension of Non-Compliant Establishments

Non-compliant establishments that fail to pay fines for delaying the issuance or renewal of work permits will neither be allowed to apply for the issuance of new work permits nor to renew the expired work permits. The suspension will be lifted when the fines are paid. In the event that the payment of fines is delayed for more than four months, permits will be suspended for all individual establishments or companies exclusively owned by the

owner of the violating establishment. On the condition that partners in all companies are the same.

Article (5)

The Undersecretary for Human Resources Affairs shall issue a guide regarding the procedures required to implement the provisions of this resolution.

Article (6)

Any provision that is contrary or inconsistent with the provisions of this resolution shall be null and void.

Article (7)

This Resolution shall be published in the Official Gazette and shall come into force from the date of its issuance.

Issued on the 3rd of February 2022

**Dr. Abdulrahman Abdul Mannan Al-Awar
Minister of Human Resources and Emiratization
(Seal and signature)**