

**CABINET RESOLUTION NO.106 OF 2022 PERTAINING TO THE EXECUTIVE
REGULATIONS OF FEDERAL DECREE LAW NO.9 OF 2022 CONCERNING DOMESTIC
WORKERS**

The Cabinet

- Having perused the Constitution
- Federal Law No.(1) of 1972, concerning jurisdictions 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
- Federal Decree-Law No. 9 of 2022 on Domestic Workers
- Cabinet Resolution No. 22 of 2019 regarding the executive regulations of Federal Law No. 10 of 2017 concerning Domestic Workers
- As proposed by the Minister of Human Resources and Emiratization and approved by the Council of Ministers

Resolved the following:

Article 1
Definitions

The definitions contained in the aforementioned Federal Decree-Law No. 9 of 2022 shall apply to this Resolution, otherwise, the following terms and expressions shall have the meanings opposite thereto unless the context requires otherwise:

Law : Federal Decree-Law No. 9 of 2022 concerning Domestic Workers

Initial Agreement : A written agreement between the domestic labor recruitment agency and the foreign recruitment agency, which describes the conditions and qualifications that must be met by a household worker on the basis of an agreement between the employer and the recruitment agency.

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Suspension of the employer's file : An action taken by the Ministry that prevents employers who violate the law from obtaining a permit to hire domestic workers. In general, it applies to violations of laws, this resolution, or related regulations within the prescribed deadlines and procedures set by the Ministry.

Article (2)

Domestic Workers Professions

Schedule No.(1) annexed hereto provides a list of the domestic workers professions governed by Domestic Workers law and the provisions of this resolution.

Article (3)

Licensing Requirements for Domestic Labor Recruitment Agencies

1. In order to obtain a license for a domestic workers recruitment agency, the following requirements must be met:
 - a. A sole proprietorship owner or any partner in the legal person may not have previously been found guilty of an offence against honour, breach of trust, human trafficking, or one of the crimes defined by the decree law, unless he has been rehabilitated, if he was sentenced to imprisonment, or after the expiration of one year from the date of the judgment if a fine has been imposed.
 - b. Legal persons and sole proprietorships are required to provide a bank guarantee of not less than AED 500,000 (five hundred thousand dirhams) during the term of the license, which shall be automatically renewed or replaced by an insurance scheme in accordance with the producers set by the Ministry. Depending on the risk factor, the Ministry may request an increase in the bank guarantee value. If the recruitment agency fails to fulfill its obligations, fails to comply with the instructions and the decision issued thereunder, or fails to pay any fines imposed, the Ministry may allocate a portion of the guarantee or insurance for the purposes of resolving any arrears or payments due to the Ministry, the

employer, or domestic worker. The recruitment agency must, in any event, complete the guarantee amount within 30 days of the shortage occurring.

- c. Applicants must submit credit reports reflecting their financial standing, regardless of whether they are individuals, institutions, or partners in legal entities, provided that the credit report is issued by a competent authority
 - d. A separate license must be obtained for each activity when combining the activities of mediating labor recruitment with temporary employment of domestic workers in accordance with the conditions, requirements, and fees for each activity.
 - e. Other conditions stipulated by a Ministerial decision.
2. Licenses issued by the Ministry are automatically renewed annually, provided that all licensing requirements are met.
 3. the Ministry may refuse to issue licenses to recruitment agencies in the following circumstances:
 - a. Previously obtained licenses that have been revoked or terminated by the Ministry.
 - b. An applicant who has repeatedly violated the law and the Ministry applicable regulations
 - c. Other cases determined by the Ministry
 - d. Regulations will be issued by the Minister regarding the licensing of domestic labor recruitment agencies operating on digital platforms.
 - e. A licensee is prohibited from assigning, transferring, or subleasing the license, or changing the partners thereof, either by adding new partners or replacing existing ones, without the Ministry's approval.

Article (4)

Obligations of Domestic Workers Recruitment Offices

Further to the obligations contained in Articles (4) and (5) herein, and the decisions issued by the Ministry, the Recruitment Office shall adhere to the following:

- 1. Prior to the entry of domestic workers into the country, domestic labor recruitment offices must ensure the following:**

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- a. Ensure that the domestic worker undergoes a medical examination in order to determine his/her suitability for the work, including physical, mental and psychological capabilities. The worker must be free of chronic or contagious diseases as determined by the country's approved medical authorities, or of any other health conditions that may prevent him/her from performing the work.
 - b. Ensure that the domestic worker is aware of all the qualifications and experience requirements of the employer.
 - c. An experience certificate must be available in the required profession, if the profession requires an experience certificate, such as nursing and driving.
 - d. Allow the domestic worker to review the job offer that complies with the employment contract that will be concluded between the worker and the employer, and obtain his / her signature confirming their agreement
 - e. In the cases specified by the Ministry, obtain a certificate from the concerned authorities in the domestic worker's country stating that the worker has no criminal record and is of good conduct.
 - f. Provide evidence that the office operates in coordination with officially accredited agencies in the country where domestic workers are recruited.
 - g. Evidence should be provided that the office is directly responsible for the payment of any commissions necessary to facilitate the arrival of the worker and the completion of the employment contract, and that the worker will not be charged for such payments.
 - h. Other obligations stipulated by a Ministerial decision.
2. **Obligations of the Office towards overseas Recruitment Agencies:**
- a. Observe the requirements and controls contained in the Memorandum of Understanding signed between the Ministry and the country in which the agency is located, and provide the Ministry with information on the number and details of domestic workers assigned to the office.
 - b. Enter into an initial agreement with recruitment agencies abroad that describes the requirements, specifications, and qualifications for domestic workers as well as the responsibilities and duties of the employer.
 - c. Ban dealing with any recruitment agency, office or person, or any unlicensed entity outside the country. The Ministry may, for whatever reasons it deems appropriate,

prevent an office from dealing with recruitment agencies or entities outside of the country.

- d. Other obligations stipulated by a Ministerial decision.

3. Obligations of the Office towards the Ministry:

- a. Maintain the confidentiality of all details and information acquired through his activities, and refrain from disclosing such information without prior approval from the Ministry.
- b. Maintain compliance with the fee schedule set by the Ministry for domestic workers' recruitment offices in return for the services they provide to the employer or beneficiary, and refrain from collecting any additional fees.
- c. Ensure compliance with government service fees set by the Council of Ministers, and refrain from collecting any additional fees.
- d. Provide all services associated with domestic workers, including those outlined in the Ministry's service packages at the Ministry's approved rates.
- e. Ensure that the systems and programs specified by the Ministry are used
- f. The employment contracts concluded must be in accordance with the Ministry's approved forms
- g. Maintain records in accordance with the Ministry's requirements.
- h. Establish a database in accordance with the Ministry's models and standards, containing all information about the employers with whom the office has been in contact, their addresses, and the types of domestic workers they have recruited. The database must be maintained for a period of no less than 10 years.
- i. The office may not make its workers available for recruitment by an employer whose file has been suspended in the Ministry's system, except in the case of temporary employment subject to the Ministry's approval.
- j. Other obligations stipulated by a Ministerial decision.

4. Obligations of the office towards employers:

- a. Enter into a contract with the employer or beneficiary that specifies the obligations related to the recruitment and employment of the domestic worker, in accordance with the Ministry's approved form.
- b. The recruitment of the domestic worker must be conducted in accordance with the Initial Agreement.
- c. Other obligations stipulated by a Ministerial decision

5. In the event that a domestic worker is recruited by name (direct recruitment) then the recruitment office shall be exempt from the obligations stipulated in paragraphs (b, c, g) of Clause No. (1) of this Article, provided, however, that this exemption does not prejudice the public interest.
6. The Minister may amend the obligations set forth in this Article, taking into consideration the public interest.

Article (5)

Licensing and Renewal Procedures for Domestic Workers Recruitment Agencies

A ministerial resolution shall specify the procedures and conditions for issuing and renewing licenses for domestic workers recruitment agencies, as well as the cases and protocols for suspension or revocation of licenses.

Article (6)

Reimbursement of a Domestic Worker's Recruitment Fees to the Employer

Recruitment offices are required to refund all or part of the amount paid by employers in the following circumstances:

- a. If the domestic worker demonstrates incompetence and poor conduct during the probationary period
 - b. If the domestic worker terminates the contract or abandons employment for reasons other than those stipulated in Article (10) herein.
 - c. If the employer terminates the contract due to non-compliance with the initial agreement or the contract between the employer and the recruitment office.
 - d. Other circumstances stipulated by a Ministerial decision.
2. Accordingly, the amount referred to in paragraph (1) of this article that the recruitment office is required to reimburse the employer is calculated as follows: (total cost of recruitment ÷ duration of the domestic worker's employment contract in months) x term remaining on the employment contract
3. Exception to paragraph (2) of this Article, Should any of the cases mentioned in paragraph (1) of this article occur during the first month of the domestic worker's employment, or if it is proven

that the domestic worker is not medically fit for employment during the probationary period, the recruitment office must refund the employer's recruitment fees in full.

4. If the domestic worker was recruited directly, the recruitment office is exempt from the obligation to refund the specified amount in all cases outlined in this article.

5. Besides refunding the recruitment fees to the employer, the recruitment office is also required to reimburse any government fees incurred by the employer if the worker is found to be medically unfit for employment during the probationary period.

6. Upon returning the domestic worker to the recruitment office or reporting his/her absence from work, the office is required to refund the amounts listed in this article to the employer within two weeks.

7. In the event that the domestic worker, who was recruited by name, wishes to join another employer during the validity period of the first contract, in this instance, the new employer is required to pay part of the amount paid by the original employer to the recruitment office, and the amount is calculated using the same equation specified in paragraph (2) of this article. Furthermore, the new employer will be responsible for paying the government fees incurred by the original employer for the recruitment and employment of the domestic worker, unless otherwise agreed by both parties.

8. In the event that a domestic worker wishes to change employers after renewing his / her employment contract, the new employer is required to pay any fees paid by the original employer for the purpose of renewing the contract, if this transfer occurs during the first three months of the contract renewal.

Article (7)

Scheduling of daily working hours and rest periods

Employers may regulate the working hours for domestic workers based on the nature of the work or the household needs, provided that the worker has at least 12 hours of rest per day, and at least (8) eight hours of consecutive work. Further, time spent eating or resting by the domestic worker shall not count toward actual working hours.

Article (8)

Weekly Holiday

Domestic workers are entitled to a weekly rest day, which shall be determined and agreed upon by both the domestic worker and the employer. If the employer chooses to require the worker to work on the weekly day of rest, the employee must be granted an alternative day off for rest or be paid cash in lieu of that day. The domestic worker may not be required to work for more than two consecutive days of rest in any two weeks, unless otherwise agreed upon.

Article (9)

Nature and Conditions of Temporary Employment

1. Domestic workers under temporary employment are subject to the provisions of the law, which govern both their relationship with the recruitment office and with the beneficiary.
2. Temporary employment requirements:
 - a. Domestic labor recruitment offices must be licensed in accordance with the provisions of the law and its implementing regulations.
 - b. Domestic workers who are employed on a temporary basis shall reside at the work site specified by the beneficiary unless otherwise agreed upon between the agency and the beneficiary.
 - c. Recruitment offices and beneficiaries shall conclude a contract in accordance with the form prepared by the Ministry, and domestic workers shall receive a copy of the contract according to the procedure established by the Ministry.
3. The recruitment office may not evade any or all of its obligations as an employer towards the domestic worker due to the failure of the beneficiary to fulfill his contractual obligations. The office shall be jointly responsible for implementing these obligations with the beneficiary, while maintaining all the legal rights of the office toward the beneficiary.

Article (10)

Abandonment of Employment by Domestic Workers

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1. Domestic workers may leave their jobs in any of the following situations while maintaining their rights, provided that they inform the Ministry within two weeks of the occurrence, particularly if the employer fails to address the reasons for leaving the work:
 - a. Salary reduction from the salary stipulated in the employment contract.
 - b. In the event that the employer fails to fulfill his contractual obligations stipulated in the employment contract.
2. In the event that the employer or his representative commits any act of assault, humiliation or any form of sexual assault against the domestic worker, he / she has the right to leave work without notice. At all times, the domestic worker must immediately report the assault to the competent authorities and notify the Ministry within three days of leaving the workplace.
3. It is necessary for the domestic worker to return to the recruitment office that recruited him/her for housing, specify the means of communication to be used to contact him/her, and inform the Ministry accordingly.
4. In the event that any of the cases listed in this Article arise, and without prejudice to the right of the domestic worker to retain his/her entitlements throughout the duration of their employment, a domestic worker may leave the country or transfer to another employer in accordance with the procedures and controls issued by the Minister.

Article (11)

Providing Services to Third Parties

1. Domestic workers may not work for any party other than their employers or the beneficiary named in their employment contract, unless the Ministry specifies otherwise.
2. With the consent of the domestic worker, an exception to paragraph (1) of this Article exists, namely a domestic worker may work for any of the employer's relatives up to the second degree.

Article (12)

Occupational Health and Safety Requirements

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1. Domestic workers must be informed of the dangers associated with their profession and the precautions that need to be taken by the employer or his representative at the time of appointment. In addition, the employer must provide adequate means of protection for the worker against the hazards of occupational injuries and diseases. This includes protective equipment and clothing specifically designed for this purpose. The employer must take all reasonable measures in order to protect the domestic worker from occupational diseases and injuries.
2. Domestic workers must comply with all instructions and orders related to workplace safety, adopt precautionary measures, and ensure that safety equipment and tools are maintained in good working condition. Furthermore, domestic workers shall not act in a manner that could compromise the enforcement of said instructions or misuse resources provided for the protection of their health and safety.

Article (13)

Settlement of Disputes

1. In the event that a dispute arises between the employer and the domestic worker, and both parties fail to reach an amicable agreement, the dispute must be referred to the Ministry through the specified channels.
2. In the event that a dispute is brought before the Ministry, the following steps will be taken:
 - a. The dispute shall be referred to the relevant department in the Ministry, or to any other authority specified by the Ministry. Upon receipt of the complaint, the concerned department shall summon the parties to the dispute using the address provided in the complaint file. If the address listed in the complaint file is not available, the address listed in the Ministry's records will be used.
 - b. Upon hearing the statements of both parties, the legal advisor shall propose reconciliation in accordance with the applicable rules of the Ministry.
 - c. If the parties to the dispute fail to reach an amicable settlement, the Ministry will refer the matter to the appropriate court within two weeks of receiving the complaint. In addition to the referral, a memorandum of the legal opinion should be included
 - d. The complainant shall notify the Ministry of the latest developments in the case and the decision reached thereon.
3. All cases must be processed according to the procedures provided for in this article before being accepted for hearing by the competent court.

4. As part of the labor dispute resolution process, the Minister may issue a decision which specifies the controls and procedures that will be followed in the event the domestic worker ceases working for the employer as a result of the labor dispute.

Article (14)

Changing the Status of a Domestic Worker

Domestic workers whose work permits have expired or been revoked must change their status or leave the country in accordance with the applicable laws, rules, and regulations of the State.

Article (15)

File Suspension for Employers

The Ministry may suspend the employer's file in the following circumstances:

1. If the employer fails to comply with any of the contractual obligations stipulated by the law, this resolution, the decisions issued by the Ministry, or the contract entered into with the domestic worker.
2. Non-payment of the agreed wage under the employment contract for a period of more than two months.
3. If it is proven that the employer or his representative has assaulted, harassed, or contempt the domestic worker in any way.
4. If the absconding report submitted by the employer against the worker is found to be false.
5. Other cases stipulated by a Ministerial decision

Article (16)

Administrative Penalties

1. In accordance with the provisions of the law pertaining to penalties, the Ministry may impose the administrative penalties set forth in Schedule No.(2) annexed to this resolution against individuals or domestic labor recruitment agencies.

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2. Those who have received the administrative penalties described in schedule (2) attached to this resolution may file a grievance according to the procedure approved by the Minister.

Article (17)

General Provisions

1. This Resolution applies to contracts concluded after it enters into force, and shall begin to apply to contracts concluded before its entry into force upon the renewal of those contracts or residence permits.
2. The Minister shall promulgate a decision establishing a minimum pay or monthly income for expatriates seeking to recruit or hire domestic workers, as well as to establish other controls in this regard.

Article (18)

Repeals

Cabinet Resolution No. 22 of 2019 concerning the executive regulations to Federal Law No. 10 of 2017 on Domestic Workers, in addition to any provision inconsistent with the provisions of this resolution is hereby repealed.

Article (19)

Executive Decisions

The Ministry shall issue the necessary decisions for implementing the provisions of this Resolution.

Article (20)

Publication and Commencement

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This Resolution shall be published in the Official Gazette and shall take effect upon the implementation of Domestic Workers Law.

Original is signed by His Highness
Mohamed Bin Rashed Al-Maktom
Prime Minister

Dated: 6th of Jumadaa Al'awal 1444 A.H.
Corresponding to: 30th of November 2022 A.D.

**SCHEDULE NO.(1): DOMESTIC WORKERS PROFESSIONS
ANNEXED TO CABINET RESOLUTION NO.(106) OF 2022
PERTAINING TO THE EXECUTIVE REGULATIONS OF FEDERAL DECREE LAW NO.9
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DOMESTIC WORKERS PROFESSIONS	
1	Servant
2	Sailor
3	Guard
4	Shepherd

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5	Jockey
6	Tamer
7	Falconer
8	Worker
9	Housekeeper
10	Cook
11	Nanny
12	Farmer
13	Gardner
14	Private Trainer
15	Private Tutor
16	Home Nurse
17	Private Messenger
18	Private Agriculture Engineer
19	Private Driver

**SCHEDULE NO.(2): DOMESTIC WORKERS PROFESSIONS
ANNEXED TO CABINET RESOLUTION NO.(106) OF 2022
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First: Recruitment Office Violations		
Sr.	Description	Fine in AED
1	Failure to comply with the prices of the service packages approved by the Ministry or contracts with electronic systems outside the Ministry.	5,000 dirhams for each case
2	Non-compliance with the Ministry's approved contract forms.	5,000 dirhams for each case
3	Provide resumes of illegal domestic workers, absconders, or contract with employers to hire them.	5,000 dirhams for each case
4	Hiring a domestic worker who did not pass the medical examination or meet the requirements for the issuance of a residence permit	5,000 dirhams for each case
5	Prices of service packages approved by the Ministry are not clearly displayed for customers	2,000 dirhams
6	Recruiting a domestic worker from outside the country and failure to deliver the worker to the employer within the time frame agreed upon	100 dirhams per day, with a maximum of 1,000 dirhams
7	Failure to refund all or part of the recruitment fees to the employer within two weeks following the return of the domestic worker to the recruitment office or upon reporting the domestic worker's absence from work.	2,000 dirhams for each case
8	Contracting with individuals, corporations, or institutions to perform administrative or operational duties at the recruitment office without the Ministry's prior approval	10,000 dirhams
9	Collection of amounts above and beyond the prescribed fees outlined in applicable laws, regulations, and ministerial decisions	5,000 dirhams for each case
10	Default in completing the amount of the bank guarantee for the license within one month of its reduction	10,000 dirhams
11	Closure of the recruitment office or the suspension of recruitment activities without prior approval from the Ministry	5,000 dirhams
12	Making changes to the partners of a commercial license without obtaining prior approval from the Ministry	10,000 dirhams

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13	Any commercial or government service provided without the prior approval of the Ministry	10,000 dirhams
14	Failure to provide the domestic worker with sufficient information regarding the authority responsible for reviewing any complaints regarding violations of his/her rights and freedoms	1,000 dirhams for each domestic worker
15	Failure to comply with the conditions and controls contained in the Memorandum of Understanding signed by the Ministry with countries providing domestic workers or failing to disclose information regarding domestic workers allocated to the recruitment office to the Ministry.	5,000 dirhams
16	Engaging in business with any unlicensed employment agency, individual, or institute in the country, or any entity from which domestic workers are recruited, or engaging in business with any overseas agency banned by the Ministry.	10,000 dirhams
17	Conclusion of contracts with employers whose files have been administratively suspended by the Ministry, except in the case of temporary employment, and with the prior approval of the Ministry	2,000 dirhams
18	Failure to comply with the guidelines established by the Ministry regarding the training of domestic workers	1,000 dirhams for each domestic worker
19	Failure to comply with rules, circulars, decisions, pledges, and other work manuals issued by the Ministry to recruitment offices.	5,000 dirhams

Second: Employer Violations		
Sr.	Description	Fine in AED
1	Submitting fraudulent or fictitious reports of absconding against the domestic worker.	5,000 dirhams for each domestic worker
2	Submitting incorrect documents or information in order to obtain a service or benefit	Not less than 1,000 dirhams and not more than 10,000 dirhams for each case

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3	Failure to comply with the requirements and measures pertaining to occupational health and safety as stipulated in the Federal Decree-Law No. (9) of 2022 concerning domestic workers, its executive regulations and implementing ministerial decisions, in addition to all other prevailing legislation in the country.	Not less than 1,000 dirhams and not more than 10,000 dirhams for each case
4	Employing a domestic worker without obtaining a work permit for him/her, or failing to employ a domestic worker for whom a work permit has been issued, or allowing the worker to work for others without adhering to the requirements and settling his/her legal status	5,000 dirhams for each illegal domestic worker
5	Evidence of nonpayment of wages to the domestic worker in accordance with Ministry regulations and deadlines.	Not less than 500 dirhams and not more than 5,000 dirhams for each domestic worker
6	If the employer or a member of his family assaults or harasses the domestic worker.	20,000 dirhams for each case
7	If the employer fails to provide adequate accommodations for the domestic worker, or fails to provide adequate meals and clothing for the domestic worker to perform his/her duties, or if the domestic worker is employed in an occupation that differs from the nature of his/her work without the worker's consent.	Not less than 1,000 dirhams and not more than 10,000 dirhams for each domestic worker
8	If the employer fails to cover the medical expenses for the domestic worker treatment in accordance with the applicable health system in the country or if the employer fails to pay the necessary compensation associated with work injuries and occupational diseases in accordance with the provisions of Decree-Law No. 33 of 2021 regarding the regulation of labor relations.	Not less than 500 dirhams and not more than 5,000 dirhams for each case
9	Withholding the domestic worker's identification documents	500 dirhams for each domestic worker
10	Failure to register the domestic worker in the wage protection system in accordance with the Ministry's requirements	100 dirhams for each domestic worker

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