

NEWS ADVISORY
29 September 2017

UAE approves law on domestic workers

To ensure decent working and living conditions for domestic workers, the UAE Cabinet and the Federal National Council approved a new draft Domestic Labour Law that regulates four key areas in the protection of domestic workers:

- contracts
- rights and privileges
- prohibitions
- recruitment agencies.

The new law establishes the principle of informed consent, ensuring that workers are aware of the contract terms, nature of work, the workplace, the remuneration and the period of daily and weekly rest as set out by the executive regulations and before they cross their national borders.

The draft law will become in effect when it is signed by H. H. Sheikh Khalifa bin Zayed Al Nahyan, President of the UAE.

Under the new law, Ministry of Human Resources and Emiratisation is responsible for domestic workers' rules and regulations. Currently, domestic workers are under Ministry of Interior.

The new domestic law applies to the following households jobs:

- housemaid
- private sailor
- watchman and security guard
- household shepherd
- family chauffeur
- household horse groomer
- household falcon care-taker and trainer
- domestic labourer
- housekeeper
- private coach
- private teacher
- babysitter
- household farmer
- private nurse

- private PRO
- private agriculture engineer.

The new law intends to regulate employment contract of domestic workers.

The recruitment agency must present a copy of the job offer to the worker prior to the worker's departure from his country of origin. A standard contract accredited by Ministry of Human Resources and Emiratisation (MoHRE) will govern the terms and conditions of the employment.

Either employer or domestic worker may terminate the contract if the other party fails to meet his obligations. The employer or worker may terminate the contract even if the other party has met his obligations. This is called a 'no-fault' termination and it is subject to compensation as outlined in the Domestic Labour Law.

As per the draft Domestic Labour Law, domestic workers are entitled to:

- payment of wages, as set out in the standard contract, within ten days from the day they are due
- one day of paid rest per week
- twelve hours of rest per day, including eight hours consecutive rest
- thirty days paid vacation per year
- medical insurance provided by the employer
- thirty days medical leave per year
- a round trip ticket home every two years
- a decent accommodation
- decent meals at the employer's expense
- clothing, if required by the employer, at the employer's expense
- possession of their personal identification papers such as passports, IDs, etc.

Either the employer or the worker can refer a dispute to Ministry of Human Resources and Emiratisation. The ministry will attempt to resolve the dispute amicably within a period of two weeks. If no resolution is reached, then the matter will be referred to a court. Under this law, cases filed by workers are exempted from court fees at all stages of litigation and must be heard in a speedy and prompt manner.

The draft Domestic Labour Law prohibits the following:

- the employment of anyone under the age 18
- discrimination on the basis of race, colour, gender, religion and political opinion
- sexual harassment, whether verbal or physical
- forced labour or trafficking in accordance with national law and ratified international conventions
- exposure to physical harm
- assignment of tasks that are not covered under the contract.

Only UAE-registered natural or legal persons with good standing may recruit domestic workers into the UAE. An agency may not, on its own or through a third party, solicit or accept from any worker, whether prior to or after employment, any form of commission in exchange for employment.

In the event of early termination, the agency must repatriate the worker at its expense and either offer the employer an acceptable substitute worker or return to the employer the fee they had paid.

The agency must at all times treat the worker decently and refrain from exposing him/her to any form of violence.

New centres called Tadbeer, whose services will be regulated by the ministry, will replace domestic worker recruitment agencies by the end of 2017. These centres will guarantee proper visa, orientation and training for the workers. /END

Source: <https://government.ae/information-and-services/jobs/employment-laws-and-regulations/domestic-workers>