

Qatar: Law No. 14 of 2004 issuing the Labor Law

Title	Qatar: Law No. 14 of 2004 issuing the Labor Law
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Text versions	Arabic English Sources: – <i>Official Journal Issue No. 9 (06 July 2004) p. 229. Retrieved from: Al-Meezan Qatar Legal Portal, accessed 15 September 2013.</i> http://www.almeezan.qa/LawView.aspx?opt&LawID=3961&TYPE=PRINT&language=ar http://www.almeezan.qa/LawView.aspx?opt&LawID=3961&TYPE=PRINT&language=en
Abstract	

The provisions of Qatar Law No (14) of 2004, the Labor Law, govern the employment of the majority of individuals currently employed in Qatar.

The Labor Law (Article 3) excludes individuals working for the following employers from its provisions and regulation:

- Ministries and other governmental organizations, public institutions, corporations and companies which are established by Qatar Petroleum by itself or with others and individuals whose employment is regulated by special laws.
- The Qatar armed forces, the police and individuals employed at sea.
- Family members and dependents of individuals working in Qatar.

In addition the Labor Law excludes individuals working in the following roles from its provisions and regulation:

- Casual workers.
- Domestic workers, e.g. drivers, nurses, cooks, gardeners, etc.
- Agricultural workers, including, individuals involved in grazing, product processing and marketing, equipment operators and those individuals who repair agricultural equipment.

The provisions of the Labor Law, or any part thereof, may be applied to the employment of the individuals set out above subject to a resolution of the Council of Ministers upon the recommendation of the Minister.

Art. 23 of the Labor Law specifies that non-Qataris need to obtain a work permit before they are employed in Qatar. The following conditions must be met before they can obtain a work permit:

1. The non-availability of a qualified Qatari worker registered in the registers of the Department (Labor Department at the Ministry of Civil Service Affairs and Housing) to carry out the work in respect to which the work permit is applied for.
2. The non-Qatari applying for the work permit shall be in possession of a residence permit.
3. The non-Qatari shall be medically fit.

The validity period for the work permit shall be limited to the permitted residence period so that it may not exceed five years unless the approval of the Department is obtained.

Art. 25 lists the instances in which the Minister of Civil Service Affairs and Housing may cancel the work permit granted to a non-Qatari worker as:

1. If the worker fails to satisfy either of condition (2) or (3) provided for in Article (23) of the law.
2. If the worker stops working for more than three months without having an acceptable reason.
3. If the worker works for an employer other than the one he was given the work permit to work for.
4. Dismissal of the worker on disciplinary grounds.

The proportion of the non-Qatari to Qatari shall be determined by a decision of the Minister in each sector. The Minister may prohibit the employment of non-Qatari workers in any of these sectors as the public interest may necessitate (Art. 26).

Articles 28-37 relate to licensing of recruiters of foreign workers.

Art. 33 prohibits any person licensed to recruit foreign workers for others from charging the worker any fees, recruitment expenses, or other costs.

Articles 38 – 57 regulate the relationship between employers and employees.

Art. 57 requires the employer to bear the costs for repatriating the worker either to his home country or to any destination agreed upon by the two parties at the commencement of the engagement between the two.

The employer is required to complete the procedures of returning the non-Qatari worker within a period not exceeding two weeks from the expiry date of the contract. If the worker joins another employer before his departure from the State the obligation to return him to his country or any other place shifts to the latter employer.

The employer is also required to bear the costs of preparing the corpse of the deceased worker and the conveyance thereof to his country or place of residence upon the demand of his family.

If the employer does not repatriate the worker or his corpse after his death as the case may be the Department shall return the worker or his corpse at the cost of the employer and recover the said costs through administrative means.

Art. 116 limits the right to join worker committees and unions to Qatari workers.

Part 15 of the law pertains to work inspection. It enables the establishment of an Inspection organ whose duties are to be carried out by work inspectors. Authority is given to these inspectors to ensure that the labor law is respected and the rights of workers are protected.