

Saudi Arabia: Royal Decree No. M/51 issuing the Saudi Labor Law

Title	Saudi Arabia: Royal Decree No. M/51 issuing the Saudi Labor Law
Date of adoption	27 September 2005
Entry into force	26 April 2006
Text versions	— Arabic — Source: — The Ministry of Labor, Kingdom of Saudi Arabia, accessed: 16 May 2013. —
Abstract	<p>Chapter III of the law covers the employment of non-Saudis.</p> <p>Art. 32 prohibits recruitment from abroad without approval from the Ministry of Labor.</p> <p>Art. 33 requires a non-Saudi to obtain a work permit from the Ministry of Labor before being allowed to engage in any work. The conditions for granting the permit are as follows:</p> <ol style="list-style-type: none">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. <p>The word “work” in this Article means any industrial, commercial, agricultural, financial or other work, and any service including domestic service.</p> <p>Art. 34 states that no license or permit required by any other agency may substitute for a work permit and Art. 35 requires that prior to renewing a work permit, it be ascertained that no Saudi applicant is qualified and willing to undertake the job.</p> <p>The work contract of non-Saudis must be in written form and must specify the duration of the contract. If duration is not specified then the duration of the work permit is considered to be the duration of the contract (Art. 37).</p> <p>In Art. 38 an employer is prohibited from employing a worker in a profession other than the one stated on his work permit.</p> <p>Art. 39 relates to change of employer. An employer may not allow his worker to work for others or employ the workers of another employer unless he followed the legal rules and procedures. It also prohibits a worker from working for his own account and requires his employer to prohibit him from doing so.</p> <p>An employer is required to cover all fees pertaining to recruitment, residence permit, work permit, renewals, fines resulting from delays, change of profession, exit and re-entry visas and repatriation costs at the end of employment. A worker must cover the costs of his own repatriation if he wishes to return to his own country without a legitimate reason. If a worker is to transfer his employment to another employer then the new employer must bear the transfer fees. The costs of preparing and transporting a deceased worker’s body is to be incurred by the employer unless his family agrees to his interment in the Kingdom of Saudi Arabia or the General Organization for Social Insurance undertakes to cover the costs (Art. 40).</p>