

Saudi Arabia: Implementing Regulation of Saudi Labor Law

Title	Saudi Arabia: Implementing Regulation of Saudi Labor Law
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Abstract	

Art. 14 of the Executive Regulation of the Labor Law covers the work of local recruitment offices.

The recruitment offices may facilitate the recruitment of non-Saudi workers (including domestic workers) from abroad. The number of workers recruited must not exceed the needs of employers who've received approval to recruit foreign workers. The recruitment offices may also recruit workers to work for them according to the limit set by the Ministry. These workers may be contracted to offer employment services to those who cannot recruit their own workers. The offices would be responsible for paying the workers' wages and guaranteeing their rights (Art. 14 (1)).

Art. 14(2) covers the conditions that must be met by a Saudi national in order to obtain a license to establish a recruitment office.

Art. 14(14) prohibits a recruitment office from charging a recruited worker any money in return for his recruitment. The office may only charge the employer.

Art. 14(15) stipulates that once the worker is introduced to his employer, the recruitment office's role and connection to the worker must end. This is without prejudice to the commitments a recruitment office has made to the employer during the probationary period in accordance with the unified mediation contract.

Art. 14(17) requires recruitment offices to ensure that their foreign recruitment partners are qualified to choose workers with the needed technical skills, have a good reputation and the necessary authorization to recruit in their country.

Art. 14(18) obligates a recruitment office to inform the worker of the working conditions, cultural norms and the regulations pertinent to the recruitment of non-Saudis prior to recruiting him/her.

Art. 14(22) requires recruitment offices recruiting workers to work for their own expense and under their supervision to:

1. Provide adequate housing.
2. To include in the work contract concluded between the worker and the recruitment office, the latter's right to offer the worker's services to other employees under the office's supervision.
3. Meet all the legal obligations imposed by the labor law, social security law and the relevant executive regulations and decisions.
4. To forward all requests to recruit foreign workers to the labor office in accordance with the procedures.
5. To offer the services of its own foreign workers to other employers for a reasonable price.

Art. 15 covers recruitment conditions, regulations and procedures.

Art. 16 covers the conditions, regulations and procedures for transfer of employment.

In order to transfer a worker from one employer to the other, the worker must have both a valid residence and work permit and s/he must have completed no less than one year with her/his current employer. The approval of the current employer must be obtained (Art. 16(1)).

According to Art. 16(11), the Minister of Labor may decide to transfer the services of a worker to another employer without his current employer's approval in the following cases:

1. The existence of a pending lawsuit between the worker and his employer that has been delayed by the later.
2. Humanitarian reasons
3. Other cases as determined by the Minister.

Art. 17 covers the conditions, regulations and procedures for changing a worker's profession.