Ministerial Decision No. (31) of 2018 Concerning Developing a New Employment System Under Part-Time Contracts

Preamble

The Minister of Human Resources and Emiratisation,

Pursuant to the perusal of:

Federal Law No. (1) of 1972 On the Jurisdictions of the Ministries and the Competences of the Ministers, and its amendments; and

Federal Law No. (8) of 1980 Concerning the Regulation of Labor Relations; and

Acting upon the proposal of the Undersecretary of Human Resources,

Has promulgated the following Decision.

Article (1)

The following terms and expressions shall have the meanings opposite thereto unless the context requires otherwise:

The Ministry: The Ministry of Human Resources and Emiratisation.

Original Employer: The employer who provides a work permit for a foreign employee to work under the part-time contract, or the first employer who hires a resident employee to work under the part-time contract.

Secondary Employer: Any employer other than the Original Employer whom the employee has an employment
relation with, simultaneously with his employment relationship with the Original Employer.

**Part-time Contract:** A contract whereby the employer and the employee (Emirati or expatriate) agree on the working hours to be less than the conventional working hours (Eight hours per day) and, based on it, the employee can work with more than one employer without the permission of any employer, and the parties agree to sign it as per the contract templates issued by the Ministry, hereafter referred to as the Part-time Contract, or this System.

**Article (2)**

A new System is established in the Ministry for the Part-time Contract, allowing the employer to recruit employees classified as skilled workers level 1 and skilled workers level 2, as practicable in the Ministry, whereas the agreement between parties shall be subject to the provisions stipulated in the articles of this Decision.

**Article (3)**

The Part-time Contract allows the employee to:

a) To work for the Original Employer less than eight hours per day, or less than 48 hours per week, provided that the working hours shall not be less than 20 hours per week.

b) To work simultaneously with more than one employer, without having to get the permission of the Original Employer or any other employer he is working with.
Article (4)

Pursuant to this System, the employee commits to the following:

a) Not to work with any Secondary Employer before obtaining a work permit from the Ministry.

b) To perform his duties in the Part-time Contract within the boundaries of the applicable labour provisions in the Ministry pertinent to limitations and obligations, save for the working hours that are subject to the terms and conditions of the Contract, without prejudice to the Article (5-a) of this Decision.

Article (5)

Pursuant to this System, the employer is not eligible for the following:

a) Demand increasing the working hours agreed on without the written consent of the employee.

b) Prohibit the employee to work in a facility similar to his facility under the non-competition clause or for disclosure of the secrets of the work, unless a court ruling has been issued to this effect.

Article (6)

a) The Original Employer is liable to provide the employee with the annual leave, end of service gratuity and any other financial obligations, pro-rata to the employee’s actual working hours and wage.
b) The employee is eligible to agree with the Secondary Employer to any privileges similar to those stipulated in clause (a) of this Article.

c) Excluding clauses (a) and (b) of this Article, each employer commits to provide the employee with the other work requirements as per the applicable provisions of the Ministry, unless the parties agree otherwise.

**Article (7)**

The Ministry notifies every employer (Original or Secondary) about any new employer of the employee, upon obtaining by the latter a work permit from the Ministry. The employee covenants to notify every employer he works with about the same.

**Article (8)**

The Ministry shall not allow the employee to work more than 48 hours per week, or more than 144 hours every three weeks. Nevertheless, the Ministry allows the employee in case of necessity to work 60 hours per week, provided that he gets not less than one-day rest per week.

**Article (9)**

a) The same provision, restrictions and sanctions applied to entering, renewing and terminating the regular labour contracts, whether limited or unlimited.

b) The Original Employer shall bear the fees applied by the Ministry for recruiting an employee from overseas or from the state, according to the circumstances. Furthermore, any
Secondary Employer shall bear the fees for some time, pursuant to the same applicable provisions.

**Article (10)**

In case of choosing to work with the Part-time Contract, changing it to a regular contract is not allowed unless the Part-time Contract is terminated, and each party has the freedom thereafter to enter any desired kind of contract.

**Article (11)**

This Decision shall be published in the Official Gazette and shall take effect as of the 1st of March 2018.

Nasser Bin Thani Al Hameli

Minister of Human Resources and Emiratisation

Promulgated at the Ministry of Human Resources and Emiratisation in Abu Dhabi

On 21 January 2018

Corresponding to 5 Jumada Al-Awwal, 1439 H