



**MINISTERIAL DECREE (766) OF 2015 ON RULES AND
CONDITIONS
FOR GRANTING A PERMIT TO A WORKER FOR EMPLOYMENT BY
A NEW EMPLOYER**

The Minister of Labor:

- HAVING REVIEWED FEDERAL LAW NO. (1) OF 1972 ON THE COMPETENCIES OF THE MINISTRIES AND POWERS OF THE MINISTERS AND ITS AMENDMENTS,
- FEDERAL LAW (8) OF 1980 CONCERNING THE REGULATION OF LABOR RELATIONS, AS AMENDED,
- COUNCIL OF MINISTERS DECREE (25) OF 2010 ON INTERNAL WORK PERMITS Applicable in THE MINISTRY OF LABOR,
- Ministerial DECREE NO. (826) OF 2005 ON The Executive Regulation of the TRANSFER OF SPONSORSHIP,
- MINISTERIAL DECREE NO. (707) OF 2006 ON TERMS AND PROCEDURES FOR GRANTING work permits to NON-NATIONALS work IN THE UAE,
- MINISTERIAL DECREE NO. (724) OF 2006 ON ADMINISTRATIVE TERMINATION OF SPONSORSHIPS,
- MINISTERIAL DECREE NO. (1186) OF 2010 ON THE RULES AND CONDITIONS FOR GRANTING A TO A WORKER WHOSE EMPLOYMENT RELATION HAS ENDED TO WORK FOR A NEW EMPLOYER AND
- MINISTERIAL DECREE NO. (765) OF 2015 ON THE RULES AND REGULATIONS OF TERMINATING The Labor RELATION,



Decrees:

Article 1

A new work permit may be granted to a worker upon the termination of the said worker's employment relation in the following instances:

I. Term contracts

1. The term of the contract has expired and not been renewed.
2. The two parties (worker and employer) mutually consent to terminating the contract during the course of its term, provided the worker has completed a period of no less than six months with the employer; the latter provision is waived for workers that qualify for skill levels 1, 2 and 3, as per the ministry's classification.
3. The employer initiates the termination of the employment relation, without reason of non-compliance on the part of the worker, provided the worker has completed a period of no less than six months with the employer; the latter provision is waived for workers that qualify for skill levels 1, 2 and 3, as per the ministry's classification.
4. Either party acts unilaterally to terminate the employment relation following its renewal (irrespective of the period the worker has been in the employment of the employer and irrespective of the date of renewal) provided, in all cases, that:
 - a. The terminating party notifies the other party in writing of his/her intent to terminate the contract in accordance with the notice period that was agreed to by the two parties, not to be less than one month and not to exceed three months. If renewal of the contract occurs prior to this decree entering into effect, and the two parties had not agreed to a notice period, then the notice period shall be three months.
 - b. The terminating party continues to honor the contractual obligations for the duration of the notice period.



c. The terminating party indemnifies the other party in the amount that was agreed to by the two parties, not to exceed the equivalent of three months of gross wages; if renewal of the contract occurs prior to this decree entering into effect, and the two parties had not agreed to the amount of indemnification, indemnification is set at the equivalent of three months of gross wages.

II. Non-term contracts

1. The two parties (worker and employer) mutually consent to terminating the contract provided the worker has completed a period of no less than six months with the employer; the latter provision is waived for workers that qualify for skill levels 1, 2 and 3, as per the ministry's classification.

2. One of the parties (the employer and the worker) acts unilaterally to terminate the contract and notifies the other party and continues to honor his/her obligations under the contract for the duration of the notice period, which shall be no less than one month and no more than three months, provided the worker has completed a period of no less than six months with the employer; the latter provision is waived for workers that qualify for skill levels 1, 2 and 3, as per the ministry's classification.

3. The employer acts to terminate the contract without reason of non-compliance by the worker, provided the worker has completed a period of no less than six months with the employer; the latter provision is waived for workers that qualify for skill levels 1, 2 and 3, as per the ministry's classification.

III. For all contracts (term and non-term):

By way of exception from the instances described in (I) and (II) of this Article, a worker may be granted a new work permit if:



1. It is determined that the employer has failed to meet his legal or contractual obligations, including but not limited to when the employer fails to pay the worker's wages for more than 60 days.
2. A complaint is filed by the worker against his employer for the latter's failure to provide for the worker to perform work due to its shutting down, provided an report is issued by the Ministry's Inspection Sector attesting that the establishment has been inactive for more than two months and the worker has reported to the Ministry during this period.
3. A labor complaint is referred by the Ministry to the labor court, provided a final ruling in favor of the worker is issued, confirming the worker's entitlement to the wages for no less than two months, indemnity for arbitrary or early termination, any other right that the employer failed to pay to the worker without a legal basis, or the failure to pay the worker's due end-of-service gratuity.

In all of cases described above, the worker must have met all conditions and requirements of the provisions of the law before being granted a new permit.

Article 2

No new work permit shall be granted except in the cases described in Article 1.

Article 3

All those empowered to issue new work permits to workers in educational institutions during the school year shall obtain the approval of the relevant government agencies prior to issuing such permits in accordance with the provisions of article (1) hereof.

Article 4



A work permit that is granted hereunder shall be made null and void if it is established by the Ministry that information upon which the approval of the permit was based was falsified.

Article 5

Ministerial DECREE NO. (1186) of 2010 on the rules and conditions for granting a new work permit for the worker to work for a new employer after the termination of his old labor relation is hereby nullified, as are any texts or provisions that are contrary to provisions hereof.

Article 6

This Decree shall be published in the Official Gazette and become effective on 1/1/2016.

**By Saqr Ghobash,
Minister of Labor**

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