

CABINET RESOLUTION NO.92 OF 2022
CONCERNING
LICENSING AND REGULATING THE WORK OF DOMESTIC WORKERS
RECRUITMENT OFFICES

His Excellency Minister of Human Resources and Emiratisation:

- Having reviewed the Federal Law No.(1) of 1972 on the competencies of the Ministries and Powers of the Ministers and the amendments thereof
- Federal Law No. 10 of 2017 concerning domestic workers
- Federal Decree-Law No. 33 of 2021 concerning Regulation of Labour Relations
- Cabinet Resolution No. (21) of 2020 concerning Service Fees and Administrative Fines at the Ministry of Human Resources and Emiratisation
- Cabinet Resolution No. 22 (of 2019) regarding the executive regulations of the Domestic Workers Law.
- Cabinet Resolution No. 819 of 2017 concerning Service Centers (Tadbeer)
- Cabinet Resolution No. 48 of 2022 regulating labor inspection procedures

Has resolved:

ARTICLE (1)
DEFINITIONS

The same definitions contained in Federal Decree No. 10 of 2017 and its executive regulations issued by Cabinet Resolution No. 22 of 2019, will be adopted to define any terms contained herein.

ARTICLE (2)
CONDITIONS FOR LICENSING DOMESTIC WORKERS RECRUITMENT OFFICES

In order to acquire a license to practice the activity of support workers recruitment Agency, the conditions set forth in Article (3) of Federal Law No. (10) of 2017 herein and Articles (2), (3) and (4) of its executive regulation must be met , in addition to the following:

1. The Applicant must provide the Ministry with a bank guarantee for a value not less than AED 500,000/- (five hundred thousand dirhams) throughout the period of permit validity provided that the guarantee is automatically renewable. The Applicant may provide a security deposit as an alternative to the said guarantee in accordance with the means set by the Ministry. The Ministry may, according to the risk factor, demand an increase in the value of Bank Guarantee. Furthermore, the Ministry may allocate all or part of the guarantee or the security deposit stipulated

in this Article to settle any sum that may be payable by the Office to the Ministry, employer or the worker or as a result of its failure to perform its obligations under this Resolution or abide by the instructions and Decisions issued hereunder. The recruitment office must complete the shortfall in the value of the guarantee within 30 days from the date of its occurrence.

2. The License Applicant must submit a credit report that reflects its financial status, whether it's a sole establishment or partners in a legal entity, provided that this report is issued by one of the competent authorities in the state.
3. The License Applicant or any of the partners in the legal entity applying therefor may not be an employee of the Ministry in relevant operational sectors or a first-class relative of such employee, including husband and wife.
4. The License Applicant must have an office with a clearly defined address for practicing recruitment business. An exception to this is when the Ministry permits the license applicant to practice his activities electronically in accordance with the mechanisms specified in the procedures manual in this regard.

ARTICLE (3) **LICENSING OF RECRUITMENT OFFICES**

1. The license is issued to the Domestic Workers Recruitment Office with the approval of the Minister or his authorized deputy.
2. The license shall be renewed annually after paying the prescribed fee, provided that the Office continues fulfilling the requirements of the license.
3. The Office whose license has expired and has not been renewed within 30 days will be violating the provisions contained herein pertaining to exercise the work of the Agency, and will be subjected to legally prescribed fines.

ARTICLE (4) **BRANCHES OF THE RECRUITMENT OFFICE**

The Office may open branches in the same emirate where it is licensed to operate, or in any other emirate in accordance with the requirements of local licensing, subject to the approval of the Ministry after evaluating and reviewing the amount of the Bank Guarantee or the Security Deposit compared to the volume of activity.

ARTICLE (5) **OFFICE OBLIGATIONS**

In addition to the obligations contained in Federal Law No.10 of 2017 specified by the implementing bylaws, the Recruitment Office shall abide by the following:

a. Obligations towards domestic workers:

1. Provide the worker with a decently equipped temporary accommodation and daily meals (whether registered under the office or mediated by the office, or those returned to the office for any reason), as long as the latter needs to stay at the office until he/she has a place to reside in accordance with the rules and regulations regulating labor accommodations and any other requirements set by the Ministry.
2. In case of temporary employment, implement, at all times, all legally stipulated obligations on any employer towards the employee, except for what has been excluded by special text in this Resolution or in the other Decisions issued by the Ministry. The Office may not, in any way, fail to implement these obligations due to the employer's failure to fulfill its obligations with the Agency, and it shall be the main party responsible in all cases, for the implementation of these obligations.

b. Obligations towards Recruitment Agencies Outside The Country:

1. Meet and implement all requirements and controls contained in the memorandum of understanding signed by the Ministry and the country in which the Agency is located, and to disclose to the Ministry the number and data of domestic workers allocated to the office.
2. Ban dealing with any employment agency, office or person, or with any unlicensed entity outside the country. In all cases, the Ministry may, for the reasons it deems appropriate, prevent the office from dealing with any employment agency, person or any entity outside the country.

c. Office obligations towards the Ministry:

1. Adhere to strict confidentiality regarding all data and information that it has access to in the course of its activity, and refrain from using such data and information, publish it or share it with other parties without the approval of the Ministry.
2. Abide by the prescribed government service fees set by the Council of Ministers for the services it provides to customers and refrain from acquiring any additional fees.
3. Provide domestic workers services, including the provision of service packages that are circulated by the Ministry and in accordance with the approved fees.
4. The office may not provide its services to employers of an establishment that satisfied the conditions of suspending establishments provided for in the Ministry's applicable systems except in the case of temporary employment and with the approval of the Ministry.
5. Comply with all terms of the Service Level Agreement concluded with the Ministry, to ensure the quality of service delivery.

ARTICLE (6)

OBLIGATIONS OF THE BENEFICIARY TOWARDS THE DOMESTIC WORKER

The beneficiary shall be obligated to the domestic worker as follows:

1. Ensure all proper occupational health and safety conditions for the worker, in line with the nature of the work.
2. Refrain from assigning the worker with any jobs or services that fall outside the general framework of the work or service agreed upon with the Office.
3. Desist from occupying the worker for more hours than the hours agreed upon with the office.
4. Notify the Ministry and Agency immediately of any work accidents or injuries the worker sustains.

ARTICLE (7)

CASES FOR SUSPENSION OR CANCELLATION OF OFFICE LICENSING

The Minister may revoke the license of an office or temporarily suspend it, in any of the following cases:

1. Failure to meet any of the conditions upon which his license is issued, including submitted pledges and statements or if the Office fails to adhere to the new decisions issued by the Ministry.
2. If any of the documents or data submitted for licensing purposes are found to be false.
3. If the Office violates the provisions of this Resolution, the regulations and instructions pertaining thereto, or related legislation applicable in the Ministry.
4. If the Office commits any act involving some form of forced labor or human trafficking.

ARTICLE (8)

PROCEDURES FOR SUSPENDING OR REVOKING OFFICE LICENSING

If the Office license is suspended or canceled hereunder, the following actions shall be taken:

1. The Office shall be notified by the suspension or cancellation decision using the notification methods applicable in the Ministry, along with the reasons for such decision.
2. Collection of all fines payable and due by the Office up to the date of cancellation.
3. Owners of cancelled licenses will be instructed to settle the conditions of their workers within 15 fifteen days from the date of the license cancellation decision.
4. Obligate the office owner to fulfill all his obligations towards workers and business owners throughout the suspension period, and refrain from concluding any new contracts until the reasons for the suspension are rectified and lifted.
5. Authorities licensing business activities in the local government (economic departments and municipalities) and departments of residency and foreigners' affairs shall be notified to take their actions according to the suspension or cancellation decision, including the cancellation of any license, permits or authorizations issued to the cancelled Office.
6. In all cases, the bank guarantee or security deposit under Article (2) herein will not be reimbursed until all amounts payable by the Office are collected.

ARTICLE (9)
REPORTING VIOLATIONS

The Inspectors of the Ministry are responsible for conducting inspections of places of work and workers' accommodations in order to curb any violations to the peremptory norms of the decisions issued to execute the aforementioned law and all relevant legislation in force.

ARTICLE (10)

The Undersecretary for Human Resources Affairs shall issue a procedures manual, necessary to enforce the provisions of this law.

ARTICLE (11)

1. Cabinet Resolutions No. 819 of 2017 regarding service centers (Tadbeer) shall be repealed and any provision inconsistent with the provisions of this Law is hereby repealed.

2. Any office who has been issued a license in accordance with Cabinet Resolutions No. 819 of 2017 hereof, must fulfill all the requirements contained in this decision upon the renewal of the license.

ARTICLE (12)

This Resolution shall be published in the Official Gazette and shall come into force from the date of its issuance.

Dr. Abdulrahman Abdul Mannan Al-Awar
Minister of Human Resources and Emiratization
(Seal and signature)

Issued on 28-02-2022