

**MINISTERIAL RESOLUTION NO (674) OF 2022 PERTAINING TO THE REGULATION OF
LABOR RELATIONS FOR DOMESTIC WORKERS**

Minister of Human Resources and Emiratisation

Having perused:

- Federal Law No. (1) of 1972 on the competencies of the Ministries and Powers of the Ministers and amendments thereof
- Federal Decree-Law No. (29) of 2021 governing the entry and residence of foreigners, and its executive regulations
- Federal Decree-Law No. (9) of 2022 regarding Domestic Workers, and its executive regulations,
- Ministerial Resolution No. (45) of 2022 concerning the formation of a Grievance Committee against decisions issued by the Ministry of Human Resources
- Ministerial Resolution No. (48) of 2022 on the Regulation of Labor Inspection Procedures

Has Resolved:

Article (1)

Definitions

Definitions contained in Decree-Law No. (9) of 2022 on domestic workers and its executive regulations decreed by Cabinet Resolution No. (106) of 2022 shall apply to the words and expressions contained hereunder.

Article (2)

The Transfer of Domestic Workers

Subject to Article No. (21) of the aforementioned Federal Decree-Law No. (9) of 2022 and Paragraph No. (4) of Article No. (10) of its corresponding Executive Regulation, domestic workers may transfer from one employer to another, with the Ministry's approval, and after submitting their application through the approved service channels in the following circumstances:

- a. Following the expiration of the employment contract

- b. If a judicial decision demonstrates that the employer has breached his obligations towards the domestic worker during the term of their employment contact,
- c. If the employer consents to the transfer in writing during the term of the employment contract.

Article (3)

Domestic Labor Complaints

1. Filing of the complaint:

- a. Subject to Article No. (23) of the aforementioned Federal Decree-Law No. (9) of 2022 on domestic workers, it is permissible for either the domestic worker or the employer, or his authorized representative, to file a labor complaint regarding the breach of the employment contract during the term of the employment contract, up to three months after the termination of the employment contract, for whatever reason.
- b. Domestic workers who abandon their work without the knowledge of their employers are required to lodge a labor complaint within 48 hours of their departure from the workplace.

2. Domestic workers whose complaints are referred to the judiciary must comply with the following requirements:

- a. File a labor complaint with the competent court within 14 days of the date when the Ministry approves the referral to the judiciary.
- b. If the Domestic worker wish to join another employer, he/ she must obtain a temporary work permit from the Ministry pursuant to paragraph (3) thereunder.
- c. Apply for the cancellation of the original work permit within 14 days of the final judgment in the labor case.
- d. In the case of suspension or cessation of work as a result of a labor complaint, a domestic worker may request a temporary work permit within 30 days from the date the complaint was referred to the judiciary to work for a new employer, except for absconding domestic workers.
- e. The recruitment office is required to provide adequate housing and subsistence to the domestic worker who has stopped working in accordance with paragraph No. 5 of the aforementioned Decree-Law if

he/she does not obtain a temporary employment opportunity with a new employer.

Article (4)

Complaints related to Work Permit Cancellation

1. Domestic workers may file a complaint using the service channels approved by the Ministry for cancellation of employment permit for any reason and without the consent of their employers.
2. If the Ministry determines that the employment relationship between the domestic worker and the employer is fictitious, or if the domestic worker is employed by someone else, or if the worker is employed illegally, the cancellation request will be processed under the worker's request. Penalties and violations will be imposed in accordance with the executive regulations of Federal Decree-Law No. (9) of 2022.
3. For cases other than those referred to in the preceding paragraph, if the Ministry does not receive a response from the employer within 10 days of receiving a complaint requesting the cancellation of the domestic worker's work permit, the request will be processed. If the employer responds and requests an additional period to provide evidence that the domestic worker is being investigated by the competent judicial authorities for a crime related to his work, the request will be granted and he will be given a similar period to provide such evidence. In the absence of adequate evidence during that period, the domestic worker's work permit will be revoked.
4. It is the domestic worker's responsibility to change his/her status or leave the country if the work permit is revoked by the Ministry in accordance with the provisions of Federal Decree-Law No. (29) of 2021 and its executive regulations.
5. If a labor case is pending before the judiciary or if a complaint has been submitted to the Ministry, the Ministry may postpone issuing a decision on revocation of a work permit until confirming its validity in the following circumstances:
 - a. If the employer alleges that the domestic worker abandoned work without compromising his / her rights.
 - b. In the event that the employer affirms the validity of the absconding report filed against the domestic worker.

Article (5)

Domestic Workers Absconding Reports

1. In accordance with Article No. (18) of the aforementioned Federal Decree-Law No. (9) of 2022, employers are required to register a report of absence of work within five days after the absence of the domestic worker from work without a valid reason, by submitting the report of absence of work using the Ministry's authorized service channels.
2. The Ministry may revoke an absconding report at the request of either party in the following circumstances:
 - a. In cases in which the domestic worker's absence from work does not exceed ten (10) consecutive days, if the period of ten (10) consecutive days since his/her leave expired has not expired, or in cases in which the absence from work is legally valid.
 - b. In the event it can be proven that the domestic worker was present in the workplace or was on legally prescribed leave when the absconding report was filed, regardless of whether the employer was aware of this.
 - c. Following cancellation of the absconding report with the employer's approval, the employment relationship may be reinstated or terminated.
 - d. If the domestic worker returns to the domestic labor recruitment agency where they were recruited for the purpose of remaining or departing the country.
 - e. Other cases in which there is evidence that the absconding report made against the domestic worker is inaccurate.
3. Regardless of the circumstances, the Ministry may cancel the absconding report with the approval of the employer.

Article (6)

One-Year Ban On Work Permits for Domestic Workers

In accordance with the provisions of paragraph No. (7) of Article No. (28) of Federal Decree-Law No. (9) of 2022, a domestic worker may not be granted a work permit until one year after the date of their departure from the country has passed, in the following cases:

1. In the event that the absconding report is found to be accurate.

2. In the event that a domestic worker is found to be intoxicated or under the influence of drugs during working hours, regardless of whether he or she admits to it or if it is proven by the competent authorities.
3. In the event that a domestic worker has been awarded a final judgment by the competent court for an offence that prejudices honor, honesty, or public morals.
4. A domestic worker who commits an assault on his employer or his family, whether he or she admits it or if the relevant authorities deem it to be credible.
5. If the domestic worker violates the sanctity of the workplace by taking photographs or videos and releasing them to the public by any means whether he or she admits it or if the relevant authorities deem it to be credible.
6. If the domestic worker absents himself without a lawful excuse for more than fifteen intermittent days or for more than ten consecutive days.

Article (7)

Suspension of the Employer's File

- a. If any of the violations of Article No. (15) of the Executive Regulations of the aforementioned Federal Decree-Law No. (9) of 2022 are proven, the employer's file will be suspended for a period of six months.
- b. If an employer receives a final court judgment of conviction pertaining to the use of forced labor or any other activity that falls under the definition of human trafficking, his file shall be suspended for at least one year, in accordance with the laws promulgated or ratified by the State in this regard.

Article (8)

Grievance Against Decisions Made by The Ministry

Appeals may be made by either party to the employment relationship in accordance with the procedures outlined in the aforementioned Ministerial Resolution No. (45) of 2022.

Article (9)

Inspection

1. In accordance with paragraph (5) of Article No. (23) of Federal Decree-Law No. (9) of 2022, the competent department shall refer the file of the violating employer or the violating domestic worker to the Labor Inspection

Department of the Ministry, in order to take the necessary action in the incidents attributed to either of them within two working days.

2. For the purpose of implementing the provisions of Article No. (24) of the aforementioned Federal Decree-Law regarding inspection, the provisions and controls specified in Ministerial Resolution No. (48) of 2022 shall apply.

Article (10)

procedures Manual

The Undersecretary for Human Resources Affairs will issue a manual setting forth the procedures and forms necessary for the implementation of the provisions of this Resolution.

Article (11)

Publication, Commencement and Repeals

This Resolution shall be published in the Official Gazette and shall come into force from the date of its publication. All texts or provisions in conflict with the provisions contained herein shall be repealed.

Dr. Abdul Rahman Abdul Manan Al Awar

Minister of Human Resources and Emiratisation

Signature appears

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