

LABOR LAW
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First Edition

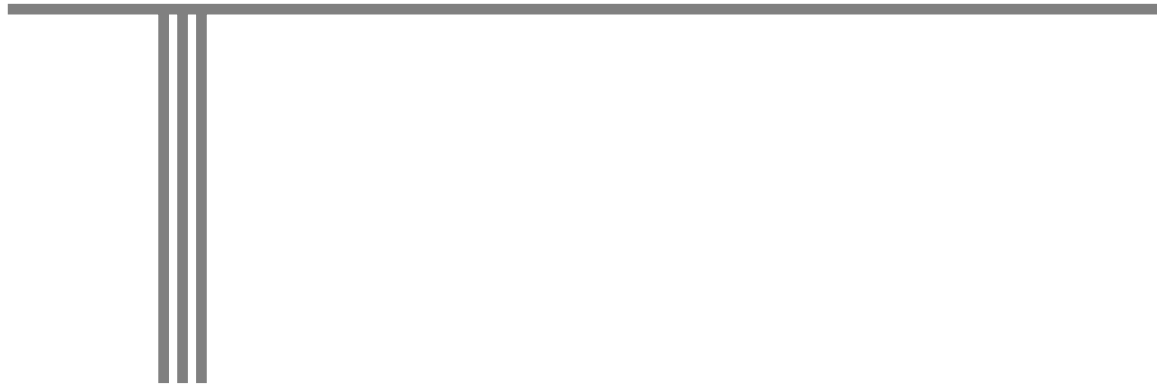
2006

*In the name of God
the Compassionate
the Merciful*

**This translation is provided
for guidance. The governing
text is the Arabic text.**

PART I

DEFINITIONS AND GENERAL PROVISIONS



PART I

**DEFINITIONS AND
GENERAL
PROVISIONS**

Chapter One

Definitions

Article (1):

This law shall be called the Labor Law.

Article (2):

The following terms and phrases, whenever mentioned in this Law, shall have the meanings expressed next to them, unless the context requires otherwise.

Ministry: Ministry of Labor.

Minister: Minister of Labor.

Labor Office: The administrative authority assuming jurisdiction over the labor affairs within an area specified by a decision of the Minister.

Employer: Any natural or corporate person employing one or more workers for a wage.

Worker: Any natural person working for an employer and under his management or supervision for a wage, even if he is not under his direct control.

Minor: Any person of fifteen and below eighteen years of age.

Work: The effort exerted in all human activities in execution of a (written or unwritten) work contract regardless of their nature or kind, be they industrial, trade, agricultural, technical or otherwise, whether physical or mental.

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Original Work: For individuals: Their usual business activities. For firms: The activities for which the firm has been established as stated in its articles of incorporation, franchise contract- if a franchise company- or Commercial Register.

Temporary Work: Work considered by its nature to be part of the employer's activities, the completion of which requires a specific period or relates to a specific job and ends with its completion. It shall not exceed ninety days in either case.

Incidental Work: Work that is not considered by its nature to be part of the usual activities of an employer, and its execution does not require more than ninety days.

Seasonal Work: Work that takes place in known periodical seasons.

Part-time Work: Work performed by a part-time worker for an employer and for less than half the usual daily working hours at the firm, whether such a worker works on a daily basis or on certain days of the week.

Continuous Service: Uninterrupted service of a worker for the same employer or his legal successor from the starting date of service. Service shall be deemed continuous in the following cases:

- (1) Official holidays and vacations.
- (2) Interruptions for sitting for examinations in accordance with the provisions of this Law.

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(3) Worker's unpaid absences from work for intermittent periods not exceeding twenty days per work year.

Basic Wage: All that is given to the worker for his work by virtue of a written or unwritten work contract regardless of the kind of wage or its method of payment, in addition to periodic increments.

Actual Wage: The basic wage plus all other due increments decided for the worker for the effort he exerts at work or for risks he encounters in performing his work, or those decided for the worker for the work under the work contract or work organization regulation. This includes:

- (1) The commission or percentage from sales or profits paid against what the worker markets, produces, collects or realizes from increased or enhanced production.
- (2) Allowances the worker is entitled to for exerted effort, or risks he encounters while performing his job.
- (3) Increments that may be granted in accordance with the standard of living or to meet family expenses.
- (4) Grant or reward: What the employer grants to the worker and what is paid to him for honesty or efficiency and the like, if such grant or reward is stipulated in the work contract or the work organization regulation of the firm or if customarily granted to the extent that the workers consider it part of the wage rather than a donation.

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(5) In rem privileges: what the employer commits himself to provide to the worker for his work by stating it in the work contract or the work organization regulation and its estimated at a maximum of two months basic wage per annum, unless it is otherwise determined to exceed that in the work contract or the work organization regulation.

Wage: actual wage.

Firm: Any enterprise run by a natural or corporate person who employs one or more workers for a wage of any kind.

Month: Thirty days, unless it is otherwise specified in the work contract or the work organization regulation.

Regulations: The Implementing Regulations of this Law.

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Chapter Two

General Provisions

Article (3):

Work is the right of every citizen. No one else may exercise such right unless the conditions provided for in this Law are fulfilled. All citizens are equal in the right to work.

Article (4):

When implementing the provisions of this Law, the employer and the worker shall adhere to the provisions of Shari'ah.

Article (5):

The provisions of this Law shall apply to:

- (1) Any contract whereby a person commits himself to work for an employer and under his management or supervision for a wage.
- (2) Workers of the government and public organizations and institutions including those who work in pastures or agriculture.
- (3) Workers of charitable institutions.
- (4) Workers of agricultural and pastoral firms that employ ten or more workers.
- (5) Workers of agricultural firms that process their own products.

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General Provisions

- (6) Workers who operate or repair agricultural machineries on a permanent basis.
- (7) Qualification and training contracts with workers other than those working for the employer within the limits of the special provisions provided for in this Law.
- (8) Part-time workers with respect to safety, occupational health and work injuries, as well as what is decided by the Minister.

Article (6):

Incidental, seasonal and temporary workers shall be subject to the provisions on duties and disciplinary rules, the maximum working hours, daily and weekly rest intervals, overtime work, official holidays, safety rules, occupational health, work injuries and compensation therefore as well as whatever is decided by the Minister.

Article (7):

The following shall be exempted from the implementation of the provisions of this Law:

- (1) The employer's family members, namely, the spouse, the ascendants and descendants who constitute the only workers of the firm.
- (2) Domestic helpers and the like.
- (3) Sea workers working on board of vessels with a load of less than five hundred tons.
- (4) Agricultural workers other than the categories stated in Article (5) of this Law.

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(5) Non-Saudi workers entering the Kingdom to perform a specific task for a period not exceeding two months.

(6) Players and coaches of sports clubs and federations.

The Ministry shall, in coordination with the competent authorities, draft regulations for domestic helpers and the like to govern their relations with their employers and specify the rights and duties of each party and submit the same to the Council of Ministers.

Article (8):

Any condition that contradicts the provisions of this Law shall be deemed null and void. The same applies to any release or settlement of the worker's rights arising from this Law during the validity of the work contract, unless the same is more beneficial to the worker.

Article (9):

Arabic shall be the language used for data, records, files, work contracts and the like as provided for in this Law or in any decision issued in implementation of its provisions as well as the instructions issued by the employer to his workers.

If the employer uses a foreign language beside Arabic in any of the mentioned cases, the Arabic text shall prevail.

Article (10):

All periods and schedules provided for in this Law shall be according to Hegira calendar, unless otherwise stated in the work contract or the work organization regulation.

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Article (11):

- (1) If the employer assigns all or part of his original business to a natural or corporate person, the latter shall give his workers all the rights and privileges which the original employer gives to his workers, and both of them shall be jointly and severally liable.
- (2) In case of multiple employers, all of them shall be jointly and severally responsible for the fulfillment of the obligations arising from this Law and the work contracts.

Article (12):

Both the employer and the worker shall be familiar with the provisions of the Labor Law in all its contents so that each of them shall be aware of his position and of his rights and duties. Any employer who employs ten or more workers shall submit to the Ministry, a work organization regulation including internal work provisions, within a year of the effective date of this Law or from the date of reaching the quota. Such regulations shall include the work organization rules and all related provisions including the provisions related to privileges, violations and disciplinary penalties, not contradicting the provisions of this Law.

Article (13):

The Ministry shall approve the work organization regulation and all amendments to it within sixty days from the date of its submission to the Ministry.

If such period elapses without approval or objection, the regulation shall be considered effective as of the end of such period.

The employer shall announce the regulation by displaying it in a prominent

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location in the firm or by any other means that ensures the workers' awareness thereof.

Article (14):

A model(s) work organization regulation shall be issued pursuant to a decision by the Minister for the guidance of employers.

Article (15):

An employer shall, upon commencement of work in the firm, notify the competent labor office in writing of the following data:

- (1) Name, type and headquarters of the firm, as well as its mailing address and any information that facilitates contact there with.
- (2) Line of business for which it is licensed, providing the number of the Commercial Register or the license, its date and issuing authority, together with a copy thereof.
- (3) Number of workers to be employed in the firm.
- (4) Name of the firm's manager in-charge.
- (5) Any other data required by the Ministry.

Article (16):

- (1) If the employer is unable to run the business in person, he shall designate a representative at the workplace. In case of multiple partners or managers in the firm, one of them, from among those residing at the place of work, shall be nominated to represent the employer and be liable for any violation of the provisions of this Law.

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- (2) The employer shall notify the competent labor office in writing of the name of the partner or manager, and, in case of his replacement, he shall notify the labor office of the name of the new partner or manager within seven days at most of the date of the latter's assuming the job.
- (3) In case no manager is appointed to be in charge of the firm, or if the appointed manager does not assume his duties, then the person who actually runs the firm or the employer himself shall be considered the manager in charge of the firm.

In all cases, the employer is ultimately liable.

Article (17):

An employer shall maintain at the workplace records, statements and files the nature and contents of which shall be specified in the regulations. He shall display at a prominent location at the workplace a schedule of working hours, breaks, weekly rest days and time of start and end of each shift, when operating in shifts.

Article (18):

If the ownership of a firm is transferred to a new owner or a change takes place in its legal form through merger, partition or otherwise, the work contracts shall remain in force in both cases and service shall be deemed continuous. As for workers' rights accrued for the period prior to the change such as wages or unrealized end-of-service award on the date of transfer of ownership and other rights, the predecessor and the successor shall be jointly and severally liable. However, in the case of transfer of ownership of individual firms, for any reason, the predecessor and the

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successor may agree to transfer all the previous rights of the worker to the new owner with the written consent of the worker. If the worker disapproves, he may request the termination of his contract and collect his dues from the predecessor.

Article (19):

Amounts due to the worker or his heirs under this Law shall be deemed first rate privileged debts and the worker and his heirs shall, for the purpose of settling them, be entitled to a privilege over all the employer's properties. In the case of bankruptcy of the employer or liquidation of his firm, the aforementioned amounts shall be entered as privileged debts and the worker is paid an expedited amount equivalent to one month wage prior to payment of any other expenses including judicial, bankruptcy or liquidation expenses.

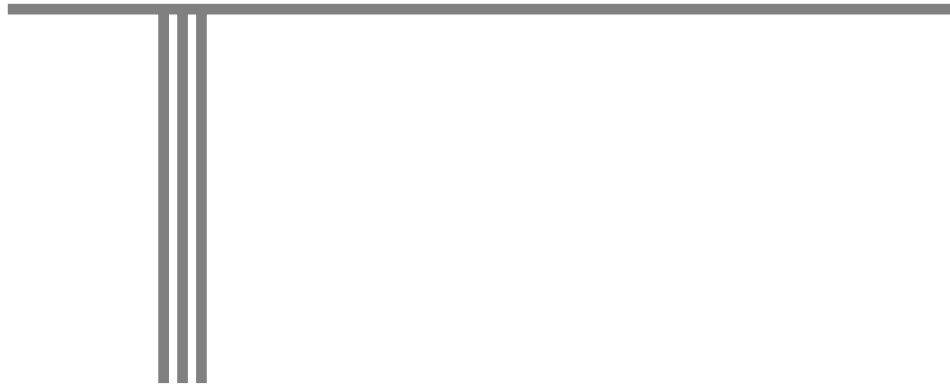
Article (20):

An employer or a worker may not perform any act that may abuse the provisions of this Law or the decisions or regulations issued for its implementation. Neither of them may undertake any act that infringes upon the freedom of the other or the freedom of other workers or employers to realize any interest or impose a point of view that conflicts with the freedom of work or the jurisdiction of the competent authority in charge of settlement of disputes.

Article (21):

The Minister, in implementing the provisions of this Law, shall coordinate with relevant authorities whenever necessary.

PART II
ORGANIZATION OF RECRUITMENT



PART II
ORGANIZATION
OF RECRUITMENT

Chapter One
Employment Units

Article (22):

The Ministry shall provide employment units, free of charge, at locations convenient for employers and workers, which shall undertake the following:

- (1) Assisting workers in finding suitable jobs and aiding employers in recruiting suitable workers.
- (2) Gathering necessary information on the labor market and its developments and analyzing such information to make it available to various public and private organizations concerned with economic and social planning affairs.
- (3) Performing the following duties:
 - (3-1) Registration of job seekers.
 - (3-2) Obtaining data on vacant jobs from employers.
 - (3-3) Referring workers' applications to suitable vacant jobs.
 - (3-4) Providing advice and assistance to job seekers with respect to vocational qualification and training or the required retraining to fill vacancies.
 - (3-5) Other matters decided by the Ministry.

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ORGANIZATION OF RECRUITMENT

Chapter One

Employment Units

Article (23):

Every citizen of working age who is capable of and willing to work may register his name at the employment unit, his date of birth, qualifications, previous employment, preferences and address.

Article (24):

The regulations shall specify the rules for work progress and procedures at the employment units, forms of registers, notices and others used for its work as well as the job classification tables, according to the official job classification, which shall be the basis for organization of recruitment.

Article (25):

Every employer shall send the following to the competent labor office:

- (1) A statement of vacant and new jobs, their types, locations, wages, and qualifications within a period not exceeding fifteen days from the date of vacancy or creation.
- (2) A notice of measures taken to employ the citizens nominated by the employment unit within seven days from receiving the nomination letter.
- (3) A list of names, jobs, professions, wages, ages, nationalities of his workers, numbers and dates of work permits for non- Saudis and other data specified in the Regulations.
- (4) A report on the status, conditions and nature of work and the anticipated increase or decrease in jobs during the year following the date of the report.

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Chapter One

Employment Units

(5) The statements specified in Paragraphs (3) and (4) of this Article shall be sent during the month of Muharram every year.

Article (26):

(1) All firms in all fields, and regardless of number of workers, shall work to attract and employ Saudis, provide conditions to keep them on the job and avail them of an adequate opportunity to prove their suitability for the job by guiding, training and qualifying them for their assigned jobs.

(2) The percentage of Saudi workers employed by the employer shall not be less than 75% of the total number of his workers. The Minister may temporarily reduce this percentage in case of non-availability of adequate technically or academically qualified workers or if it is not possible to fill the vacant jobs with nationals.

Article (27):

The Minister may - when necessary in respect of certain activities and professions and in some provinces and counties - require employers not employ workers until they have been registered at the employment units under the terms and conditions specified pursuant to his decision.

PART II
ORGANIZATION
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Chapter Two
Employment of the Disabled

Article (28):

Each employer employing twenty- five workers or more where the nature of his work allows recruitment of the professionally disabled shall employ a number of disabled that represents at least 4% of the total number of his workers whether through nomination by the employment units or otherwise, and he shall send to the competent labor office a list of the jobs and posts occupied by the professionally rehabilitated disabled persons and their wages

Article (29):

If a worker sustains a work injury that results in a loss in his usual capabilities that does not prevent him from performing another job, the employer, in whose service the work injury was sustained, shall employ said worker in a suitable job for the wage specified for such job. This shall not prejudice the worker's compensation for the injury.

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Chapter Three
Private Offices for Recruitment of Citizens
and Private Offices for Recruitment from Abroad

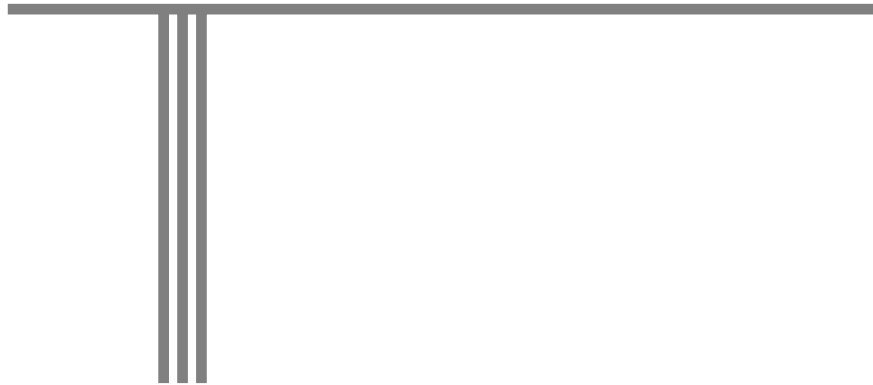
Article (30):

A natural or corporate person may not engage in the recruitment of Saudis or in the recruitment of workers from abroad unless licensed for the same by the Ministry. The Regulations shall determine the functions of these two types of activities, the conditions for granting and renewing a license to each of them, the duties and prohibitions as well as rules for non-renewal or revocation of the license and the consequences thereof and other conditions and controls necessary for ensuring the proper conduct of business.

Article (31):

The Saudi workers to whose employment the recruitment offices contributed and the workers recruited from abroad on behalf of the employers shall be deemed workers of the employer and bound to him by direct contractual relation.

PART III
EMPLOYMENT OF NON-SAUDIS



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EMPLOYMENT OF NON-SAUDIS

Article (32):

Recruitment from abroad for the purpose of work may not be undertaken without the approval of the Ministry.

Article (33):

A non- Saudi may not engage in or be allowed to engage in any work except after obtaining a work permit from the Ministry, according to the form prepared by it for this purpose.

The conditions for granting the permit are as follows:

- (1) The worker has lawfully entered the country and is authorized to work.
- (2) He possesses the professional and academic qualifications which the country needs and which are not possessed by citizens or the available number of such citizens is insufficient to meet the needs, or that he belongs to the class of ordinary workers that the country needs.
- (3) He has a contract with the employer and is under his responsibility.

The word "work" in this Article means any industrial, commercial, agricultural, financial or other work, and any service including domestic service.

Article (34):

No permit or license required by any other agency for engaging in a work or a profession may substitute for the said work permit.

PART III
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Article (35):

Prior to renewing the work permit, it shall be ascertained that none of the Saudi applicants possesses the required qualifications and is willing to undertake the same work.

Article (36):

The Minister shall issue a decision specifying the professions and jobs which are prohibited for non-Saudis.

Article (37):

The work contract for non-Saudis shall be written and of a specified period. If the contract does not specify the duration, the duration of the work permit shall be deemed as the duration of the contract.

Article (38):

An employer may not employ the worker in a profession other than the one specified in his work permit. Before following the legal procedures for changing the profession, a worker is prohibited to engage in a profession other than his.

Article (39):

- (1) Unless he has followed the stipulated legal rules and procedures, an employer may not allow his worker to work for others, and a worker may not work for other employers. Similarly, an employer may not employ workers of other employers.
- (2) An employer may not allow a worker to work for his own account and a worker may not work for his own account.

PART III
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Article (40):

- (1) An employer shall incur the fees pertaining to recruitment of non-Saudi workers, the fees of the residence permit (Iqama) and work permit together with their renewal and the fines resulting from their delay, as well as the fees pertaining to change of profession, exit and re-entry visas and return tickets to the worker's home country at the end of the relation between the two parties.
- (2) A worker shall incur the costs of returning to his home country if he is unfit for work or if he wishes to return to his home country without a legitimate reason.
- (3) An employer shall bear the fees of transferring the services of a worker who wishes to transfer his service to him.
- (4) An employer shall be responsible for the cost of preparing the body of a deceased worker and transporting it to the location where the contract was concluded, or where the worker was recruited unless the worker is interred in the Kingdom with the approval of his family. The employer shall be relieved if the General Organization for Social Insurance (GOSI) undertakes the same.

Article (41):

The Regulations shall specify the conditions for recruitment from abroad, transfer of services and change of profession, and the controls and procedures thereof.

PART IV
TRAINING AND QUALIFICATION



PART IV

**TRAINING AND
QUALIFICATION**

Chapter One

Training and Qualification of the Employer's Workers

Article (42):

An employer shall be required to prepare his Saudi workers and enhance their technical, administrative, vocational and other skills for the purpose of gradually replacing non-Saudis.

The employer shall keep a record showing the names of the Saudi workers who have replaced the non-Saudis in accordance with the conditions and rules set forth in the Regulations.

Article (43):

Without prejudice to the conditions set forth in concession and other agreements relative to training, qualification, education, and scholarships, every employer employing fifty or more workers shall annually train, in his business, a number of his Saudi workers not less than 6% of the total number of his workers. The Minister may raise this percentage in certain firms pursuant to a decision by him.

Article (44):

The training program shall provide for the rules and conditions to be followed in training, its duration, number of hours, the theoretical and practical training programs, method of testing and certificates to be granted in this regard. The Regulations shall set forth the general criteria and rules to be followed in this regard to raise the worker's level of performance in terms of skills and productivity.

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**TRAINING AND
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Chapter Two

**Qualification and Training Contract of Workers other
than the Employer's**

Article (45):

The training or qualification contract is a contract which commits the employer to train and qualify a person for a specific profession.

Article (46):

The training or qualification contract shall be in writing, indicating the profession for which the training is contracted, the duration of training and successive stages, and the allowance to be paid to the trainee in each stage, provided that it is not based on piecemeal or productivity.

Article (47):

The Minister may require the firms, to be identified pursuant to a decision by him, to accept a certain number or percentage of the students and graduates of colleges, institutes and centers to receive training and supplementary practical experience in accordance with the conditions, circumstances, durations and trainee allowances to be specified in an agreement to be concluded between the Ministry and the management of the relevant firm.

PART IV

**TRAINING AND
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Chapter Two

**Qualification and
Training Contract of
Workers other than
the Employer's**

Article (48):

The employer may terminate the training or qualification contract if the trainee, in his opinion, is not amenable to or incapable of completing the training program in a beneficial manner. The trainee, his guardian or trustee shall have the same right. The party wishing to terminate the contract shall notify the other party at least one week prior to the date of cessation of the training. The employer may require the trainee to work for him upon completion of the training period for a period not to exceed twice the duration of the training or one year, whichever is longer.

Article (49):

The training and qualification contract shall be subject to this Law's provisions on annual vacations, official holidays, maximum working hours, daily and weekly rest periods, occupational health and safety rules, work injuries and their conditions as well as whatever is decided by the Minister.

PART V
WORK RELATIONS



PART V
WORK
RELATIONS

Chapter One
Work contract

Article (50):

A work contract is a contract concluded between an employer and a worker, whereby the latter undertakes to work under the management or supervision of the former for a wage.

Article (51):

The work contract shall be in duplicates, one copy to be retained by each of the two parties. However, a contract shall be deemed to exist even if not written. In this case the worker alone may establish the contract and his entitlements arising therefrom by all methods of proof. Either party may at any time demand that the contract be in writing.

As for workers of the government and public corporations, the appointment decision or order issued by the competent authority shall serve as the contract.

Article (52):

The work contract shall primarily include the name of the employer, venue, the name of the worker, nationality, identification, wage agreed upon, type and location of work, date of employment, duration of the contract if fixed, subject to the provisions of Article 37 of this Law.

Article (53):

If the worker is subject to a probation period, the same shall be expressly

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WORK RELATIONS

Chapter One

Work contract

stated and clearly indicated in the work contract. Such probation period shall not exceed ninety days, exclusive of Eid al-Fitr and Eid al-Adha holidays and sick leaves. Each party shall have the right to terminate the contract during this period, unless the contract embodies a clause giving the right to terminate the contract to only one of them.

Article (54):

A worker may not be placed on probation more than once by the same employer. As an exception to this, the worker may, with the approval of the contract parties, be subjected to another probation period of not more than ninety days on the condition that this period involves another profession or work. If the contract is terminated during the probation period, neither party shall be entitled to compensation nor shall the worker be entitled to an end-of-service award.

Article (55):

- (1) The fixed-term contract shall terminate upon expiration of its term. If the two parties continue to implement it, it shall be deemed renewed for an indefinite period of time, subject to the provisions of Article (37) of this Law for non-Saudi workers.
- (2) If the fixed-term contract incorporates a clause providing for its renewal for a similar term or a specified term, the contract shall be renewed for the period agreed upon. If the contract is renewed for two consecutive terms or if the original contract term and the renewal period amount to three years, whichever is less, and the two parties continue to implement it, the contract shall become an indefinite term contract.

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Work contract

Article (56):

In all cases where the contract term is renewed for a specific period of time, the contract renewal period shall be an extension of the original term in determining the worker's rights which takes into account the worker's period of service.

Article (57):

If the contract involves performance of a specific work, it shall terminate with the completion of the work agreed upon.

Article (58):

The employer may not transfer the worker from his original workplace to another place that entails a change in his place of residence, if such transfer is likely to cause serious harm to the worker and is not justified by the nature of work.

Article (59):

A monthly-paid worker may not be reclassified as a daily-paid, a weekly-paid or an hourly-paid worker nor as a worker paid by piecework, unless the worker agrees thereto in writing and without prejudice to the rights he has acquired during the period he spent as a monthly-paid worker.

Article (60):

Without prejudice to the provisions of Article (38) of this Law, a worker may not be assigned duties which are essentially different from the work agreed upon without his written consent, except in cases of necessity dictated by transient circumstances and for a period not exceeding thirty days a year.

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Chapter Two
Duties and Disciplinary Rules

First: Employers' Duties

Article (61):

In addition to the duties provided for in this Law and the regulations and decisions issued for its implementation, the employer shall be required to:

- (1) Refrain from using the worker without pay and shall not, without a judicial instrument, withhold the worker's wages or any part thereof. The employer shall treat his workers with due respect and refrain from any action or utterances that may infringe upon their dignity and religion.
- (2) Give the workers the time required to exercise their rights as provided for in this Law without any deductions from their wages against such time. He may regulate the exercise of this right in a manner not detrimental to the work progress.
- (3) Facilitate for the employees of the competent authorities any task related to the enforcement of the provisions of this Law.

Article (62):

If the worker reports to work on the prescribed time or expresses his readiness to perform his work at such times but is prevented from doing so only by a cause which is ascribed to the employer, the worker shall be entitled to the wage for the period during which no work is performed.

PART V

**WORK
RELATIONS**

Chapter Two

**Duties and
Disciplinary Rules**

Article (63):

The employer, his agents, or any person having authority over the workers shall forbid entry of any illegal substances into the places of work. Anyone who is found in possession of or consumes such substance shall be subject to the punishments provided for in this Law on, without prejudice to the other punishments provided for in Shari'ah.

Article (64):

Upon expiration of the work contract, the employer shall be required to:

- (1) Give the worker, upon his request and free of charge, a certificate of work experience, indicating date of his employment, date of end of work, his profession, and the last wage received. If the certificate contains any remarks that are prejudicial to the worker's reputation or likely to limit his employment chances, the reasons shall be given.
- (2) Return to the worker all certificates and documents he had submitted.

Second: Worker's Duties

Article (65):

In addition to the duties provided for in this Law and the regulations and decisions in implementation thereof, the worker shall be required to:

- (1) Perform the work in accordance with the trade practice and the employer's instructions provided that such instructions do not conflict with the contract, the law or public morality and that they do not expose him to any undue hazards.

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Chapter Two
Duties and
Disciplinary Rules

- (2) Take due care of the employer's machinery, tools, supplies and raw materials placed at his disposal or in his custody and return to the employers the unused materials.
- (3) Abide by proper conduct and ethical norms during work.
- (4) Extend all assistance and help without making it contingent on additional pay in cases of disasters or hazards threatening the workplace or the persons working therein.
- (5) Undergo, upon the employer's request, the medical examinations required prior to or during employment to ensure that he is free from occupational or communicable diseases.
- (6) Keep confidential the technical, trade and industrial secrets of the products or which he directly or indirectly contributed to their production, as well as all trade secrets related to the work or the firm, the disclosure of which is likely to cause damage to the employer's interests.

Third: Disciplinary Rules

Article (66):

The disciplinary penalties that the employer may inflict on the worker:

- (1) Warning.
- (2) Fines.
- (3) Withholding allowance or postponing it for a period not exceeding one year if prescribed by the employer.

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- (4) Postponement of promotion for a period not exceeding one year if prescribed by the employer.
- (5) Suspension from work and withholding of wages.
- (6) Dismissal from work in cases set forth by the law.

Article (67):

An employer may not inflict on a worker a penalty not provided for in this Law or in the work organization regulation.

Article (68):

The penalty shall not be made harsher in the event of repeated violation if one hundred eighty days have elapsed since the previous violation was committed, calculated from the date the worker is informed of the penalty for that violation.

Article (69):

A worker may not be accused of any offense discovered after the elapse of more than thirty days, nor shall he be subjected to a disciplinary penalty after the elapse of more than thirty days from conclusion of the investigation and establishment of the worker's guilt.

Article (70):

A worker may not be subjected to disciplinary penalty for an act committed outside the workplace unless such act is related to the job, the employer or the manager in-charge.

Nor may a worker be fined for a single violation an amount in excess of a

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five-day wage, and no more than one penalty shall be applied for the same violation. No more than a five-day wage shall be deducted from his wages in one month in payment of fines, or his suspension from work without pay may not exceed five days a month.

Article (71):

A disciplinary action may not be imposed on a worker except after notifying him in writing of the allegations, interrogating him, hearing his defense and recording the same in minutes to be kept in his file. The interrogation may be verbal in minor violations the penalty for which does not go beyond a warning or a deduction of a one-day salary. This shall be recorded in minutes.

Article (72):

The worker shall be notified in writing of the decision of imposing the penalty on him. If he refuses to receive the same or if he is absent, the notice shall be sent to the address shown in his file by registered mail. The worker may object to the decision of imposing the penalty upon him within fifteen days, excluding official holidays, from the date of notifying him of the final decision. The objection shall be filed with the Commission for the Settlement of Labor Disputes which shall be required to issue its decision within thirty days from the date of registering the objection.

Article (73):

Fines imposed on the workers shall be entered in a special record, showing the worker's name, his wages, the amount of the fine, reasons and date of the fine. Such fines may not be disposed of except for the benefit of the firm's workers, upon the Ministry's approval.

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Chapter Three
Termination of Work Contract:

Article (74):

A work contract shall terminate in the following cases:

- (1) If both parties agree to terminate it, provided that the worker's consent be in writing.
- (2) If the term specified in the contract expires, unless the contract has been explicitly renewed in accordance with the provisions of this Law in which case it shall remain in force until the expiry of its term.
- (3) At the discretion of either party in indefinite term contracts.
- (4) The worker attains the age of retirement, which is sixty years for males and fifty five years for females, unless the two parties agree upon continuing work after this age. The retirement age may be reduced in cases of early retirement as provided for in the work organization regulation. If it is a fixed-term work contract which extends beyond the retirement age, it shall terminate at the end of its term.
- (5) Force majeure.

The provisions of Paragraph (4) of this Article shall apply two years after this Law enters into force.

Article (75):

If the contract is of an indefinite term, either party may terminate it for a

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Work Contract:

valid reason to be specified in a written notice to be served to the other party at least thirty days prior to the termination date if the worker is paid monthly and not less than fifteen days for others.

Article (76):

If the party terminating the contract does not observe the period provided for in Article (75) of this Law, such party shall be required to pay the other party compensation equal to the worker's wage for the duration of the notice or the balance thereof. The last wage received by the worker shall serve as the basis for estimating the compensation for workers who are paid by the time frame criterion. For workers who are paid by another criterion, the estimation shall take into account the provisions of Article (96) of this Law.

Article (77):

If the contract is terminated for an invalid reason, the party who is harmed by such termination shall be entitled to indemnity to be assessed by the Commission for the Settlement of Labor Disputes, taking into account the termination circumstances and actual and potential material and moral damages sustained.

Article (78):

A worker who has been dismissed from work without valid reason may demand reinstatement. Such claims shall be considered in accordance with the provisions of this Law and the Litigation Regulations before the Commissions for the Settlement of Labor Disputes.

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Chapter Three

**Termination of
Work Contract:**

Article (79):

A work contract shall not expire by the death of the employer unless his person has been taken into consideration in concluding the contract, but shall expire with the death or incapacity of the worker in accordance with a medical report approved by the competent health authority or the authorized physician designated by the employer.

Article (80):

An employer may not terminate the contract without an award, advance notice or indemnity except in the following cases, and provided that he gives the worker a chance to state his reasons for objecting to the termination:

- (1) If, during or by reason of the work, the worker assaults the employer, the manager in-charge or any of his superiors.
- (2) If the worker fails to perform his essential obligations arising from the work contract, or to obey legitimate orders, or if, in spite of written warnings, he deliberately fails to observe the instructions related to the safety of work and workers as may be posted by the employer in a prominent place.
- (3) If it is established that the worker has committed a misconduct or an act infringing on honesty or integrity.
- (4) If the worker deliberately commits any act or default with the intent to cause material loss to the employer, provided that the latter shall report

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the incident to the appropriate authorities within twenty-four hours from being aware of such occurrence.

- (5) If the worker resorts to forgery in order to obtain the job.
- (6) If the worker is hired on probation.
- (7) If the worker is absent without valid reason for more than twenty days in one year or for more than ten consecutive days, provided that the dismissal be preceded by a written warning from the employer to the worker if the latter is absent for ten days in the first case and for five days in the second.
- (8) If the worker unlawfully takes advantage of his position for personal gain.
- (9) If the worker discloses work- related industrial or commercial secrets.

Article (81):

Without prejudice to all of his statutory rights, a worker may leave his job without notice in any of the following cases:

- (1) If the employer fails to fulfill his essential contractual or statutory obligations towards the worker.
- (2) If the employer or his representative resorts to fraud at the time of contracting with respect to the work conditions and circumstances.
- (3) If the employer assigns the worker, without his consent, to perform a work which is essentially different from the work agreed upon and in violation of provisions of Article (60) of this Law.

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Work Contract:

- (4) If the employer, a family member or the manager in-charge commits a violent assault or an immoral act against the worker or any of his family members.
- (5) If the treatment by the employer or the manager in-charge is characterized by cruelty, injustice or insult.
- (6) If there exists in the workplace a serious hazard threatening the safety or health of the worker, provided that the employer is aware thereof but fails to take measures indicating its removal.
- (7) If the employer or his representative, through his actions and particularly his unjust treatment or violation of the terms of the contract, has caused the worker to appear as the party terminating the contract.

Article (82):

An employer may not terminate the worker's services on account of illness prior to availing him of the period designated for sick leave as provided for in this Law. The worker may request that his sick leave be combined with his annual leave.

Article (83):

If the work assigned to the worker allows him to get acquainted with the employer's customers, or to have access to his business secrets, the employer may require the worker in the contract not to compete with him or reveal his secrets upon expiration of the contract. For this condition to be valid, it shall be in writing and specific in terms of time, place and type of work and to the extent required to protect the legitimate interests of the employer. In all cases, the duration of such agreement shall not exceed two years from the date of termination of the relationship between the two parties.

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Chapter Four
End-of-Service Award

Article (84):

Upon the end of the work relation, the employer shall pay the worker an end-of-service award of a half-month wage for each of the first five years and a one-month wage for each of the following years. The end-of-service award shall be calculated on the basis of the last wage and the worker shall be entitled to an end-of-service award for the portions of the year in proportion to the time spent on the job.

Article (85):

If the work relation ends due to the worker's resignation, he shall, in this case, be entitled to one third of the award after a service of not less than two consecutive years and not more than five years, to two thirds if his service is in excess of five successive years but less than ten years and to the full award if his service amounts to ten or more years.

Article (86):

As an exception to the provision of Article (8) of this Law, it may be agreed that the wage used as a basis for calculating the end-of-service award does not include all or some of the commissions, sales percentages, and similar wage components paid to the worker which are by their nature subject to increase or decrease.

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**End-of-Service
Award**

Article (87):

As an exception to the provisions of Article (85) of this Law, the worker shall be entitled to the full award if he leaves the work due to a force majeure beyond his control. A female worker shall likewise be entitled to the full award if she ends her contract within six months from the date of her marriage or three months from the date of giving birth.

Article (88):

Upon the end of the worker's service, the employer shall pay his wages and settle his entitlements within a maximum period of one week from the date of the end of the contractual relation. If the worker ends the contract, the employer shall settle all his entitlements within a period not exceeding two weeks. The employer may deduct any work-related debt due to him from the worker's entitlements.

PART VI

WORK CONDITIONS AND CIRCUMSTANCES



PART VI
WORK
CONDITIONS AND
CIRCUMSTANCES

Chapter One
Wages

Article (89):

The Council of Ministers may, when necessary and upon a proposal by the Minister, set a minimum wage.

Article (90):

- (1) The worker's wages and all other entitlements shall be paid in the Country's official currency. Wages shall be paid during working hours and at the workplace in accordance with the following provisions:
 - (1.1) Workers paid on a daily basis shall be paid at least once a week.
 - (1.2) Workers paid on a monthly basis shall be paid once a month.
 - (1.3) If the work is done by the piece and requires a period of more than two weeks, the worker shall receive a payment each week commensurate with the completed portion of the work. The balance of the wage shall be paid in full during the week following delivery of the work.
 - (1.4) In cases other than the above, the worker's wages shall be paid at least once a week.
- (2) Wages may be paid through accredited banks in the Kingdom, with the consent of the worker, provided that their due dates do not exceed the dates specified above.

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Article (91):

- (1) If the worker, as a result of his own fault or violation of the employer's instructions and not as a result of a third party's fault or a force majeure, causes loss, damage or destruction to machineries or products owned by the employer while in his custody, the employer may deduct from the worker's wage the amount necessary for repair or restoration to the original condition, provided that such deductions do not exceed a five-day wage per month. The employer may file a grievance, if necessary, demanding more deductions if the worker has other properties from which collections may be made. The worker may file a grievance with the Commission for the Settlement of Labor Disputes regarding the allegations leveled at him or the employer's estimation of the damages. If the Commission rules that the employer is not entitled to claim such deductions or if it awards the employer a lower amount, the employer shall return to the worker the amounts unjustifiably deducted, within seven days from the date of the award.
- (2) Either party shall file its grievance within fifteen work days; otherwise, it shall forfeit his right thereto. For the employer, the date of filing the grievance shall be from the date the occurrence is discovered, and for the worker from the date of his notification of the same by the employer.

Article (92):

No amount shall be deducted from the worker's wages against private rights without his written consent, except in the following cases:

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- (1) Repayment of loans extended by the employer, provided that such deductions do not exceed 10% of his wage.
- (2) Social insurance or any other contributions due on the workers as provided for by law.
- (3) Worker's contributions to thrift funds or loans due to such funds.
- (4) Installments of any scheme undertaken by the employer involving home ownership programs or any other privilege.
- (5) Fines imposed on the worker on account of violations committed, as well as deductions made for damages caused.
- (6) Any debt collected in implementation of a judicial judgment, provided that the monthly deduction shall not exceed one quarter of the worker's wage, unless the judgment provides otherwise.

First to be collected is alimony, followed by food, clothing and accommodation debts, before other debts.

Article (93):

In all cases, deductions made may not exceed half the worker's due wage, unless the Commission for the Settlement of Labor Disputes determines that further deductions can be made or that the worker is in need of more than half his wage. In the latter case, the worker may not be given more than three quarters of his wage.

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**Chapter One
Wages**

Article (94):

- (1) If any amount is deducted from the worker's wages for reasons other than those specified in this Law without his written consent, or if the employer delays, without a valid justification, payment of the worker's wages beyond the due date set forth in the Law, the worker, his representative or the head of the competent Labor Office may submit a request to the Commission for the Settlement of Labor Disputes to order the employer to return to the worker any wrongfully-deducted amounts or to pay him his outstanding wages.
- (2) The said Commission may, if it establishes that the employer has unjustifiably deducted the said amounts or delayed the payment of the wages, impose on the employer a fine not exceeding twice the amount deducted from the worker's wage or twice the outstanding wages.

Article (95):

- (1) If the work contract or the work organization regulation does not provide for the wage binding on the employer, the wage estimated for the same type of work in the firm, if any, shall be adopted; otherwise, the wage shall be estimated in accordance with the profession's norms at the place where the work is performed. In the absence of such norms, the Commission for Settlement of Labor Disputes shall estimate the wage in accordance with the dictates of justice.

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Wages

(2) The same shall also apply in determining the type and scope of the service that the worker is required to render.

Article (96):

(1) If the worker's wage is determined on the basis of piecework or productivity, the average wage which the worker receives for his actual workdays during the last year of his service shall be used as the basis for calculating any entitlements determined for the worker under this Law.

(2) If the entire wage is the amounts received as commissions, a percentage of sales or the like which are by nature subject to increases or decreases, the daily average wage shall be calculated on the basis of the amounts the worker receives for the actual work days, divided by them.

Article (97):

If a worker is detained or taken into custody by the competent authorities in cases related to work or occasioned by it, the employer shall continue to pay the worker 50% of the wage until the case is decided, provided that the period of detention or custody shall not exceed one hundred eighty days. If said period exceeds that, the employer shall not be required to pay any portion of the wage for the excess period. If the worker is acquitted or the investigation is closed for lack of evidence or invalidity thereof, the employer shall return to the worker the amount previously deducted from his wage. However, if he is convicted, none of the payments made shall be recovered unless the judgment provides otherwise.

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WORK
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Chapter Two
Working Hours

Article (98):

A worker may not actually work for more than eight hours a day if the employer uses the daily work criterion, or more than forty-eight hours a week if he uses the weekly criterion. During the month of Ramadan, the actual working hours for Muslims shall be reduced to a maximum of six hours a day or thirty-six hours a week.

Article (99):

The number of working hours provided for in Article (98) of this Law may be raised to nine hours a day for certain categories of workers or in certain industries and jobs where the worker does not work continuously. It may likewise be reduced to seven hours a day for certain categories of workers or in certain hazardous or harmful industries or jobs. Categories of workers, industries and jobs referred to shall be determined pursuant to a decision by the Minister.

Article (100):

In firms where work is done in shifts, an employer may, with the Ministry's approval, increase the number of working hours to more than eight hours a day or forty eight hours a week, provided that the average working hours in three weeks time shall not be more or less than eight hours a day or forty eight hours a week.

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Chapter Three
Rest Periods and Weekly Rest Days

First: Rest Periods

Article (101):

Working hours and rest periods during the day shall be scheduled so that no worker shall work for more than five consecutive hours without a break of no less than thirty minutes each time during the total working hours for rest, prayer and meals, provided that a worker shall not remain at the workplace for more than eleven hours a day.

Article (102):

The periods designated for rest, prayers and meals shall not be included in the actual working hours. During such periods, the worker shall not be under the employer's authority. The employer shall not require the worker to remain at the workplace during such breaks.

Article (103):

The Minister may specify, pursuant to a decision by him, the cases and jobs where work shall, for technical reasons or operational conditions, continue without breaks. In such cases and jobs, the employer shall allow prayer, meal and rest periods to be scheduled during working hours by the management of the firm.

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Chapter Three

**Rest Periods and
Weekly Rest Days**

Second: Weekly Rest Days

Article (104):

(1) Friday shall be the weekly rest day for all workers.

After proper notification of the competent labor office, the employer may replace this day for some of his workers by any other day of the week. The employer shall allow the workers to perform their religious obligations. The weekly rest day may not be compensated by cash.

(2) The weekly rest day shall be at full pay and shall not be less than twenty-four consecutive hours.

Article (105):

As an exception to the provisions of Article (104) of this Law, in remote areas and in jobs where the nature of work and operational conditions require continuous work, weekly rest periods accruing to the worker may be consolidated for up to eight weeks if the employer and the workers agree to that effect, subject to the Ministry's approval. In calculating the consolidated weekly rest periods, it shall be taken into consideration that said periods begin at the hour the workers arrive at the nearest city with transportation services and end at the hour the workers return to it.

Article (106):

An employer may not comply with the provisions of Articles (98), (101) and Paragraph (1) of Article (104) of this Law, in the following cases:

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- (1) Annual inventory activities, preparation of the budget, liquidation, closing of accounts and preparations for discount and seasonal sales, provided that the number of days during which the workers work shall not exceed thirty days a year.
- (2) If the work is intended to prevent a hazardous accident, remedy its impact or avoid an imminent loss of perishable materials.
- (3) If the work is intended to meet unusual work pressure.
- (4) Eids, other seasons, occasions and seasonal activities specified pursuant to a decision by the Minister.

In all of the above cases, the actual working hours shall not exceed ten hours a day or sixty hours a week. The maximum overtime hours allowed per year shall be determined by a decision of the Minister.

Article (107):

- (1) The employer shall pay the worker for overtime working hours an additional amount equal to the hourly wage plus 50% of his basic wage.
- (2) If the firm is operated on the basis of weekly working hours, the hours in excess of the hours taken as the criterion shall be deemed overtime hours.
- (3) All working hours performed during holidays and Eids shall be deemed overtime hours.

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Chapter Three

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Weekly Rest Days**

Article (108):

The provisions of Articles (98) and (101) of this Law shall not apply to the following cases:

- (1) Persons occupying high positions of authority in management and policy, if such positions grant the persons occupying them authority over workers.
- (2) Preparatory or supplemental works which must be completed before or after commencement of work.
- (3) Work that is intermittent by necessity.
- (4) Guards and janitors, excluding civil security guards.

The Regulations shall specify the jobs listed under paragraphs (2), (3) and (4) of this Article and their maximum working hours.

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Chapter Four

Leaves

Article (109):

- (1) A worker shall be entitled to a prepaid annual leave of not less than twenty one days, to be increased to a period of not less than thirty days if the worker spends five consecutive years in the service of the employer.
- (2) A worker shall enjoy his leave in the year it is due. He may not forgo it or receive cash in lieu during his period of service. The employer may set the dates of such leave according to work requirements or may grant them in rotation to ensure smooth progress of work. The employer shall notify the worker of the date of his leave in sufficient time of not less than thirty days.

Article (110):

- (1) A worker may, with the employer's approval, postpone his annual leave or days thereof to the following year.
- (2) An employer may postpone, for a period of not more than ninety days, the worker's leave after the end of the year it is due if required by work conditions. If work conditions require extension of the postponement, the worker's consent must be obtained in writing. Such postponement shall not, however, exceed the end of the year following the year the leave is due.

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Chapter Four
Leaves

Article (111):

A worker shall be entitled to a wage for the accrued days of the leave if he leaves the work without using such leave. This applies to the period of work for which he has not used his leave. He is also entitled to a leave pay for the parts of the year in proportion to the part he spent at work.

Article (112):

Each worker shall be entitled to full-pay leave on Eids and occasions specified in the Regulations.

Article (113):

A worker shall be entitled to one day of paid leave in the case of childbirth and three days for marriage or in the case of the death of a spouse or one of his ascendants and descendants.

The employer may request supporting documents for cases referred to.

Article (114):

A worker shall be entitled to a paid leave of not less than ten days and not more than fifteen days, including Eid Al-Adha holiday, to perform Hajj only once during his service if he has not performed it before. To be eligible for this leave, the worker must have spent at least two consecutive years of service with the employer. The employer may determine the number of workers who shall be given this leave annually in accordance with work requirements.

Article (115):

A worker enrolled in an educational institution shall have the right to a fully paid leave to sit for an examination of an unrepeated year. Days of

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leave shall be based on the actual number of the examination days. However, for the examinations of a repeated year, the worker shall be entitled to unpaid leave to sit for the examinations. The employer may require the worker to submit documents in support of the leave application as well as proof of having taken the examination. The worker shall apply for the leave at least fifteen days ahead of the due date. Without prejudice to disciplinary action, the worker shall be denied the wage if it is proven that he had not taken the examination.

Article (116):

A worker, subject to the employer's approval, may obtain leave without pay for a duration to be agreed upon by the two parties. The work contract shall be deemed suspended for the duration of the leave in excess of twenty days, unless both parties agree otherwise.

Article (117):

A worker whose illness has been proven shall be eligible for a paid sick leave for the first thirty days, three quarters of the wage for the next sixty days and without pay for the following thirty days, during a single year, whether such leaves are continuous or intermittent.

A single year shall mean the year which begins from the date of the first sick leave.

Article (118):

A worker may not work for another employer, while enjoying any of his leaves provided for in this Chapter. If the employer proves that the worker has violated this provision, he may deprive him of his wages for the duration of the leave or recover any wages previously paid to him.

PART VII
PART-TIME WORK



PART VII

PART-TIME WORK


Article (119):

Full-time workers who are affected by a collective temporary reduction in their normal working hours for economic, technical or structural reasons shall not be considered part-time workers.

Article (120):

The Minister shall issue the necessary rules and controls for organizing part-time work, indicating therein the obligations of the part-time workers and employers. To the exclusion of the protection extended to the similar full-time workers in terms of occupational health and safety and work injuries, the provisions of this Law shall apply only to the extent determined by the Minister.

PART VIII
PROTECTION AGAINST OCCUPATIONAL HAZARDS,
MAJOR INDUSTRIAL ACCIDENTS AND WORK INJURIES,
AND HEALTH AND SOCIAL SERVICES



PART VIII
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Chapter One
Protection Against Occupational Hazards

Article (121):

An employer shall maintain the firm in a clean and hygienic condition. He shall provide lighting, supply potable and washing water and comply with other rules, measures and standards of occupational protection, health and safety in accordance with what is specified in the Minister's decision.

Article (122):

An employer shall take the necessary precautions to protect the workers against hazards, occupational diseases, the machinery in use, and shall ensure work safety and protection. He shall post in a prominent place in the firm the instructions related to work and workers safety in Arabic and, when necessary, in any other language that the workers understand. The employer may not charge the workers or deduct from their wages any amounts for the provision of such protection.

Article (123):

An employer shall inform the worker, prior to engaging in the work, of the hazards of his job and shall require him to use the prescribed protective equipment. The employer shall supply the workers with the appropriate personal gear and train them on their use.

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Article (124):

A worker shall use and preserve the personal protective equipment designated for each process and shall carry out the instructions established to protect his health against injuries and diseases. He shall refrain from any action or omission that may lead to failure to implement the instructions, misuse or impair the devices provided to protect the workplace as well as the health and safety of fellow workers.

Arti64 (125):

An employer shall take necessary precautions for protection against fire and provide the technical means to combat it, including safety exits which shall be maintained in working condition at all times. He shall post in a prominent location in the workplace detailed instructions for fire prevention devices.

Article (126):

An employer shall be responsible for emergencies and accidents which may affect persons, other than his workers, who enter the workplaces by virtue of their official duties or with the approval of the employer or his agents, if such emergencies and accidents are due to negligence in taking the technical precautions required by the nature of his work, and he shall compensate them for damage and harm they may sustain in accordance with the general laws.

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**Chapter Two
Protection Against Major Industrial Accidents**

Article (127):

The provisions of this Chapter shall apply to high risk firms.

Article (128):

- (1) The term “high risk firm” shall mean the firm which produces, prepares, disposes of, handles, uses or stores, on a permanent or temporary basis, one or more hazardous substances, or categories of these substances in quantities that exceed allowable limits the exceeding of which results in listing the firm among the high risk firms.
- (2) The term “hazardous substance” shall mean any material or a mixture of substances that constitutes a hazard on account of its chemical, physical or toxic properties either alone or in combination with other substances.
- (3) The term “major accident” shall mean any sudden occurrence such as a major leak, fire or explosion in the course of an activity within the high risk firm and which involves one or more hazardous substances posing a great immediate or potential danger to the workers, the public or the environment.

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Article (129):

The Ministry shall establish controls to identify the high risk firms according to the hazardous materials list, their categories or both.

Article (130):

The employers shall coordinate with the Ministry to determine the status of their firms on the basis of the controls referred to in Article (129) of this Law.

Article (131):

The Minister shall issue the regulations and decisions embodying the necessary arrangements at firm level for protection against major hazards, related duties of the employers, arrangements for protecting the public and the environment outside the site of each high risk firm, the worker's rights and duties, and other measures necessary to prevent major accidents, minimize their the risks of their occurrence and mitigate their impacts.

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**Chapter Three
Work Injuries**

Article (132):

The provisions of this Chapter shall not apply to the firms subject to the Occupational Hazards Branch of the Social Insurance Law.

Article (133):

If a worker sustains a work injury or an occupational disease, the employer shall be required to treat him and assume directly or indirectly all necessary expenses, including hospitalization, medical examinations and tests, radiology, prosthetic devices and transportation expenses to treatment centers.

Article (134):

An injury shall be deemed a work injury in accordance with the provisions of the Social Insurance Law. Occupational diseases shall also be considered work injuries and the date of the first medical diagnosis of the disease shall be treated tantamount to the date of injury.

Article (135):

Any relapse or complication arising from an injury shall be deemed an injury and shall be treated as such in terms of aid and treatment.

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Article (136):

Occupational diseases shall be determined in accordance with the Occupational Diseases Schedule provided for in the Social Insurance Law. Degree of total or partial disability shall be determined according to the Disability Percentage Guide provided for in the said Law.

Article (137):

In the case of temporary disability arising from work injury, the injured party shall be entitled to financial aid equal to his full wage for thirty days, then 75% of the wage for the entire duration of his treatment. If one year elapses or it is medically determined that the injured party's chances of recovery are improbable or that he is not physically fit to work, his injury shall be deemed total disability. The contract shall be terminated and the worker shall be compensated for the injury. The employer may not recover the payments made to the injured worker during that year.

Article (138):

If an injury results in a permanent total disability or the death of the injured person, the injured person or his eligible beneficiaries shall be entitled to a compensation equal to his wages for three years, with a minimum of fifty four thousand riyals.

If the injury results in a permanent partial disability, the injured person shall be entitled to a compensation equal to the percentage of the estimated disability in accordance with the approved disability percentage guide

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Chapter Three
Work Injuries

schedule multiplied by the amount of compensation for the permanent total disability.

Article (139):

An employer shall not be required to comply with the provisions of Articles (133), (137) and (138) of this Law if any of the following is established:

- (1) If a worker deliberately injures himself.
- (2) If an injury is caused by intentional misconduct on the part of the worker.
- (3) If a worker refuses to be examined by a physician or refuses to accept treatment by the physician designated by the employer without a valid reason.

Article (140):

Liability of previous employers of a worker suffering from an occupational disease shall be determined in light of the medical report of the attending physician. Previous employers shall be required to pay the compensation provided for in Article (138) of this Law, each in proportion to the period such worker has spent in his service, provided that the industries or occupations they engage in cause the disease the worker suffers from.

Article (141):

The procedures for reporting work injuries shall be determined pursuant to a decision by the Minister.

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Article (142):

An employer shall make available one or more medical aid cabinets, supplied with drugs and other necessities required for first aid.

The Regulations shall specify the contents of such cabinets of first aid means, numbers of such means and quantities of drugs and shall also regulate the method of keeping them and the conditions and requirements to be satisfied by first aid providers.

Article (143):

An employer shall assign one or more physicians to provide, at least once a year, a comprehensive medical examination for his workers who are exposed to any of the occupational diseases listed in the Schedules of Occupational Diseases provided for in the Social Insurance Law. The findings of the examination shall be kept in the employer's records as well as in the workers' files.

Article (144):

An employer shall provide his workers with preventive and therapeutic health care in accordance with the standards set forth by the Minister, taking into consideration whatever is provided for by the Cooperative Health Insurance Law.

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Article (145):

An employer may, subject to the Minister's approval, set up a saving and thrift fund provided that the workers' contribution is optional. The provisions regulating the operations of such funds shall be made public.

Article (146):

An employer shall provide at his own expense all or some of the following, as may be determined by the Minister, to those who work in remote locations:

- (1) Stores for selling food, clothing and other necessities at moderate prices in places where such stores are not available.
- (2) Suitable recreational and educational services and sports facilities annexed to the workplaces.
- (3) Necessary medical arrangements to protect the workers' health and provide comprehensive treatment for their families (family shall mean spouse, children and parents residing with the worker).
- (4) Schools for the workers' children in the absence of sufficient schools in the area.
- (5) Mosques or prayer areas at the workplaces.
- (6) Literacy programs for the workers.

The Regulations shall specify the remote locations.

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Article (147):

An employer operating in remote locations, mines, quarries and oil exploration centers shall provide his workers with accommodation, camps and meals.

The Minister shall determine, pursuant to a decision by him, the conditions and specifications of the accommodations and camps as well as the charges for the accommodations, the number of meals, quantities and kinds of food and related conditions, cost of meals to the worker and any other requirements necessary for the workers' health.

Article (148):

An employer shall provide means for transporting his workers from their place of residence or from a certain gathering point to the places of work and bring them back daily, if the places of work are not served by regular means of transportation at times compatible with the working hours.

PART IX

EMPLOYMENT OF WOMEN



PART IX

**EMPLOYMENT OF
WOMEN**

Article (149):

Taking into consideration the provisions of Article (4) of this Law, women shall work in all fields suitable to their nature. It is prohibited to employ women in hazardous jobs or industries. The Minister pursuant to a decision by him shall determine the professions and jobs that are deemed detrimental to health and are likely to expose women to specific risks; in which cases, women's employment shall be prohibited or restricted under certain terms.

Article (150):

Women may not work during a period of night the duration of which is not less than eleven consecutive hours, except in cases determined pursuant to a decision by the Minister.

Article (151):

A female worker shall be entitled to a maternity leave for the four weeks immediately preceding the expected date of delivery and the subsequent six weeks. The probable date of delivery shall be determined by the physician of the firm or pursuant to a medical report certified by a health authority. A woman may not work during the six weeks immediately following delivery.

Article (152):

During the maternity leave, an employer shall pay the female worker half her wage if she has been in his service for one year or more, and a full wage if she has served for three years or more as of the date of commencement of

**PART IX
EMPLOYMENT OF
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such leave. A female worker shall not be paid any wages during her regular annual leave if she has enjoyed in the same year a maternity leave with full wage. She shall be paid half her wage during the annual leave if she has enjoyed in the same year a maternity leave at half wage.

Article (153):

An employer shall provide medical care for female workers during pregnancy and delivery.

Article (154):

When a female worker returns to work following a maternity leave, she shall be entitled, in addition to the rest periods granted to all workers, to a rest period or periods not exceeding in aggregate one hour a day for nursing her infant. Such period or periods shall be calculated as part of the actual working hours and shall not entail any reduction in wages.

Article (155):

An employer may not terminate the employment of a female worker or give her a warning of the same while on maternity leave.

Article (156):

An employer may not terminate the employment of a female worker during illness resulting from pregnancy or delivery, and such illness shall be established by a certified medical report, provided that the period of her absence does not exceed one hundred and eighty days. The employment of such female worker may not be terminated during the one hundred and eighty days preceding the expected date of delivery in the absence of one of the legitimate causes provided for in this Law.

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Article (157):

A female worker shall forfeit her entitlements under the provisions of this Part if she works for another employer during her authorized leave. In such event, the original employer may deprive her of her wage for the duration of the leave or recover any payments made to her.

Article (158):

In all occupations and places where women are employed, the employer shall provide them with seats for resting.

Article (159):

- (1) An employer who employs fifty female workers and more shall provide them with a suitable place with adequate number of babysitters to look after the children under the age of six years, if the number of children reaches ten and more.
- (2) The Minister may require the employer who employs a hundred women and more in a single city to set up a nursery, either on his own or in conjunction with other employers in the same city, or alternatively to contract with an existing nursery to care for the children of the female workers who are under six years of age during the work periods. In such case, the Minister shall set forth the terms and conditions regulating such facility as well as the charges imposed on the female workers benefiting from service.

Article (160):

A female worker whose husband passes away shall be entitled to a fully paid leave for a minimum period of fifteen days as of the date of death.

PART X
EMPLOYMENT OF MINORS



PART X

EMPLOYMENT OF MINORS

Article (161):

Minors may not be employed in hazardous jobs or harmful industries or in occupations or jobs that may endanger their health, safety or morals due to the nature or conditions of the same. A Minister's decision shall specify such jobs, industries and occupations.

Article (162):

- (1) Any person under the age of fifteen years may not be employed or allowed to enter places of work. The Minister may, pursuant to a decision by him, raise this age limit in certain industries or areas or for certain categories of minors.
- (2) As an exception to Paragraph (1) of this Article, the Minister may allow the employment or work of persons between 13 and 15 years of age in light works, subject to the following conditions:
 - (2.1) Such jobs shall not be potentially harmful to their health or growth.
 - (2.2) Such jobs shall not hinder their school attendance, participation in orientation or vocational training programs, or impair their ability to benefit from their schooling.

Article (163):

Minors may not work during a period of night the duration of which is not less than twelve consecutive hours, except in cases determined pursuant to a decision by the Minister.

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EMPLOYMENT OF
MINORS

Article (164):

Minors may not be made to perform actual work for more than six hours a day for all months except for the month of Ramadhan when the actual working hours shall not exceed four hours. The minor shall not stay at the workplace for more than seven hours. Working hours shall be organized so that a minor may not work for more than four consecutive hours without one or more periods, each not less than half an hour, for rest, food and prayers, provided that the minor does not remain at the workplace for more than seven hours.

Minors may not be made to work during the weekly rest days, Eids, official holidays or annual vacations, nor shall they be subject to the exceptions provided for in Article (106) of this Law.

Article (165):

Prior to employing a minor, the employer shall obtain from him the following documents:

- (1) The national identification card or an official birth certificate.
- (2) A report of physical fitness for the required job issued by a competent physician and duly certified by a health authority.
- (3) The consent of the minor's guardian.

Said documents shall be kept in the minor's personal file.

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Article (166):

An employer shall notify the competent labor office of the employment of each minor within the first week of such employment, and shall keep at the workplace a register for employed minors, showing the name of the minor, his age, full name of his guardian, his place of residence and date of his employment.

Article (167):

The provisions provided for in this Part shall not apply to work undertaken by children and minors in schools for general, vocational or technical education, and in other training institutions, nor shall they apply to work undertaken in firms by persons who are at least fourteen years of age if such work is performed in accordance with the conditions set forth by the Minister and the work constitutes an essential part of the following:

- (1) An educational or training course the primary responsibility for which lies with a school or a training institution.
- (2) A training program all or the major part of which is implemented in a firm if approved by the competent authority.
- (3) An orientation program aimed at facilitating the selection of the career or type of training.

PART XI
MARINE WORK CONTRACT



PART XI

MARINE WORK CONTRACT

Article (168):

The following words and phrases, wherever mentioned in the provisions of this Part, shall have the meanings expressed next to them, unless the context requires otherwise:

Vessel: A floating craft registered in the Kingdom of Saudi Arabia, whose tonnage is not less than five hundred tons.

Vessel chandler: A natural person, public or private firm for whose account the vessel is being rigged.

Captain: A seaman qualified to command a vessel and assume responsibility for it.

Seaman: A person working aboard a vessel on a marine work contract.

Marine work contract: A work contract for a wage concluded between the vessel's owner or chandler or the representative of either of them and a seaman to work on board. Such contract shall be subject to the provisions of this Law, unless they are in conflict with the provisions of this Part and the decisions issued hereunder.

Article (169):

All persons working on a vessel shall be subject to the authority and orders of its captain.

PART XI
MARINE WORK
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Article (170):

All work contracts of seamen working on a vessel shall be entered in the vessel's records or appended thereto. Such contracts shall be drafted in a clear language, and shall indicate whether they are made for a specified period or for a single voyage. If the contract is made for a specified period, this period shall be clearly specified. If it is made for a single voyage, it shall specify the city or harbor where the voyage ends, and at what stage of unloading or loading the vessel at this harbor the contract terminates.

Article (171):

The marine work contract shall provide for date and place of its conclusion, name of the Chandler, name of the seaman, his surname, age, nationality and homeland, type of assigned work, method of performance, certification for work in sea navigation, the personal marine card, wage and duration of the contract. If the contract is for a single voyage, it shall specify the city or harbor where the voyage ends and at what stage during the unloading or loading of the vessel at the harbor the work ends, and other details of the contract.

Such contract shall be made out in triplicates, one copy for the vessel's Chandler, and one for the captain, to be kept aboard the vessel and a copy for the seaman.

Article (172):

The work terms and rules aboard the vessel shall be posted in the crew quarters. These terms and rules shall include the following:

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- (1) Seamen's obligations and duties, organization rules for work aboard the vessel, service timetables and daily working hours.
- (2) Obligations of the vessel's chandler towards seamen in respect of fixed wages, rewards, and other types of wage.
- (3) Method of suspending payment of wages and deductions therefrom and method of advance payments.
- (4) Place and time of settlement of wages as well as final calculation thereof.
- (5) Rules and ways for provision of food and accommodation aboard the vessel.
- (6) Treatment of seamen's illnesses and injuries.
- (7) Conduct of seamen and conditions for their repatriation.
- (8) Seamen's paid annual leaves.
- (9) End-of-service award and other indemnities payable upon termination or expiration of the work contract.

Article (173):

A seaman shall satisfy the following:

- (1) He shall have completed eighteen years of age.
- (2) He shall hold a certificate allowing him to work in marine service.
- (3) He shall be physically fit.

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MARINE WORK
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Article (174):

All the seaman's entitlements shall be paid in the official currency. They may be paid in foreign currency if they become due while the vessel is outside the territorial waters, subject to the seaman's approval.

The seaman may ask the employer to pay his due monetary wage to the person designated by him.

Article (175):

If the voyage is cut short for any reason, voluntarily or forcibly, this shall not entail reduction of the wage of the seaman employed on a marine work contract for a single voyage.

Article (176):

If the wage is set as a share of the profits or the proceeds of the vessel's charter, the seaman shall not be entitled to compensation if the voyage is cancelled nor to a wage increase if the voyage is delayed or extended. If the delay or extension is due to the action of the shippers, the seaman shall be entitled to compensation from the Chandler.

Article (177):

A seaman shall be eligible for pay, through the day of occurrence, if the ship is captured, sinks or becomes unseaworthy.

Article (178):

Seamen shall be provided with food and accommodation at the expense of

PART XI
MARINE WORK
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the vessel Chandler. This shall be regulated by a decision to be issued by the Minister.

Article (179):

Working hours aboard the vessel while on the high seas shall not exceed fourteen hours in a twenty four hour period and not more than seventy two hours in a seven-day period.

Article (180):

A seaman who contributes to aiding or rescuing another vessel is eligible to a share of the reward that the vessel on which he worked is entitled to, regardless of the type of wage of the work performed.

Article (181):

If a seaman dies during the voyage, his heirs shall be eligible to receive his wages through the date of his death, if the wage is on a monthly basis. If the wage is on a voyage basis, the heirs shall be entitled to the full voyage wage, and if the wage is a share of profits, it shall be fully payable. The dues of the deceased or missing seaman, or who is unable to collect his wage shall be deposited with the labor office at the port of destination in the Kingdom.

Article (182):

An employer may terminate the contract without prior notice and without compensation in the following cases:

- (1) If the vessel sinks, is confiscated, goes missing or becomes unseaworthy.

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- (2) If the voyage is cancelled at the outset, for reasons beyond the Chandler's control and the wage is on a single voyage basis, unless the contract provides otherwise.

Article (183):

If the contract expires or is revoked, the employer shall be obligated to:

- (1) return the seaman to the port of departure at the commencement of the contract.
- (2) provide him with food and accommodation until he reaches that port.

Article (184):

A Chandler shall return the seaman to his country in the following cases:

- (1) If the Chandler cancels the voyage after the vessel sails off.
- (2) If the voyage is cancelled after the vessel sails off on account of prohibition of trading with the destination.
- (3) If the seaman is removed from the vessel due to illness, injury or disability.
- (4) If the vessel is sold in a foreign country.
- (5) If the seaman is dismissed from service during the voyage without a legitimate justification.
- (6) If the contract concluded with the seaman expires at a port other than the one provided for in the contract.

PART XII

WORKING IN MINES AND QUARRIES



PART XII

WORKING IN MINES AND QUARRIES

Article (185):

Working in mines and quarries shall mean the following:

- (1) Operations involving prospection, detection, extraction or manufacture of (solid or liquid) mineral substances, including precious stones, in the area for which the license has been issued.
- (2) Operations involving extraction, concentration or manufacture of mineral sediments on or under the ground surface in the area of the license.
- (3) Construction works, installation of structure and equipment related to the operations referred to in Paragraphs (1) and (2) of this Article.

Article (186):

No person under the age of eighteen or any woman regardless of her age shall be employed in a mine or quarry.

Article (187):

No person shall be allowed to engage in operations subject to the provisions of this Part until he undergoes a complete medical examination and proven to be physically fit for the required work. Such examination shall be repeated periodically. The worker may not be required to bear the costs of necessary medical examinations. The Minister shall set forth pursuant to a decision by him the terms, conditions and periods that must be complied with.

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Article (188):

The actual working hours spent by the worker underground shall not exceed seven hours a day. No worker shall be kept at the workplace, above or under ground, for more than ten hours a day. If the work is conducted underground, such a period shall include the time needed for the worker to reach the underground and the time needed to return to the surface.

Article (189):

Access to the work location and facilities shall be prohibited for people other than the workers, persons authorized to inspect the mine or the quarry and persons holding special permits from the competent authority.

Article (190):

An employer shall keep a record to register and count the workers before their entry into the workplace and at the time of their exit therefrom.

Article (191):

An employer or the manager in-charge shall draft a list of orders and instructions related to the public safety.

Article (192):

An employer shall establish a rescue point in the vicinity of the workplace, equipped with necessary rescue and first aid equipment. Said point shall be equipped with suitable means of communication for immediate access and

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the employer shall appoint a trained technician to supervise the rescue and first aid operations.

Article (193):

Without prejudice to the provisions of Article (142) of this Law, the employer of each mine or quarry with at least fifty workers shall set up a suitable location with a room equipped with rescue and first aid equipment, another room for nursing and one or more locker rooms. As for quarries and mines with less than fifty workers located within a twenty-kilometer radius of each other, employers may pool their resources to establish a place of rescue and first aid in between such quarries and mines, or else establish their own places of rescue and first aid.

The Minister may determine the rescue and first aid equipment, protection and prevention measures in mines and quarries as well as employers' responsibilities and workers' rights and duties.

PART XIII
WORK INSPECTION



PART XIII

WORK

INSPECTION

Article (194):

Work inspection shall be undertaken by competent inspectors to be named pursuant to a decision by the Minister. They shall have the powers and authorities provided for in this Law.

Article (195):

In addition to the general conditions for appointment of employees, a work inspector shall satisfy the following requirements when performing his duties:

- (1) Total impartiality.
- (2) Absence of any direct or indirect relation with the firms he inspects.
- (3) Passing a conduct examination following completion of a training period of at least ninety days.

Article (196):

Work inspectors shall have the following powers:

- (1) Monitor the proper implementation of the provisions of the Labor Law and its implementing regulations and decisions.
- (2) Furnishing employers and workers with technical information and guidelines that enable them to follow the best means for implementing the provisions of the Law.

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- (3) Reporting to the competent authorities the shortcomings which the existing provisions fail to remedy and providing relevant suggestions.
- (4) Recording violations of the provisions of the Labor Law and its implementing decisions.

Article (197):

Before assuming their official duties, work inspectors shall take an oath before the Minister to discharge their duties honestly and sincerely, and not disclose the secrets of any industrial invention or any other secrets which may come to their knowledge by reason of their offices, even after leaving such offices. A work inspector shall carry an identification card issued by the Ministry.

Article (198):

Work inspectors shall have the right to:

- (1) Access any firm that is subject to the provisions of the Labor Law at any time, day or night, without prior notice.
- (2) Perform any examination or investigation required to ascertain proper implementation of the Law. They may in particular:
 - (a) Question the employer, his representative or the workers in private or in the presence of witnesses about any matter relating to the implementation of the provisions of the Law.
 - (b) Review all books, records and other documents required to be kept

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pursuant to the provisions of this Law and related decisions, and obtain any copies or extracts therefrom.

- (c) Take sample(s) of the materials used or handled in the industrial and other operations subject to inspection and believed to have a harmful effect on the health or safety of workers, for the purpose of analyzing such samples in government laboratories to determine the extent of such effect, and duly notify the employer or his representative of the same.

Article (199):

Employers and their agents shall facilitate for the inspectors and officials entrusted with work inspection the performance of their duties. They shall provide them with required data related to the nature of their work, respond to requests to appear before them and dispatch a representative when asked.

Article (200):

A person conducting inspection shall notify the employer or his representative of his visit except where he believes that the task for which the inspection is being made requires otherwise.

Article (201):

A work inspector may instruct employers to amend the rules for operating their equipment and machinery at deadlines he specifies, to ensure compliance with the provisions pertaining to workers' health and safety. In the event of a hazard threatening the workers' health and

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safety, the inspector may request the immediate implementation of measures he may deem necessary to prevent such hazard.

Article (202):

A work inspector shall treat with absolute secrecy complaints he receives regarding any shortage in equipment or any violation of the provisions of the Law, and shall not disclose to the employer or his representative the existence of such complaints.

Article (203):

If, in the course of inspection, the inspector concludes the existence of a violation of the provisions of this Law or of any decisions issued hereunder, he shall, provide advice to the employer on how to avoid such violation, serve the employer with a verbal notice or a written warning to rectify the violation within a certain period or else draft a report recording the violation, depending on the seriousness of the violation and the other circumstances that are left to his discretion.

Article (204):

Whenever the need arises, physicians, engineers, chemists, and specialists in occupational health and safety shall participate in the inspection. If necessary, the director of the labor office and inspectors may request the competent executive bodies to extend the required assistance.

Article (205):

The work inspection chief at the labor office shall prepare a monthly report

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on the work inspection activities, the aspects of inspection, the firms inspected, the number and type of violations committed and the actions taken with respect thereto. He shall also prepare an annual report on the inspection undertaken within the jurisdiction of the labor office, its findings and effects, and include therein his comments and proposals. Copies of both reports shall be submitted to the Ministry.

Article (206):

The Deputy Minister for Labor Affairs shall prepare, within a period not exceeding one hundred eighty days from the end of the year, a comprehensive annual report on work inspection in the Kingdom, addressing all matters relating to the Ministry's monitoring of the implementation of the provisions of the Labor Law. In particular, the report shall include the following:

- (1) A statement of the provisions regulating inspection.
- (2) A list of the officials in charge of inspection.
- (3) Statistics on firms that are subject to inspection and number of their workers.
- (4) Statistics on inspectors' visits and inspections.
- (5) Statistics on the violations committed and the penalties imposed.
- (6) Statistics on work injuries.
- (7) Statistics on occupational diseases.

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Article (207):

The Ministry shall prepare forms for recording violations, inspection records, notices and warnings, and shall establish the provisions necessary for the filing and use of such forms and for their distribution to labor offices.

Article (208):

Training courses shall be organized for work inspectors, and shall in particular include the following:

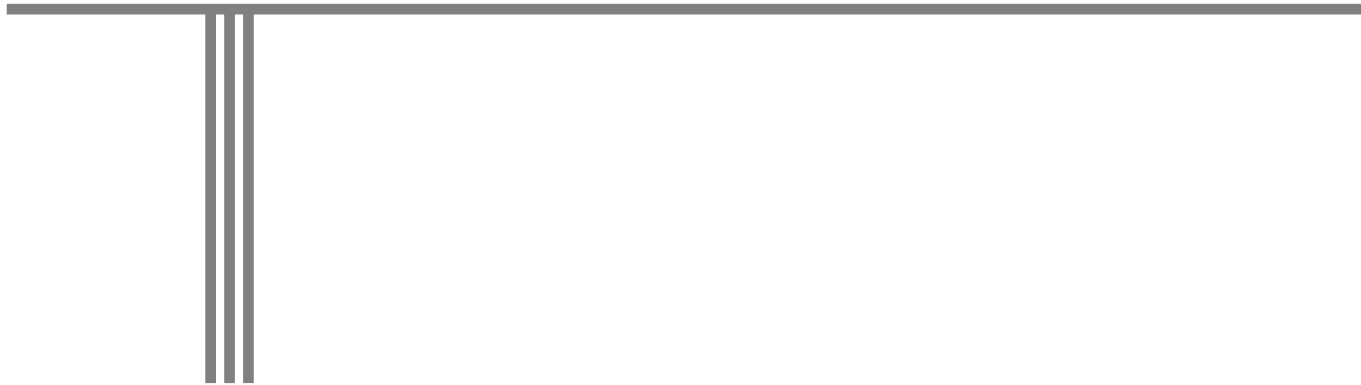
- (1) Principles for organizing inspection visits and communication with employers and workers.
- (2) Principles for auditing books, records and computers, as well as principles for organizing inspection reports and interrogation of persons.
- (3) Principles for guiding employers on the requirements of statutory provisions and the benefits of their application, and assisting them in such application.
- (4) Fundamental principles of industrial technology and means of protection against work injuries and occupational diseases.
- (5) Fundamental principles of production efficiency and its relevance to providing conditions conducive to a proper work environment.

Article (209):

The Council of Ministers shall issue the Implementing Regulations needed to regulate and organize the inspection activities as provided for in this Part.

PART XIV

COMMISSIONS FOR SETTLEMENT OF LABOR DISPUTES



PART XIV

COMMISSIONS FOR SETTLEMENT OF LABOR DISPUTES

Article (210):

Commissions for settlement of labor disputes are:

- (1) The Preliminary Commissions for Settlement of Disputes.
- (2) The High Commission for Settlement of Disputes.

Article (211):

Pursuant to a decision by the Minister and following the approval of the President of the Council of Ministers, members of the preliminary commissions shall be named from among holders of degrees in Shari'ah or law.

Article (212):

Based on a decision by the Minister, a preliminary commission comprising one or more one-member circuits shall be formed in each labor office specified by the Minister. Each of these circuits shall decide the cases referred to it. If the commission comprises more than one circuit, the Minister shall name a head from among the members, who shall, in addition to his duties, assign the cases to commission members and organize the administrative and clerical work.

Article (213):

If no preliminary commission is formed in a labor office, the Minister shall,

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when necessary, delegate the commission formed at the nearest labor office with the duties and jurisdictions of the commission which has not been formed.

Article (214):

The Preliminary Commission shall have jurisdiction to:

(1) Render final decisions on:

- (1.1) Labor disputes, irrespective of their type, the value of which does not exceed ten thousand riyals.
- (1.2) Objection to the penalty imposed by the employer upon the worker.
- (1.3) Imposition of the punishments provided for in this Law for a violation of which the punishment does not exceed five thousand riyals and violations with a combined punishment not exceeding five thousand riyals.

(2) Render preliminary decisions on:

- (2.1) Labor disputes the value of which exceeds ten thousand riyals.
- (2.2) Disputes over compensations for work injuries, irrespective of the amount of the compensation.
- (2.3) Disputes over termination of service.
- (2.4) Imposition of the punishments provided for in this Law for a violation

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the punishment of which exceeds five thousand riyals and violations with a combined punishment exceeding five thousand riyals.

(2.5) Imposition of punishments on violations punishable by fines and consequential punishments.

Article (215):

The High Commission for Settlement of Disputes shall be comprised of several circuits, each comprising not less than three members. The chairman and members of the commission who shall be holders of degrees in Shari'ah and law with expertise in labor disputes shall be named by a decision of the Council of Ministers, based on a nomination by the Minister. A decision by the Minister, based on a recommendation of the Chairman of the Commission, shall specify the number of circuits of the High Commission and their venue jurisdiction. The Chairman of the Commission shall select the heads of the circuits, assign the duties of each and supervise all administrative functions of the circuits.

Article (216):

Each of the circuits of the High Commission shall have jurisdiction to decide finally and definitively on all appeals brought before it against decisions of the circuits of preliminary commissions.

Article (217):

Decisions may be appealed within thirty days from the date of utterance of

**PART XIV
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the preliminary circuit's decisions made in the presence of the parties and from the date of notification in other cases.

Article (218):

If the decision of the preliminary circuit is not appealed within the period specified in the previous Article, the decision shall be deemed final and enforceable. All decisions of the circuits of the High Commission shall be deemed enforceable from the date of their issuance.

Article (219):

Each of these Commissions shall solely have exclusive right to consider all disputes relating to this Law and the disputes arising from work contracts. It may summon any person for interrogation or assign one of its members to conduct such interrogation. It may also require submission of documents and evidence and take any other measures it may deem fit. The Commission shall also have the right of access to any premises of the firm for the purpose of conducting the investigation and reviewing all books, records and documents it deems necessary.

Article (220):

Cases shall be filed through the competent labor office with the preliminary commissions in whose locality or under whose jurisdiction the place of work falls. Prior to referring the dispute to the Commission, the labor office shall take the necessary measures to settle the dispute amicably. The Minister shall issue a decision setting forth the relevant procedures and rules.

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Article (221):

Cases arising from the provisions of this Law shall be reviewed promptly.

Article (222):

- (1) No case shall be accepted by the commissions provided for in this Law involving a claim of the rights provided for in this Law or arising from a work contract after twelve months following termination of the work relation.
- (2) No case involving a claim of the rights provided for in the previous Labor Law shall be accepted after twelve months following the effective date of this Law.
- (3) No complaint regarding violations of the provisions of this Law or the regulations and decisions issued hereunder shall be accepted after twelve months following the date of the occurrence of the violation.

Article (223):

None of the commissions provided for in this Part shall abstain from rendering its decision on the pretext of the absence of applicable provisions in this Law. In such case, the commissions shall resort to the principles of Shari'ah, established judicial precedents, norms and the principles of justice.

Article (224):

The work contract parties may incorporate a clause in the work contract

**PART XIV
COMMISSIONS
FOR SETTLEMENT
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providing for settlement of disputes through arbitration or may agree to do so after the dispute arises. In all cases, the provisions of the Arbitration Law and its Implementing Regulations in force in the Kingdom shall apply.

Article (225):

Neither of the disputing parties may bring the dispute, upon which a final decision has been rendered by one of the commissions provided for in this Part, before this Commission or other judicial bodies.

Article (226):

During the reconciliation or arbitration proceedings or while the case is under review before one of the commissions provided for in this Part, the employer may not change the terms of employment applicable before the initiation of the proceedings in a way that would cause harm to the worker.

Article (227):

The Commission may order the losing party to pay the other party all or part of the costs incurred by him.

Article (228):

The Council of Ministers shall issue the regulations for litigation before the commissions for settlement of labor disputes.

PART XV
PUNISHMENTS



PART XV
PUNISHMENTS

Article (228):

The punishments provided for in this Part shall apply in the absence of harsher punishments provided for in any other laws.

Article (230):

A fine of not less than three thousand riyals and not more than ten thousand riyals shall be imposed on any person who violates any of the provisions related to the vocational preparation of Saudi workers to replace others, as provided for in this Law and the decisions issued hereunder.

Article (231):

Violators of the provisions of Articles (16), (25), (33), (37) and (38) of this Law shall be subject to a fine of not less than two thousand riyals and not more than five thousand riyals. The fine shall be multiplied by the number of workers subject of the violation.

Article (232):

Violators of the provision of Article (30) of this Law shall be subject to a fine of not less than ten thousand riyals and not more than thirty thousand riyals.

Article (233):

Violators of the provision of Article (39) of this Law shall be subject to a fine of not less than five thousand riyals and not more than twenty thousand riyals, and the fine shall be multiplied by the number of persons subject of the violation. The worker shall be repatriated at the expense of the person who employs him.

PART XV
PUNISHMENTS

Article (234):

An employer or any person responsible for violation of the provisions of Chapters Two, Three and Four of Part VI of this Law, or any decisions issued hereunder shall be subject to a fine of not less than two thousand riyals and not exceeding five thousand riyals for each violation.

Article (235):

An employer who violates the provision of Article (90) of this Law shall be subject to a fine of not less than five hundred riyals and not more than three thousand riyals. The fine shall be multiplied by the number of the workers subject of the violation.

Article (236):

Any person who violates the provisions of Chapters One and Two of Part VIII of this Law and the rules issued in accordance with the provision of Article (121) of this Law shall be subject to a fine of not less than three thousand riyals and not more than ten thousand riyals for each violation or closing down the firm for not more than thirty days or permanently. The fine and the closing down may be combined along with the elimination of the source of the hazard.

Article (237):

Without prejudice to the punishment provided for in other laws applicable to those who obstruct an official in the course of his duties, violators of the provisions of Article (199) of this Law shall be subject to a fine of not less than five thousand riyals and not more than ten thousand riyals.

PART XV
PUNISHMENTS

Article (238):

Any employer, project manager or worker who refuses or delays execution of an arbitration award or a final decision rendered by any of the labor dispute settlement commissions shall be subject to a fine of not less than ten thousand riyals and not more than thirty thousand riyals.

Article (239):

A violator of any of the provisions of this Law and the regulations and decisions issued hereunder shall be subject to a fine of not less than two thousand riyals and not more than five thousand riyals, for punishments not provided for herein.

Article (240):

If the violation is repeated within ninety days or the violator fails to correct it within the specified period, the fine shall be doubled.

Article (241):

In all cases, the violator may pay the maximum prescribed fine as provided for in this Part without resorting to the Commission for Settlement of Labor Disputes.

Article (242):

Proceeds of fines collected on account of violations of the provisions of this Law and the regulations and decisions issued hereunder shall eventually be deposited with the Human Resources Development Fund.

PART XVI
CONCLUDING PROVISIONS



PART XVI
CONCLUDING
PROVISIONS

Article (243):

The Minister shall issue, within one hundred eighty days from the effective date of this Law, the decisions and regulations necessary for implementing the provisions of this Law. The Implementing Regulations shall be published in the Official Gazette.

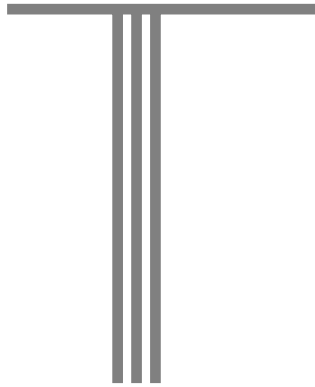
Article (244):

This Law shall supersede the Labor and Workers Law promulgated by Royal Decree No. (M/21), dated 6 Ramadan 1389H and shall repeal all the provisions that are inconsistent with it. Regulations and decisions issued prior to the effective date of this Law shall remain in effect until they are amended.

Article (245):

This Law shall be published in the Official Gazette and shall come into effect one hundred eighty days after the date of its publication.

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