

ADMINISTRATIVE RESOLUTION NO.(24) OF 2022
CONCERNING THE PROCEDURES MANUAL OF GREIVANCE COMMITTEE
AGAINST DECISIONS OF THE MINISTRY OF HUMAN RESOURCES AND
EMIRATISATION

Undersecretary for Human Resources Affairs:

Having considered:

- Federal Law No.(1) of 1972 on the competencies of the Ministries and Powers of the Ministers and amendments thereof
- Federal Decree-Law No. (33) of 2021 concerning Regulation of Labor Relations and its Executive Regulations
- Cabinet Resolution No. (25) of 2016 and Cabinet Resolution No. (33) of 2022 concerning the organizational structure of the Ministry of Human Resources and Emiratisation
- Cabinet Resolution No. (45) of 2022 concerning the formation of the Grievance Committee against decisions of the Ministry of Human Resources and Emiratisation
- Administrative Decision No. (5) of 2022 concerning the Procedures Manual of Grievance Committee against decisions issued by the Ministry of Human Resources and Emiratisation
- In pursuance of public interest

Has Resolved

Article (1)

Competent departments, in accordance with the decisions issued by the Grievance Committee referred to herein, shall take the following actions:

1. Correct the objected decision within (3) working days from the date of becoming aware of the Committees decision or procedure.
2. Observe improvement opportunities with respect to correction decisions and measures issued by the Committee, to minimize cases of grievance against decisions issued by the Ministry.
3. List additional cases of grievance received by the Ministry, and update the list of grievance types in accordance with the rules and regulations contained in the procedures manual attached hereto.

Article (2)

Electronic forms (e-Forms) provided in MOHRE system shall be adopted, and the Procedures Manual attached hereto shall be implemented.

Article (3)

Administrative Decision No.(5) of 2022 referred to is hereby repealed, and any provision inconsistent with the provisions of this decision shall be repealed

Article (4)

Competent authorities shall take necessary actions required for the implementation of this decision in accordance with their areas of jurisdiction.

Khalil Ibrahim Al-Khoury
Acting Undersecretary for Human Resources Affairs

Date: 05-04-2022

Service Description	E-service provided by MOHRE to receive grievances from employers/employees on decisions issued by the Ministry.
Service Delivery Channels	MOHRE website, MOHRE Smart App, Call Center 80060
Procedures / Application Process	<ol style="list-style-type: none"> 1. Submit an application through one of the service delivery channels. 2. Ensure compliance with requirements and submit supporting documents. 3. In case of shortfalls (nawakis), the applicant will be notified for completion. 4. Applications satisfying requirements and conditions will be approved. 5. Applicants may follow up their applications by logging into the inquiry services on the MOHRE website (www.mohre.gov.ae), MOHRE smart app, MOHRE Call Center.
	<p>Submit an application through one of the service delivery channels regarding the following:</p> <ol style="list-style-type: none"> 1. Grievance against administrative fines <ul style="list-style-type: none"> - Committing false Emiratization - Forcing employees to sign false documents as a proof of receipt of their due wages or entry of incorrect data into the wages protection system for the purpose of evading or circumventing the provisions of the system. - Labor accommodation is not compliant with the standards approved by the Ministry in this regard. - Failure to pay wages due to employees through the Wages Protection System during the specified periods in accordance with the decisions issued by the Minister. - Demanding employees to incur recruitment and employment fees prescribed by the Ministry, or deducting from their wages, in violation to the provisions of the law. - Non-compliance with the established procedures regarding the employment or service termination of UAE nationals. - Failure to respond to the Ministry's repeated summons, in the cases determined by the Minister, and in accordance with the established procedures issued in this regard. - Submitting a fictitious or a malicious report accusing an employee with absence from work. - Non-compliance with the provisions of Cabinet Decisions regarding mid-day work ban - Submitting incorrect documents or information to the Ministry to gain a service or a benefit - Non-compliance with the requirements and provisions provided for in Federal Law No. (8) of 1980

- Failure to notify the Ministry of incidents concerning injuries, occupational disease, or death of a worker in accordance with the provisions of Federal Law No. (8) of 1980.
- Exercising the activity of mediation agency or a temporary employment agency without adhering to the procedures established in this regard defined by Ministerial Resolutions.
- Employing a non-national without obtaining a work permit for him, recruiting or employing a non-national and leaving him without work, or allowing him to work for another employer in violation of the terms and requirements provided for in this regard.

2. Recruitment Offices, Grievance Type: Grievance against an issued violation

3. Grievance against the type of exemption for the cases mentioned hereunder:

The Case	Required Documents
If the establishment shares are owned in whole or part by one of UAE martyrs at the time of his martyrdom	A Certificate from Martyrs' Families' Affairs Office
If the shares provided for in the preceding paragraph (1) hereto, to one or more first-degree relative of the national martyr within a period of one year from the date of martyrdom.	A Certificate from Martyrs' Families' Affairs Office
If the shares of the establishment are owned in whole by one or more first-degree relative of the national martyr at the time of his martyrdom	
If the activity of the establishment is fishing by traditional boats.	Fishing Boat License
If the owner of the craftsmanship establishment suffers any injury that prevents him in whole or part from continuing his craftsmanship activity. Note: - A craftsmanship establishment means that the business owner performs his work himself and requires physical effort. Example: Barber, shoemaker, carpenter The number of workers may not exceed 5	A recent medical report approved by a competent medical authority
If the establishment is facing financial difficulties that contributed significantly in the deterioration of its financial	1. Accounting Report (Full Budget) from an approved Chartered Accountants Institute for the financial accounts of the

	<p>performance, and it was established that exempting the establishment from the administrative fine amount in whole or in part will help in the restoration of its financial balance.</p>	<p>last fiscal year comparing to the financial accounts of the previous fiscal year, indicating a decline in its total profits or a financial loss compared to the previous fiscal year. (Example: Report of 2021 financial year compared to 2020 financial year) with a copy of the professional license of the audit office and a copy of the auditor's certificate issued by the Ministry of Economy or one of the competent authorities in the country.</p> <p>2. The Financial Solvency Report: a credit report issued by Al-Etihad Credit Bureau to calculate the debts on the facility www.aecb.gov.ae</p> <p>3. A Letter from the court specifying court judgments issued against the establishment.</p> <p>4. Copies of canceled or postponed projects concluded with government departments/entities.</p>
	<p>If the facility defaulted the payment of any debts related to its commercial, professional or craftsmanship activity, and it was established to the Minister that exempting the establishment from the administrative fine amount, in whole or in part will allow the establishment to meet some of these debts.</p>	<p>1. Accounting Report (Full Budget) from an approved Chartered Accountants Institute for the financial accounts of the last fiscal year comparing to the financial accounts of the previous fiscal year, indicating a decline in its total profits or a financial loss compared to the previous fiscal year. (Example: Report of 2021 financial year compared to 2020 financial year) with a copy of the professional license of the audit office and a copy of the auditor's certificate issued by the Ministry of Economy or one of the competent authorities in the country.</p> <p>2. Financial Solvency Report: a credit report issued by Al-Etihad Credit Bureau</p>

		<p>to calculate the debts on the facility www.aecb.gov.ae</p> <p>3. Certificate of Indebtedness or evidence of bankruptcy or insolvency</p>
	<p>If the establishment requests to transfer the prescribed administrative fine amount to the competent court to pay any due rights of its employees after initiating enforcement procedures against it.</p>	<p>1. Accounting Report (Full Budget) from an approved Chartered Accountants Institute for the financial accounts of the last fiscal year comparing to the financial accounts of the previous fiscal year, indicating a decline in its total profits or a financial loss compared to the previous fiscal year. (Example: Report of 2021 financial year compared to 2020 financial year) with a copy of the professional license of the audit office and a copy of the auditor's certificate issued by the Ministry of Economy or one of the competent authorities in the country.</p> <p>2. Financial Solvency Report: a credit report issued by Al-Etihad Credit Bureau to calculate the debts on the facility www.aecb.gov.ae</p> <p>3. A Letter from the court specifying judicial decisions, judgements, and enforcement decisions issued against the establishment.</p>
	<p>If the establishment initiates restructuring, bankruptcy, or Composition bankruptcy procedures in accordance with the provisions of Decree-Law No. (9) of 2016 regarding bankruptcy.</p>	<p>Executive court rulings declaring bankruptcy, protective composition or restructuring.</p>
<p>Required Documents</p>	<p>Additional supporting documents, if any, for the preceding cases. The Grievance Committee may request additional documents or evidence from the Applicant. The Grievance Committee may also summon whomever it deems fit to attend the committee meeting in person or via the approved digital channels.</p>	

Terms and Conditions	Submitting the application within 30 days from the date of becoming aware of the decision issued by the Ministry. The application must be reasoned and must be accompanied by all supporting documents.
Service Response Time	5 working days from the date of submission. Notify the Applicant and the organizational units in the Ministry of the Grievance Committee decisions for the implementation of necessary action in this regard.