

ADMINISTRATIVE DECISION NO.(27) OF 2022
CONCERNING LABOR INSPECTION PROCEDURES MANUAL

Undersecretary for Human Resources Affairs:

Having considered:

- Federal Law No.(1) of 1972 on the competencies of the Ministries and Powers of the Ministers and amendments thereof
- Federal Decree-Law No. 33 of 2021 concerning Regulation of Labor Relations and its Executive Regulations
- Federal Law No. (10) of 2017 concerning Domestic Workers,
- Cabinet Resolution No. (1) of 2022 regarding the executive regulations of Federal Decree-Law No. (33) of 2021 concerning the Regulation of Labor Relations
- Cabinet Resolution No. (48) of 2022 regulating Labor Inspection Procedures
- Administrative Decision No. (9) of 2022 regarding Labor Inspection Procedures Manual
- In pursuance of public interest

Has Resolved

Article (1)

Definitions

Labor Inspection: Control the proper implementation of the provisions of Federal Decree-Law No. (33) of 2021 regarding the Regulation of Labor Relations, its executive regulations, decisions issued in implementation thereof, and procedures manuals,

Violation Report: A report done by the labor inspector in accordance with the provisions of Federal Decree Law No. (33) of 2021 concerning the Regulation of Labor Relations, its executive regulations, decisions issued in implementation thereof and procedures manual. The inspector shall indicate the violation committed in his report.

Article (2)

Functions and Objectives of Labor Inspection

1. Establish the civilized values, principles, culture and ethics of work, contribute to building institutions, increase production, provide job opportunities, and enhance performance efficiency to achieve the development of institutions and meet the interests of employees and business owners.
2. Control proper implementation of legal provisions in respect of conditions of work and protection and safety of employees during the performance of their duties.
3. Control proper implementation of occupational health and safety requirements, and compliance with labor accommodation criteria, in coordination with the competent authorities.
4. Monitor indicators that could give reason for suspicion of crimes related to human trafficking, or forced labor against workers subject to the provisions of the Labor Relations Regulation Law.
5. Conduct field visits to educate employers and employees on best methods for the implementation of the provisions of this law.
6. Provide information that supports developing labor legislation and regulate the labor market.
7. Provide information and guidance to business owners and employees to reinstate the employment relationship, build healthy communication rapport between the parties to the relationship to ensure that common interests are respected.
8. Control and evaluate incidents occurring as a result of non-compliance with the provisions of Federal Decree-Law No. (33) of 2021, its executive regulations, decisions issued in implementation thereof.
9. Conduct various inspection campaigns in accordance with the prescribed schedules, in cooperation with various government agencies, to follow-up on establishments' compliance with the provisions of the law.

10. Investigate and follow up on cases referred from other departments and authorities.
11. Follow up on the remedies of violations committed by establishments and employees and take necessary actions against violators.
12. Report violations to the provisions of Federal Decree-Law No. (33) of 2021, its executive regulations, decisions issued in implementation thereof.
13. Prepare periodic reports in accordance with respective jurisdiction, forms, violation reports, inspection registers, notices and warnings made for this purpose. In the event of non-compliance with the provisions of the law, list the number and type of violations and actions taken.
14. Prepare statistics on all matters related to labor inspection in accordance with the instructions, rules and regulations issued in this regard.

Article (3)

Types and Process of Labor Inspection

Labor Inspectors shall carry out inspection visits in accordance with the following types and process:

1. Monitor UAE-nationals employment in the private sector.
2. Monitor establishment's compliance with the controls and requirements for the payment of wages, "My Salary" report.
3. Observe the performance of High Risk establishments
4. Monitor compliance with Labor Relations Regulation Law and its executive regulations
5. Monitor compliance with the controls and requirements of Occupational Health and Safety
6. Follow up on work injuries
7. Monitor compliance with controls and requirements of labor accommodation.
8. Observe closed and non-operating establishments

9. Monitor employment violations
10. Monitor establishment's compliance with midday work ban
11. Monitor private employment and recruitment agencies and working conditions resulting therefrom.
12. Track suspicious cases of human trafficking, forced labor and sexual harassment.

Article (4)

Electronic forms (e-Forms) provided in MOHRE system shall be adopted, and the Procedures Manual attached hereto shall be implemented.

Article (5)

Administrative Decision No.(9) of 2022 referred to is hereby repealed, and any provision inconsistent with the provisions of this decision shall be repealed

Article (6)

Competent authorities shall take necessary actions required for the implementation of this decision in accordance with their areas of jurisdiction.

Khalil Ibrahim Al-Khoury
Acting Undersecretary for Human Resources Affairs

Issued on: 06-04-2022

Labor Inspection Procedures Manual

1. UAE-Nationals Employment In The Private Sector

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| Process Description | An inspection visit to ensure establishments' compliance with the requirements of UAE national's employment in the private sector. |
| Service Type | Disciplinary |
| Targeted Establishments | Establishments employing UAE-nationals |
| Service Index | 10 working days |
| Input | <ul style="list-style-type: none">▪ Data entered by Emirati Talent Competitiveness Council (Nafis)▪ Data entered by the Emiratization Sector |

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| Process Mechanism | <ul style="list-style-type: none"> ▪ Collect data from NAFIS, or targets from the Emiratisation sector. ▪ Automatic distribution of establishments according to the inspection system ▪ The Inspector receives the mission from system ▪ The Inspector shall initiate the inspection visit ▪ Fill out the inspection form and the purpose of the visit through the inspection system ▪ Prepare a violation report of any cases of violation in accordance with requirements of the inspection assignment; provide evidence and supporting photos/images. ▪ The Competent official shall review and approve the inspection and violation reports. ▪ The Director is to approve the violation report |
| Output | <ul style="list-style-type: none"> ▪ Inspection Report ▪ Violation Report and Administrative Fine (if |

2. Compliance with the Controls & Requirements For Payment of Wages

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| Process Description | An inspection visit to ensure establishments' compliance with the requirements of payment of wages in accordance with Wages Protection System. |
| Service Type | Disciplinary |
| Targeted Establishments | All establishments in accordance with the Wages Protection System decision. |
| Service Index | According to the periods prescribed in the decision of Wages Protection System |
| Input | Establishments defaulting payment of wages. |

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| Process Mechanism | <ol style="list-style-type: none"> 1. Collect data from MOHRE system. 2. Automatic distribution of establishments according to the inspection system 3. The Inspector receives the mission from system 4. The Inspector shall initiate the inspection visit 5. Fill out the inspection form and the purpose of the visit through the inspection system 6. Prepare a final notice of late payment of wages for the establishment violating WPS decision. 7. The Competent official shall review and |
| Output | <ul style="list-style-type: none"> ▪ Inspection Report ▪ Notice of Late Payment of Wages (if any) |

3. Performance of High Risk establishments

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| Process Description | An inspection visit to ensure that High Risk establishments comply with the requirements of employment in accordance with Federal Decree Law No. (33) of 2021 regarding the Regulation of Labor |
| Service Type | Disciplinary |
| Targeted Establishments | All establishments listed in the Risk Matrix approved by the Ministry. |
| Service Index | One working day from the date of assignment |
| Input | Establishments listed in the Risk Matrix approved by the Ministry. |

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| Process Mechanism | <ol style="list-style-type: none"> 1. Collect data from MOHRE system. 2. Automatic distribution of establishments according to the inspection system 3. The Inspector receives the mission from system 4. The Inspector shall initiate the inspection visit 5. Fill out the inspection form and the purpose of the visit through the inspection system 6. Prepare a violation report of any cases of violation in accordance with requirements of the inspection assignment; provide evidence and supporting photos/images. 7. The Competent official shall review and approve the inspection and violation reports. 8. The Director is to approve the violation report |
| Output | <ul style="list-style-type: none"> ▪ Inspection Report ▪ Violation Report and Administrative Fine (if |

4. Compliance with Labor Relations Regulation Law and its executive regulations

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| Process Description | An inspection visit to ensure establishments' compliance with the provisions of Federal Decree Law No. (33) of 2021 and its executive regulations. |
| Service Type | Disciplinary |
| Targeted Establishments | All establishments |
| Service Index | One working day from the date of assignment |
| Input | Establishments listed in MOHRE system. |

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| Process Mechanism | <ol style="list-style-type: none"> 1. Collect data from MOHRE system. 2. Automatic distribution of establishments according to the inspection system 3. The Inspector receives the mission from system 4. The Inspector shall initiate the inspection visit 5. Fill out the inspection form and the purpose of the visit through the inspection system 6. Prepare a violation report of any cases of violation in accordance with requirements of the inspection assignment; provide evidence and supporting photos/images. 7. The Competent official shall review and approve the inspection and violation reports. 8. The Director is to approve the violation report |
| Output | <ul style="list-style-type: none"> ▪ Inspection Report ▪ Violation Report and Administrative Fine (if |

5. Compliance with the Controls & Requirements of Occupational Health & Safety

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| Process Description | An inspection visit to ensure establishments' compliance with the controls and requirements of Occupational Health and Safety in accordance with provisions of Federal Decree Law No. (33) of 2021 |
| Service Type | Disciplinary |
| Targeted Establishments | All establishments |
| Service Index | Two working days from the date of assignment |

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| Input | <ul style="list-style-type: none"> ▪ Establishments with working sites ▪ Results of work injuries analysis, paying special attention to high risk economic activities ▪ Activation inputs of the Occupational Health and Safety executive regulations. |
| Process Mechanism | <ol style="list-style-type: none"> 1. Collect data from MOHRE system. 2. Automatic distribution of establishments according to the inspection system 3. The Inspector receives the mission from system 4. The Inspector shall initiate the inspection visit 5. Fill out the inspection form and the purpose of the visit through the inspection system 6. Prepare a violation report of cases found in violation in accordance with requirements of the inspection assignment; provide evidence and supporting photos/images. 7. Issue a warning of cases found in violation in accordance with the requirements of the mission 8. The Competent official shall review and approve the inspection and violation reports. 9. The Director is to approve the violation report |
| Output | <ul style="list-style-type: none"> ▪ Inspection Report ▪ Warning Form for cases found in violation ▪ Violation Report and Administrative Fine (if |

6. Work Injuries

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| Process Description | An inspection visit to ensure establishments' compliance with the requirements of Federal Decree Law No. (33) of 2021 and its executive regulations in |
| Service Type | Disciplinary Service |
| Targeted Establishments | Establishments with registered work injuries. |
| Service Index | One working day from the date of assignment |
| Input | National System of Work Injuries |
| Process Mechanism | <ol style="list-style-type: none"> 1. Collect data from MOHRE system. 2. Automatic distribution of establishments according to the inspection system 3. The Inspector receives the mission from system 4. The Inspector shall initiate the inspection visit 5. Fill out the inspection form and the purpose of the visit through the inspection system 6. Prepare a violation report of cases found in violation in accordance with requirements of the inspection assignment; provide evidence and supporting photos/images. 7. Issue a warning of cases found in violation in accordance with the requirements of the mission. 8. The Competent official shall review and approve the inspection and violation reports. 9. The Director is to approve the violation report |
| Output | <ul style="list-style-type: none"> ▪ Inspection Report ▪ Warning Form for cases found in violation ▪ Violation Report and Administrative Fine (if |

7. Compliance With Controls And Requirements of Labor Accommodation

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| Process Description | An inspection visit to ensure compliance with labor accommodation requirements in accordance with the decisions issued by the Cabinet concerning labor |
| Service Type | Disciplinary Service |
| Targeted Establishments | Establishments governed by labor housing decisions |
| Service Index | Two working days from the date of assignment |
| Input | <ul style="list-style-type: none"> ▪ Establishments applying labor accommodation decision |
| Process Mechanism | <ol style="list-style-type: none"> 1. Collect data from MOHRE system. 2. Automatic distribution of establishments according to the inspection system 3. The Inspector receives the mission from system 4. The Inspector shall initiate the inspection visit 5. Fill out the inspection form and the purpose of the visit through the inspection system 6. Prepare a violation report of cases found in violation in accordance with requirements of the inspection assignment; provide evidence and supporting photos/images. 7. Issue a warning of cases found in violation in accordance with the requirements of the mission. 8. The Competent official shall review and approve the inspection and violation reports. 9. The Director is to approve the violation report |

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| Output | <ul style="list-style-type: none"> ▪ Inspection Report ▪ Warning Form for cases found in violation ▪ Violation Report and Administrative Fine (if |
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8. Closed and Non-Operating Establishments

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| Process Description | An inspection visit to ensure establishments' compliance with exercising its activities and employing registered employees in accordance with |
| Service Type | Disciplinary Service |
| Targeted Establishments | All Establishments |
| Service Index | Two working days from the date of assignment |
| Input | Data entered into MOHRE system |
| Process Mechanism | <ol style="list-style-type: none"> 1. Collect data from MOHRE system. 2. Automatic distribution of establishments according to the inspection system 3. The Inspector receives the mission from system 4. The Inspector shall initiate the inspection visit 5. Fill out the inspection form and the purpose of the visit through the inspection system 6. Prepare a violation report of cases found in violation in accordance with requirements of the inspection assignment; provide evidence and supporting photos/images. 7. The Competent official shall review and approve the inspection and violation reports. 8. The Director is to approve the legal motion |

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| Output | <ul style="list-style-type: none"> ▪ Inspection Report ▪ Violation Report and Administrative Fine (if any) ▪ Legal motion referred to the Public Prosecution (if |
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9. Employment Violations

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| Process Description | An inspection visit to ensure establishments' compliance with employment of registered workers in accordance with the applied legislations and laws. |
| Service Type | Disciplinary Service |
| Targeted Establishments | All Establishments |
| Service Index | One working day from the date of assignment |
| Input | Establishments employing more than one employee - |
| Process Mechanism | <ol style="list-style-type: none"> 1. Collect data from MOHRE system. 2. Automatic distribution of establishments according to the inspection system 3. The Inspector receives the mission from system 4. The Inspector shall initiate the inspection visit 5. Fill out the inspection form and the purpose of the visit through the inspection system 6. Prepare a violation report of cases found in violation in accordance with requirements of the inspection assignment; provide evidence and supporting photos/images. 7. The Competent official shall review and approve the inspection and violation reports. 8. The Director is to approve the violation report |

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| Output | <ul style="list-style-type: none"> ▪ Inspection Report ▪ Violation Report and Administrative Fine (if any) |
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10. Compliance with Midday Work Ban

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| Process Description | An inspection visit to ensure establishments' compliance with requirements of Federal Decree Law No. (33) of 2021 and its executive regulations in |
| Service Type | Disciplinary Service |
| Targeted Establishments | Work Sites |
| Service Index | One working day from the date of assignment |
| Input | Inspection campaigns |
| Process Mechanism | <ol style="list-style-type: none"> 1. Collect data from MOHRE system. 2. The Inspector receives the mission from system 3. The Inspector shall initiate the inspection visit 4. Fill out the inspection form and the purpose of the visit through the inspection system 5. Prepare a violation report of cases found in violation in accordance with requirements of the inspection assignment; provide evidence and supporting photos/images. 6. The Competent official shall review and approve the inspection and violation reports. 7. The Director is to approve the violation report |
| Output | <ul style="list-style-type: none"> ▪ Inspection Report ▪ Violation Report and Administrative Fine (if |

11. Private Employment and Recruitment Agencies and working conditions resulting therefrom

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| Process Description | An inspection visit to ensure establishments' compliance with the requirements of Recruitment and Employment Agencies activities. |
| Service Type | Disciplinary Service |
| Targeted Establishments | All private employment agencies |
| Service Index | One working day from the date of assignment |
| Input | Data entered into MOHRE system |
| Process Mechanism | <ol style="list-style-type: none"> 1. Collect data from MOHRE system. 2. Automatic distribution of establishments according to the inspection system 3. The Inspector receives the mission from system 4. The Inspector shall initiate the inspection visit 5. Fill out the inspection form and the purpose of the visit through the inspection system 6. Prepare a violation report of cases found in violation in accordance with requirements of the inspection assignment; provide evidence and supporting photos/images. 7. The Competent official shall review and approve the inspection and violation reports. 8. The Director is to approve the violation report |
| Output | <ul style="list-style-type: none"> ▪ Inspection Report ▪ Violation Report and Administrative Fine (if |

12. Suspicious Cases of Human Trafficking, Forced Labor or Sexual Harassment

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| Process Description | An inspection visit to ensure establishments' compliance with employment requirements and to ensure that employees are not subjected to forced labor, human trafficking or sexual harassment. |
| Service Type | Disciplinary Service |
| Targeted Establishments | All Establishments |
| Service Index | One working day from the date of assignment |
| Input | Data entered into MOHRE system |
| Process Mechanism | <ol style="list-style-type: none"> 1. Collect data from MOHRE system. 2. Automatic distribution of establishments according to the inspection system 3. The Inspector receives the mission from system 4. The Inspector shall initiate the inspection visit 5. Fill out the inspection form and the purpose of the visit through the inspection system 6. Prepare a violation report of cases found in violation in accordance with requirements of the inspection assignment; provide evidence and supporting photos/images. 7. The Competent official shall review and approve the inspection and violation reports. 8. The Director is to approve the legal motion |
| Output | <ul style="list-style-type: none"> ▪ Inspection Report ▪ Legal motion referred to the Public |

13. Reports from the public

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| Process Description | An inspection visit to ensure establishments' compliance with labor requirements in accordance with the provisions of Federal Decree Law No. (33) of 2021 concerning the Regulation of Labor Relations, its executive regulations, Ministerial Decisions issued in implementation thereof, and over reports received from a member of the community stating that the establishment is violating legal legislations and |
| Service Type | Disciplinary Service |
| Targeted Establishments | All establishments |
| Service Index | One working day from the date of assignment |
| Input | <ol style="list-style-type: none"> 1. Reports received through MOHRE approved channels, including but not limited to: <ul style="list-style-type: none"> • My Salary • Illegal workers • Work injury • Work during midday • Non-conformity of labor accommodation 2. Assignments received by the Proactive Monitoring Department of the labor market |

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| <p>Process Mechanism</p> | <ol style="list-style-type: none"> 1. Collect data from MOHRE system. 2. Automatic distribution of establishments according to the inspection system 3. The Inspector receives the mission from system 4. The Inspector shall initiate the inspection visit 5. Fill out the inspection form and the purpose of the visit through the inspection system 6. Prepare a violation report of cases found in violation in accordance with requirements of the inspection assignment; provide evidence and supporting photos/images. 7. The Competent official shall review and approve the inspection and violation reports. 8. The Director is to approve the violation report |
| <p>Output</p> | <ul style="list-style-type: none"> ▪ Inspection Report ▪ Violation Report and Administrative Fine (if |