

Inventory of Social Protection Provisions for Temporary Migrant Workers in GCC Countries¹

¹ All the information compiled in this inventory comes from available governmental sources, and World Bank, United Nations, IOM and ILO publications, and is subject to revision as legislation evolves. In this sense the inventory is a living document. The focus is on legal social protection provisions and not on the actual implementation of such provisions.

Summary Table

SKILL LEVEL	COUNTRY	SHORT-TERM BENEFITS			WORK-RELATED BENEFITS								FAMILY BENEFITS		LONG-TERM BENEFITS
		Health Care Benefits	Work Injury Benefits/ Sick Pay	Maternity Leave /Paternity Leave	Pre-departure Info & Training	Travel provisions / Housing provisions	Emergency Repatriation/ Cost coverage	Access to finance/ Facilitated remittance transfers	Wage equality with natives / Vacation Pay/ Anti-discrimination measures	Unemployment Benefits/ Work-specific Labor market integration/ Training	Severance pay/ end-of-service benefits	Provisions in case of Bankruptcy/ Insolvency Fund	Health Care Benefits <small>(only available in the receiving country when covered by the receiving country)</small>	Family Allowance or similar <small>(only available in the receiving country when covered by the receiving country)</small>	Pension Benefits / Portability provisions
LOW-TO MID-SKILLED	KINGDOM OF BAHRAIN	YES	YES/YES	YES/NC	NCU	YES/NC	NCU	NCU/NCU	NO/YES/NO	YES/NC/YES	YES/YES	NO/NO	NC	NC	NO/NC
	STATE OF KUWAIT	YES	YES /YES	YES/NC	NCU	YES/YES	NCU	NCU/NCU	NO/YES/NO	NO/NC /NC	YES/YES	NO/NO	NC	NC	NC/NC
	SULTANATE OF OMAN	YES	YES/YES	YES/NC	NCU	YES/YES	NCU	NCU/NCU	NO/YES/NO	NO/NC/YES	NC/YES	NO/NO	NC	NC	NO/NC
	STATE OF QATAR	YES	YES/YES	YES/NC	NCU	YES/YES	YES	NCU/NCU	NO/YES/NO	NO/NC /YES	NC/YES	NO/NO	NC	NC	NC/NC
	KINGDOM OF SAUDI ARABIA	YES	YES/YES	YES/YES	NCU	YES/YES	YES	NCU/NCU	NO/YES/NO	NO/NC/YES	YES/YES	NO/NO	NC	NC	NO/NCU
	UNITED ARAB EMIRATES	YES	YES/YES	YES/NO	NCU	YES/YES	YES	NCU/NCU	NO/YES/NO	NO/NC/NC	YES/YES	NO/NO	NC	NC	NCU/NC
MID-TO HIGH-SKILLED	KINGDOM OF BAHRAIN	YES	YES/YES	YES/NC	NCU	YES/NC	NCU	NCU/NCU	NO/YES/NO	YES/NC/YES	YES/YES	NO/NO	NC	NC	NO/NC
	STATE OF KUWAIT	YES	YES /YES	YES/NC	NCU	YES/YES	NCU	NCU/NCU	NO/YES /NO	NO/NC/NC	YES/YES	NO/NO	NC	NC	NC/NC
	SULTANATE OF OMAN	YES	YES/YES	YES/NC	NCU	YES/YES	NCU	NCU/NCU	NO/YES/NO	NO/NC/ YES	NC/YES	NO/NO	NC	NC	NO/NC
	STATE OF QATAR	YES	YES/YES	YES/NC	NCU	YES/YES	YES	NCU/NCU	NO/YES/NO	NO/NC /YES	NC/YES	NO/NO	NC	NC	NC/NC
	KINGDOM OF SAUDI ARABIA	YES	YES/YES	YES/YES	NCU	YES/YES	YES	NCU/NCU	NO/YES/NO	NO/NC/YES	YES/YES	NO/NO	NC	NC	NO/NCU
	UNITED ARAB EMIRATES	YES	YES/YES	YES/NO	NCU	YES/YES	YES	NCU/NCU	NO/YES/NO	NO/NC/NC	YES/YES	NO/NO	YES	NC	NCU/NC

General Comments

ACRONYMS

- YES means “legally provided in the receiving country (statutory) or specified in a labor agreement or Memoranda of Understanding (MoU) between the receiving and sending countries involved.”
- NC means “non-compulsory”. It is used when the social provision under review is not required by law in the receiving country (non statutory) or not specified in labor agreements or MoUs between the receiving and sending countries involved. It typically leaves the room for employer-sponsored benefits.
- NCU means “non-compulsory and uncommon”. It is used when the benefit under review is non-compulsory and typically neither provided by the receiving country nor by the employer.
- NO means “not provided at all” by the receiving country or the employer.

SHORT TERM BENEFITS

- Short term benefits are generally employer-sponsored. When this is the case, it is compulsory for the employer to provide basic health coverage for his employee.

WORK-RELATED BENEFITS

- Pre-departure information and training increasingly included in MoUs & sometimes bilateral agreements. Unknown schemes as far as host countries are concerned. Major sending countries’ governments in South Asia provide pre-departure training and information through Migrant Welfare Funds.
- Repatriation in case of death or permanent disability is generally the responsibility of the employer. If the employer does not repatriate the employee or his body, the Department in charge returns the employee or his body and recovers the expenses from the employer through administrative means.
- There is usually no legal obligation for facilitated access to finance and remittance transfer but reportedly employers assist their employees in opening bank accounts and finding remittance transfer mechanisms at the lowest costs.
- The information provided on severance pay and end-of-service benefits builds on the updated severance pay matrix in Holzmann et al. (2010).
- Provisions in case of bankruptcy mean that pending wages and other worker’s entitlements upon redundancy are guaranteed by the receiving countries in case of employer’s insolvency, either through a government program, or through Wage Guarantee Funds or Insolvency Funds financed through employers’ contribution. Such provisions are absent in all GCC countries, but employees’ wages are however considered as preferential claims in bankruptcy procedure in Kuwait.

FAMILY BENEFITS

- Family benefits are generally employer-sponsored in GCC countries except for health care of family members residing in the UAE.

LONG TERM BENEFITS

- Long term benefits such as pension benefits in GCCs are typically non compulsory and uncommon except for Oman, Saudi Arabia and Bahrain where expatriates are explicitly not covered.

TEMPORARY LABOR MIGRATION SCHEMES FOR LOW- TO MID-SKILLED WORKERS

KINGDOM OF BAHRAIN (Page 5)

STATE OF KUWAIT (Page 6)

SULTANATE OF OMAN (Page 7)

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KINGDOM OF SAUDI ARABIA (Page 9)

UNITED ARAB EMIRATES (Page 10)

KINGDOM OF BAHRAIN

SCHEME OVERVIEW				SHORT-TERM BENEFITS			WORK-RELATED BENEFITS									FAMILY BENEFITS		LONG-TERM BENEFITS
Countries involved/ Legal Framework or Labor Agreement	Sector of activity/ Skill level	Access: employer-based/ quotas/ other	Duration, Renewability / Access to Permanent Residence	Health Care Benefits	Work Injury Benefits/ Sick Pay	Maternity Leave / Paternity Leave	Pre-departure Info & Training	Travel provisions (arrival & departure /home leave) / Housing provisions	Emergency Repatriation Cost coverage	Access to finance/ Facilitated remittance transfers	Wage equality with native workers/ Vacation Pay/Anti-discrimination measures	Unemployment Benefits/Work-specific Labor market integration/ Training	Severance pay/ end-of-service benefits	Provisions in case of Bankruptcy/ Insolvency Fund	Health Care Benefits	Family Allowance or similar	Pension Benefits (Old Age/ Disability/ Survivors)/ Portability provisions (National/ Bilateral/ Multilateral)	
All countries/ National Scheme ²	Construction, Maintenance/ Low-Skilled workers	Employer-based with labor market test	2 years increasingly common open-ended extended or renewable by mutual consent	YES	YES ³ /YES	YES/NC	NCU ⁴	YES (for departure only) /NC	NC	NC/ NC ⁵	NO / YES / NO ⁶	YES ⁷ /NC/ YES	YES ⁸ / YES ⁹	NO/NO	NC	NC	NO ¹⁰ /NCU	

Sources: Ministry of Labor, Labor Market Regulatory Authority Website Portal Bahrain, Labor Law for the Private Sector 1976, New Bahrain Labor Law, Constitution of Bahrain, Aspen Institute, ILO, US social Security Administration (Office of Retirement & Disability Policy), US Department of State, Social Security Administration, International Social Security Administration, UNHCR, IOM, World Bank, IFC.

Comments:

- Status of Kafala system: abolished in August 2009. There is no minimum wage.
- Private sector Labor Law does not cover the following categories of migrants: persons employed in temporary and casual work out of the scope of the employer's business. Domestic workers' employment relations fall outside the scope of the Labor Code. A forthcoming labor law is being designed to cover domestic workers. This new labor law will provide regulation as for the working hours and living conditions of domestic staff such as housemaids, child minders, drivers, and cooks. The new labor law will also be designed to potentially combat forced labor and trafficking.
- Bahraini Law does not cover for duration of less than one year employees whose employment contract is subject to a special law such as persons employed in the agricultural sector. The latter category concerns workers employed in agricultural firms which process and/ or market their products, workers permanently employed in operating or repairing mechanically driven equipment used in agriculture, workers engaged in management or as security guards in agricultural operations), members of the employee's family (husband, wife, parents and offspring's whom the employee actually support).
- Citizenship is granted by the law to Arab applicants who have resided in the country for 15 years and non-Arab applicants who have resided in the country for 25 years.

² **Specific bilateral arrangements:** Since June 2009's **MoU with India** A new draft Labor law was designed to cover some categories of workers previously excluded from the application of the Labor law. It included weekly rest along with compensation following unfair dismissal. Most of the workers concerned are employed in domestic work, construction, maintenance, domestic staff such as housemaids, drivers, child minders and cooks.

MoU with India Nov 2008 (labor mobility, protection & welfare of workers)/**Memorandum of Agreement with Philippines** Apr 2007 (to strengthen bilateral cooperation in the field of health services and the exchange of human resources; in addition to facilitating movement of health workforce, provides specific details on mechanisms to support human resources for health development in the Philippines)/**MoU with India** June 2009 on labor and manpower development/**Bilateral trade union agreements** on migrant workers' rights with **Sri Lanka/MoU with Morocco** 2002.

³ Excluded: Household workers, casual employees, family labor, self-employed persons, and agricultural workers.

⁴ Unknown scheme as far as host countries are concerned. Major sending countries' governments in South Asia provide pre-departure training and information through Migrant Welfare Funds.

⁵ Bangladesh, India, Sri Lanka and Pakistan have public institutions and government financial incentives to support temporary migration /remittances inflows

⁶ Reference to discrimination in art 18 of the Bahraini Constitution. No mention in Labor Law.

⁷ Seeker must have completed 12 months at least on first benefit claim. 60% of average earnings in last 12 months. Minimum unemployment benefit:150 dinars. Maximum unemployment benefit:500 dinars. Benefit paid for up to 6 months. (Figures valid for2008).

⁸ art 107-108 of Labor Law. (Severance pay for redundancy dismissal after 20 years of employment:75.8 weeks of salary. Source: World Bank, IFC.)

⁹ 15 to 20 days of basic pay per year of employment for the first three years. A month's salary per year of employment after three years .

¹⁰ Excluded: agricultural workers, temporary non-citizen workers.

STATE OF KUWAIT

SCHEME OVERVIEW				SHORT-TERM BENEFITS			WORK-RELATED BENEFITS								FAMILY BENEFITS		LONG-TERM BENEFITS
Countries involved/ Legal Framework or Labor Agreement	Sector of activity/ Skill level	Access: employer-based/ quotas/ other	Duration, Renewability / Access to Permanent Residence	Health Care Benefits	Work Injury Benefits/ Sick Pay	Maternity Leave / Paternity Leave	Pre-departure Info & Training	Travel provisions (arrival & departure /home leave) / Housing provisions	Emergency Repatriation Cost coverage	Access to finance/ Facilitated remittance transfers	Wage equality with native workers/ Vacation Pay/ Anti-discrimination measures	Unemployment Benefits/Work-specific Labor market integration/ Training	Severance pay/ end-of-service benefits	Provisions in case of Bankruptcy/ Insolvency Fund	Health Care Benefits	Family Allowance or similar	Pension Benefits (Old Age/ Disability/ Survivors)/ Portability provisions (National/ Bilateral/ Multilateral)
All countries/ National Scheme ¹¹	Construction, Maintenance, Healthcare, Distribution, Services, Catering, Tourism/ Low- to mid-skilled workers	Employer-based with labor market test	Usually 1 to 2 years renewable contracts, up to 5 years. Possibility of open-ended contracts.	YES (employer-sponsored medical insurance)	YES ¹² /YES	YES/NC	NCU ¹³	YES (only for departure) /YES ¹⁴	NC	NC/NC ¹⁵	NO/YES/NO ¹⁶	NO/NC/NC	YES ¹⁷ / YES ¹⁸	NO ¹⁹ /NO	NC	NC	NCU/NCU

Sources: Ministry of Social Affairs & Labor, The Philippines Overseas Employment Administration, New Kuwaiti Private Sector Labor Law, Diwan of the Prime Minister State of Kuwait, Constitution of Kuwait, Ministry of Labor Hashemite Kingdom of Jordan, US Department of State, World Bank, IFC, IOM, ILO

Comments:

- Status of Kafala System: prevailing.
- Public sector minimum wage for Kuwaiti citizens: 217 dinars (approximately \$740) per month. Public sector noncitizen wage: 97 dinars (\$333). There is no legal minimum wage in the private sector, except for domestic workers who have signed contracts since 2006. Domestic workers must have at least 40 dinars (\$136) per month. The MOSAL is responsible for implementing the minimum wage. It was effectively enforced.
- Domestic servants, agricultural workers and persons on temporary contracts of less than six months fall out of the scope of the Private Sector Labor Law.

¹¹ Specific bilateral arrangements: **MoU with India** Apr 2007 (on labor, employment and manpower development) /**MoU with the Philippines** Sept 1997(on labor and manpower Development), **Agreement of technical cooperation with the Government of the Hashemite Kingdom of Jordan** regarding workforce transference 2001.

¹² Compensation varies with severity of injury : in case of death, 1500 days pay for survivors/total permanent disability, 2000 days pay/partial permanent disability, employee gets percentage of what would be due for total permanent disability

¹³ Unknown scheme as far as host countries are concerned. Major sending countries' governments in South Asia provide pre-departure training and information through Migrant Welfare Funds.

¹⁴ Free accommodation and transportation are provided by the employer to the worker if the contract covers the execution of a government project or if the employee lives in a remote area. In the event where no accommodation is provided, the employer shall pay an appropriate accommodation allowance. (Art. 34)

¹⁵ Bangladesh, India, Sri Lanka and Pakistan have public institutions and government financial incentives to support temporary migration /remittances inflows.

¹⁶ Reference to discrimination in art 29 of the Kuwaiti Constitution. No mention in Labor Law.

¹⁷ Severance pay for redundancy dismissal after 20 years of employment:75.8 weeks of salary. Source: World Bank, IFC.

¹⁸ Article 51 of New Kuwaiti Private Sector Labor Law. The employee has right to receive end of service pay as follows:

- The worker gets indemnity equal to 10 days salary every year during the first five years, and 15 days the following years. Total payment should not be more than one-year salary for employees who get paid on daily, weekly, hourly or per job basis.

- Indemnity of 15 days for the first five years, and one month salary for the following years. Total payment should not be more than the one-year salary and half for employees paid on monthly basis.

Provisions of the Social Security Law shall be taken into consideration and the employer shall pay the net difference between the amounts accrued due to the subscription of the worker in the social security and to the end-of-service benefit.

¹⁹ When an employer goes bankrupt the outstanding salaries and termination benefits of his employees must be paid before his other creditors.

SULTANATE OF OMAN

SCHEME OVERVIEW				SHORT-TERM BENEFITS			WORK-RELATED BENEFITS								FAMILY BENEFITS		LONG-TERM BENEFITS
Countries involved/ Legal Framework or Labor Agreement	Sector of activity/ Skill level	Access: employer-based/ quotas/ other	Duration, Renewability / Access to Permanent Residence	Health Care Benefits	Work Injury Benefits/ Sick Pay	Maternity Leave / Paternity Leave	Pre-departure Info & Training	Travel provisions (arrival & departure /home leave) / Housing provisions	Emergency Repatriation Cost coverage	Access to finance/ Facilitated remittance transfers	Wage equality with native workers/ Vacation Pay/ Anti-discrimination measures	Unemployment Benefits/ Work-specific Labor market integration/ Training	Severance pay/ end-of-service benefits	Provisions in case of Bankruptcy/ Insolvency Fund	Health Care Benefits	Family Allowance or similar	Pension Benefits (Old Age/ Disability/ Survivors)/ Portability provisions (National/ Bilateral/ Multilateral)
All countries/ National Scheme ²⁰	Construction, Maintenance, Mines, Quarries, Healthcare especially nurses/ Low-Skilled workers	Employer-based with labor market test / Employer must observe specified percentage for Omanisation	1 to 2 years renewable	YES	YES/YES	YES /NC	NCU ²¹	YES (For departure) /YES ²²	NC	NC/ NC ²³	NO (no minimum wage for foreign workers) /YES /NO ²⁴	NO/NC/ YES	NC/YES ²⁵	NO/NO	NC	NC	NO ²⁶ /NCU

Sources: Ministry of Manpower, Omani Labor Law, Constitution of Oman, International Social Security Association, Social Security Administration, ILO, World Bank, US Department of State.

Comments:

- Status of Kafala system: prevailing. There is no minimum wage for foreign workers.
- Omani Labor Law does not apply to drivers, maids, cooks and the like. The Minister shall issue a decision specifying the rates and conditions of this category (Art 2 of Omani Labor Law).
- An employer may establish schemes by which his employees get entitled to benefits more generous than those awarded by the Omani law. He may as well provide his employee with other benefits, or enter into agreements with them provided the conditions are more generous than those mentioned in the law. If a condition in this law contradicts any of the conditions schemes or agreements, the condition, which is more generous to the employee, shall be applicable (Art 6).
- Sudanese and Filipino require special employment permits. Preliminary authorization must be given by their respective governments regarding their contracts. Such nationals should refer to relevant embassies in the Sultanate and to the Ministry of Foreign Affairs.
- The Sultanate of Oman is the second country to sign its DWCP (Decent Work Country Program) after Bahrain in March 2010. Emphasis is put on the principle of social dialogue and tripartism. Since its accession to the Organization in 1994, the Sultanate of Oman has ratified four of the ILO's eight core conventions. The DWCP will be implemented during 2010-2013.
- Employees covered under the labor law are entitled compensation for job-related injury or illness by means of employer-provided medical insurance. Domestic workers fall out of the scope of the labor law. Separate domestic employment regulations nonetheless make compulsory for the employer to provide domestic workers with local medical treatment free of charge during the whole contract period.

²⁰ Specific bilateral arrangements: **MoU with India** Nov 2008 (labor mobility, protection & welfare of workers)

²¹ Unknown scheme as far as host countries are concerned. Major sending countries' governments in South Asia provide pre-departure training and information through Migrant Welfare Funds.

²² Art. 34 Any employer, who practices work in areas specified by the Minister, shall undertake to provide his employees with suitable means of transport, appropriate accommodation, proper meals and drinking water in places to be prepared for such purpose within easy reach for the employees.

²³ Bangladesh, India, Sri Lanka and Pakistan have public institutions and government financial incentives to support temporary migration /remittances inflows.

²⁴ Reference to discrimination in art 17 of the Omani Constitution. No mention in Labor Law except for Employment of females. (see art 80 of Omani Labour Law)

²⁵ Upon termination of contract the employees who are not beneficiaries of the Social Insurance Law the employer shall be paid a post service gratuity in the amount of the wage of fifteen days for each year of service for the first three years, and the wage of one month for each of the following years.

²⁶ Excluded: Foreign workers, household workers, and artisans.

STATE OF QATAR

SCHEME OVERVIEW				SHORT-TERM BENEFITS			WORK-RELATED BENEFITS								FAMILY BENEFITS		LONG-TERM BENEFITS
Countries involved/ Legal Framework or Labor Agreement	Sector of activity/ Skill level	Access: employer-based/ quotas/ other	Duration, Renewability / Access to Permanent Residence	Health Care Benefits	Work Injury Benefits/ Sick Pay	Maternity Leave / Paternity Leave	Pre-departure Info & Training	Travel provisions (arrival & departure /home leave) / Housing provisions	Emergency Repatriation Cost coverage	Access to finance/ Facilitated remittance transfers	Wage equality with native workers/ Vacation Pay/Anti-discrimination measures	Unemployment Benefits/Work-specific Labor market integration/ Training	Severance pay/ end-of-service benefits	Provisions in case of Bankruptcy/ Insolvency Fund	Health Care Benefits	Family Allowance or similar	Pension Benefits (Old Age/ Disability/ Survivors)/ Portability provisions (National/ Bilateral/ Multilateral)
All countries/ National Scheme ²⁷	Construction, Maintenance, and Healthcare (especially nurses)/ Low- to mid-skilled	Employer-based with labor market tests	2 years increasingly common open-ended extended or renewed by mutual consent. Not more than 5 years if limited duration.	YES ²⁸	YES (at the cost of the employer)/ YES	YES /NC	NCU ²⁹	YES / YES (Suitable means of transportation or suitable accommodation or both if distant location)	YES (if partial or total permanent disability or death/at cost of the employer. Heirs receive compensation.) ³⁰	NC/ NC ³¹	NO /YES/NO ³²	NO/NC /YES	YES ³³ /YES ³⁴	NO/NO	NC	NC	NCU ³⁵ /NCU

Sources: World Bank, IFC, ILO, Constitution of Qatar, Qatar Labor Law, Ministry of Overseas Indian Affairs, Philippines Overseas Employment Administration, Embassy of Qatar Washington DC, US Department of State, Ministry of Labor Hashemite Kingdom of Jordan.

Comments:

- Status of Kafala system: prevailing. There is no minimum wage.
- Qatari Labor Law does not include workers in domestic employment such as drivers, nurses, cooks, gardeners and similar workers/ (agricultural workers under specific conditions).

²⁷ Bilateral agreement with India /Bilateral labor agreement with Pakistan (1987)/MoU with Philippines May 1997/ MoU with Indonesia to facilitate recruitment in healthcare particularly nurses/Agreement of technical cooperation between the Government of the Hashemite Kingdom of Jordan regarding organizing the employment of Jordanian Laborers (1997)/Agreement with Morocco (1981).

²⁸ Medical and dental treatment is heavily state-subsidized for expatriates. Both residents and visitors are required to apply for a QR100 health card. The latter allows them to pay small charges for a variety of tests and consultations plus a nominal fee for inpatient care.

²⁹ Unknown scheme as far as host countries are concerned. Major sending countries' governments in South Asia provide pre-departure training and information through Migrant Welfare Funds.

³⁰ Art 110 of Labor Law. Amount of compensation calculated in accordance to Islamic Shari'a.

³¹ Bangladesh, India, Sri Lanka and Pakistan have public institutions and government financial incentives to support temporary migration /remittances inflows.

³² Reference to discrimination in art 35 of Qatari Constitution. No mention in Labor Law.

³³ Severance pay for redundancy dismissal after 20 years of employment:60 weeks of salary. Source: World Bank, IFC.

³⁴ The worker is entitled to a three-week wage for every year of employment upon completion of first year.

³⁵ Art 56 of Labor Law. "The employer who maintains a retirement system or a similar system which secures for the worker a greater benefit than the end of service gratuity to which the worker is entitled under the provisions of Article (54) of this law shall not be obligated to pay to the worker the end of service gratuity in addition to the benefit available to the worker under the said system."

KINGDOM OF SAUDI ARABIA

SCHEME OVERVIEW				SHORT-TERM BENEFITS			WORK-RELATED BENEFITS								FAMILY BENEFITS		LONG-TERM BENEFITS
Countries involved/ Legal Framework or Labor Agreement	Sector of activity/ Skill level	Access: employer-based/ quotas/ other	Duration, Renewability/ Access to Permanent Residence	Health Care Benefits	Work Injury Benefits/ Sick Pay	Maternity Leave / Paternity Leave	Pre-departure Info & Training	Travel provisions (arrival & departure /home leave) / Housing provisions	Emergency Repatriation Cost coverage	Access to finance/ Facilitated remittance transfers	Wage equality with native workers/ Vacation pay/Anti-discrimination measures	Unemployment Benefits/Work-specific Labor market integration/ Training	Severance pay/ end-of-service benefits	Provisions in case of Bankruptcy/ Insolvency Fund	Health Care Benefits	Family Allowance or similar	Pension Benefits (Old Age/ Disability/ Survivors)/ Portability provisions (National/ Bilateral/ Multilateral)
All countries/ National Scheme ³⁶	Construction, Maintenance, agriculture, cleaning, nurses / Low-to mid-skilled workers	Employer based with labor market test /Quotas for sectors and specific occupations ³⁷	2 years renewable. Probationary period from 3 to 6 months for semi-skilled workers ³⁸ .	YES (employer-sponsored medical insurance ³⁹)	YES ⁴⁰ /YES	YES/YES	NCU ⁴¹	YES (return trip and home leave ⁴²) /YES (Direct provision by employer or house rent allowance)	YES ⁴³	NC/ NC ⁴⁴	NO /YES (The vacation period depends on the type of contract ⁴⁵)/NO ⁴⁶	NO/NC/ YES	YES ⁴⁷ /YES ⁴⁸	NO/NO	NC	NC	NO ⁴⁹ /NCU ⁵⁰

Sources: Ministry of Labor Kingdom of Saudi Arabia, Saudi Labor Law 2005, New Saudi Labor Law Apr 2006, General Organization for Social Insurance Kingdom of Saudi Arabia, Constitution of Saudi Arabia, Social security Administration, international social Security Association, ILO Natlex, Consulate General of India Jeddah, US Department of State, World Bank, IFC.

Comments:

- Status of Kafala system: prevailing. There is no minimum wage. Release of sponsorship is not a legal right of a worker. The employer has the right to give or withhold release to the worker. Release of sponsorship is a special right given to employers which purpose is to safeguard their business interest. The worker can be deployed in any of his office / premises anywhere in Saudi Arabia if Saudi employer holds sponsorship.
- Employer must incur the fees pertaining to recruitment of non-Saudi workers, the fees for Iqama (residence permit) and work permit (including renewal plus fines resulting from delay). Fees pertaining to change of profession, exit and re-entry visas and return tickets to the worker's home country shall be covered by the employer at the end of the relation between the two parties.
- Not all the workers are entitled to social protection provisions in Saudi Arabia. Categories such as domestic workers regardless of gender, agricultural laborers (eligible to free housing), fishermen, and ship crew do not fall under the scope of Saudi Workmen Law. Hence, these categories and their disputes do not fall under the jurisdiction of Saudi Labor Offices.
- Daily transportation is the responsibility of the employer. Whenever the employer fails to provide transportation from accommodation to job site daily, transport allowance has to be paid monthly. Rates have to be agreed mutually.

³⁶ Bilateral Agreement Saudi Arabia/Sudan (2009). Facilitates managed labor mobility as well as social protection and welfare.

³⁷ See Council of Ministers Decision No. 50, 21/4/115 (26/9/1994). See also ministerial Decree No. 6773 of 21/4/1423 (1/7/2002) regarding Ministerial Approval of the classification of 22 professions for Saudi nationals only.

³⁸ In case of termination of contract during the probation period, the employee will get salary for the period of his service and return air ticket.

³⁹ Firms must bear medical costs of their employees according to their work organization regulation approved by the Ministry of Labor or to the Labor Law.

⁴⁰ The Occupational Hazards Branch of GOSI (General Organisation for Social Insurance) applies mandatory to Saudis and non-Saudis. The provisions of Occupational Hazards Branch of Social Insurance Law must be applied on work-related injuries and occupational diseases. In the event a non-Saudi contributor sustains a work injury, he will be compensated with a lump sum.

⁴¹ Unknown scheme as far as host countries are concerned. Major sending countries' governments in South Asia provide pre-departure training and information through Migrant Welfare Funds.

⁴² The employer covers cost of air fare for vacation, unless otherwise mentioned in the contract.

⁴³ Legal heirs are eligible to death compensation covered by repatriation insurance. Settling legal dues, unpaid salaries, service award, other unpaid allowances, unused vacation pay, etc., to the legal heirs in case of death is the responsibility of the company.

Excluded from Old Age & Pension Benefits: Agricultural workers, fishermen, household workers, family labor, and foreign workers. Subject to certain conditions, excluded workers may receive coverage.

⁴⁴ Bangladesh, India, Sri Lanka and Pakistan have public institutions and government financial incentives to support temporary migration /remittances inflows.

⁴⁵ Prevailing practice in KSA is 21 days/year with full pay for unskilled workers. Semi-skilled workers are allowed 30 days after having completed 5 consecutive years of service.

⁴⁶ Art 26 of Saudi Arabia Constitution. The state protects human rights in accordance with the Islamic Shari'ah. No mention in Labor Law.

⁴⁷ Severance award calculated at the rate of half a monthly rate for each of the five first years and one month pay for each of the following years. (Severance pay for redundancy dismissal after 20 years of employment: 75.8 weeks of salary. Source: World Bank, IFC.)

⁴⁸ End-of-service award of a half month wage for each of the 1st 5 years, 1 month wage for each of following years.

⁴⁹ Excluded: Agricultural workers, fishermen, household workers, family labor, and foreign workers.

⁵⁰ Migrant workers are able to maintain their acquired rights as far as long-term benefits are concerned (old-age benefit, invalidity, survivors' benefit) regardless of whether they stay in Saudi Arabia or not. Migrant workers are not authorized to accumulate rights in situations where work has been carried out in different countries over a given period of time.

UNITED ARAB EMIRATES

SCHEME OVERVIEW				SHORT-TERM BENEFITS			WORK-RELATED BENEFITS									FAMILY BENEFITS		LONG-TERM BENEFITS
Countries involved/ Legal Framework or Labor Agreement	Sector of activity/ Skill level	Access: employer-based/ quotas/ other	Duration, Renewability / Access to Permanent Residence	Health Care Benefits	Work Injury Benefits/ Sick Pay	Maternity Leave / Paternity Leave	Pre-departure Info & Training	Travel provisions (arrival & departure /home leave) / Housing provisions	Emergency Repatriation Cost coverage	Access to finance/ Facilitated remittance transfers	Wage equality with native workers/ Vacation Pay/ Anti-discrimination measures	Unemployment Benefits/ Work-specific Labor market integration/ Training	Severance pay/ end-of-service benefits	Provisions in case of Bankruptcy/Insolvency Fund	Health Care Benefits	Family Allowance or similar	Pension Benefits (Old Age/ Disability/ Survivors)/ Portability provisions (National/ Bilateral/ Multilateral)	
All countries/ National Scheme ⁵¹	All sectors/ Low-skilled workers in all private sector jobs; Mid-skilled for Health care (especially nurses)	Employer-based with labor market test Priority given to holders of the nationality of an Arab State.	Two types of contracts: fixed term contracts (cannot be in excess of a period of 4 years) or unlimited contracts	YES ⁵²	YES/YES	YES ⁵³ /NO	NCU ⁵⁴	YES (Return at the end of contract only) /YES (transportation provided if living in a remote area)	YES	NC/ NC ⁵⁵	NO /YES ⁵⁶ / NO ⁵⁷	NO/NC/ YES	YES ⁵⁸ /YES ⁵⁹	NO/NO	NC ⁶⁰	NC	NCU (Pensions or retirement benefits for employees in certain firms ⁶¹) /NCU	

Sources: Ministry of Labor, UAE Labor Law, Health Authority Abu Dhabi, General Directorate of Residency and Foreigners Affairs, Ministry of Overseas Indians Affairs, Philippines Overseas Employment Administration, World Bank, US department of State, Ministry of Labor Hashemite Kingdom of Jordan, ILO, World Bank, IFC.

Comments:

- Status of Kafala system: prevailing. There is no minimum wage.
- Labor Law does not cover the following categories: domestic servants and similar occupations, workers in farms or pastures except persons working in agricultural institutions processing the products thereof or persons permanently operating or repairing mechanical machines required for agriculture.

⁵¹ **Basic MoU with India** Dec 2006 / **Bilateral Agreement with Philippines** (labor mobility and social protection)/**Bilateral agreement with Pakistan** (2006)/**Memorandum Circular issued by Philippines** Jan 2010 on minimum monthly income of AED 25 000 for Filipino HSW (Household service Workers) **Resloution with Philippines 2006** calling on the Committee on Foreign Relations to Investigate the plight of overseas Filipino Workers in the UAE, with the Objective of Proposing Legislation or an Appropriate labor Agreement Between both countries for the Protection of Overseas Filipino Workers /**MoU with Philippines** Apr 2007 (Implementation of the UAE Employment Agreement for Domestic Workers and Sponsors)/ **Agreement with the Government of the Hashemite Kingdom of Jordan** regarding cooperation in the field of workforce 2006/**Bilateral agreement with Morocco** in the fields of labor, vocational training and social protection 1981/2007/**Bilateral Agreement with Egypt** 1988 on the Organization of the Egyptian Manpower Employment in UAE.

⁵² By the New Health Insurance law effective since January 1st, 2007 it is mandatory for all expatriates residing and working in the Emirate of Abu Dhabi to have health insurance provided by their employer or sponsor.

⁵³ 45 days full pay includes before & after delivery, provided served one year. Granted half pay if not completed 1 year of service.

⁵⁴ Unknown scheme as far as host countries are concerned. Major sending countries' governments in South Asia provide pre-departure training and information through Migrant Welfare Funds.

⁵⁵ Bangladesh, India, Sri Lanka and Pakistan have public institutions and government financial incentives to support temporary migration /remittances inflows

⁵⁶ The worker receives a basic wage and a housing allowance, if any, for the days of the annual leave. If the work circumstances require that the worker stays working during his total annual leave or a part of it , and if the leave during which the worker worked is not carried forward to the next year, the employer must pay a wage compensation to the worker, in addition to a leave allowance for the days of work, equal to his basic wage.

⁵⁷ Reference to discrimination in art 25 of United Arab Emirates Constitution. No mention in Labor Law though the UAE have ratified the ILO Discrimination Convention on Equality of opportunity and Treatment.(Employment & Occupation).Entry into force: 2005.

⁵⁸ Art. 132 of Labor Law 21 days' wage for each of the first five years of service. 30 days' wage for each additional year of service. Aggregate amount of severance pay must not exceed two year's wage. (Severance pay for redundancy dismissal after 20 years of employment:79.3 weeks of salary. Source: World Bank, IFC.

⁵⁹ End of service benefits and other entitlements as provided in the terms of the employment contract or the regulations of the establishment.

⁶⁰ In case of type 2 migrants, it is not possible to obtain a residence permit for expatriate family as their salary is not sufficient. Salary of sponsored employee must not be less than AED. 4000 or AED. 3000 + accommodation. Fees for each year's residence cost AED 100 (3 years maximum for the wife and children, one year only for parents and first degree relatives). A refundable security deposit of AED 5000 for sponsoring the parents and first degree relatives is required.

⁶¹ If a firm has retirement insurance or a similar scheme, an employee who is entitled to a retirement pension can opt for treatment under the said pension or severance pay or under the pension or insurance scheme, whichever is more advantageous to him.

TEMPORARY LABOR MIGRATION SCHEMES FOR MID- TO HIGH-SKILLED WORKERS

KINGDOM OF BAHRAIN (Page 12)

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KINGDOM OF BAHRAIN

SCHEME OVERVIEW				SHORT-TERM BENEFITS			WORK-RELATED BENEFITS								FAMILY BENEFITS		LONG-TERM BENEFITS
Countries involved/ Legal Framework or Labor Agreement	Sector of activity/ Skill level	Access: employer-based/ quotas/ other	Duration, Renewability / Access to Permanent Residence	Health Care Benefits	Work Injury Benefits/ Sick Pay	Maternity Leave / Paternity Leave	Pre-departure Info & Training	Travel provisions (arrival & departure /home leave) / Housing provisions	Emergency Repatriation Cost coverage	Access to finance/ Facilitated remittance transfers	Wage equality with native workers/ Vacation Pay/Anti-discrimination measures	Unemployment Benefits/Work-specific Labor market integration/ Training	Severance pay/ end-of-service benefits	Provisions in case of Bankruptcy/ Insolvency Fund	Health Care Benefits	Family Allowance or similar	Pension Benefits (Old Age/ Disability/ Survivors)/ Portability provisions (National/ Bilateral/ Multilateral)
All countries/ National Scheme ⁶²	All sectors/ High-skilled workers with highly specialized knowledge	Employer-based with labor market tests	2 years increasingly common open-ended extended or renewed by mutual consent	YES	NC/YES	YES (paid by the employer)/ NC	NCU ⁶³	YES (for departure only) /NC	NC	NC/ NC ⁶⁴	NO / YES /NO ⁶⁵	YES ⁶⁶ //NC /YES	YES ⁶⁷ / YES ⁶⁸	NO/NO	NC	NC	NO ⁶⁹ /NCU

Sources: Ministry of Labor, Labor Market Regulatory Authority Website Portal Bahrain, IOM, Bahraini Labor Law for the Private Sector 1976, New Bahrain Labor Law, Constitution of Bahrain, Ministry of Overseas Indian Affairs, Philippines Overseas Employment Administration, World Bank, IFC, Aspen Institute, Social Security Administration, International Social Security Administration, ILO, US social Security Administration (Office of Retirement & Disability Policy).

⁶² Specific bilateral arrangements: **MoU with India** Nov 2008 (labor mobility, protection & welfare of workers)/**Memorandum of Agreement with Philippines** Apr 2007 (to strengthen bilateral cooperation in the field of health services and the exchange of human resources; in addition to facilitating movement of health workforce, provides specific details on mechanisms to support human resources for health development in the Philippines)/**MoU with India** June 2009 on labor and manpower development/**Bilateral trade union agreements** on migrant workers' rights with **Sri Lanka/MoU with Morocco** 2002.

⁶³ Unknown scheme as far as host countries are concerned. Major sending countries' governments in South Asia provide pre-departure training and information through Migrant Welfare Funds.

⁶⁴ Bangladesh, India, Sri Lanka and Pakistan have public institutions and government financial incentives to support temporary migration /remittances inflows

⁶⁵ Reference to discrimination in art 18 of the Bahraini Constitution. No mention in Labor Law.

⁶⁶ Seeker must have completed 12 months at least on first benefit claim. 60% of average earnings in last 12 months. Minimum unemployment benefit:150 dinars. Maximum unemployment benefit:500 dinars. Benefit paid for up to 6 months. (Figures valid for2008).

⁶⁷ art 107-108 of Labor Law. (Severance pay for redundancy dismissal after 20 years of employment:75.8 weeks of salary. Source: World Bank, IFC.)

⁶⁸ As for the end-of-service gratuity, in accordance with Federal Labor Law no. 1980, article 132, the employee is entitled to 21 days' remuneration for each year of the first 5 years of service on the basis of the remuneration last due to the questioner. Further, the questioner is entitled to arrears allowance for annual leave in addition to return ticket to his homeland if he had already entered into contract from his country

⁶⁹ Excluded: agricultural workers, temporary non-citizen workers.

STATE OF KUWAIT

SCHEME OVERVIEW				SHORT-TERM BENEFITS			WORK-RELATED BENEFITS									FAMILY BENEFITS		LONG-TERM BENEFITS
Countries involved/ Legal Framework or Labor Agreement	Sector of activity/ Skill level	Access: employer-based/ quotas/ other	Duration, Renewability / Access to Permanent Residence	Health Care Benefits	Work Injury Benefits/ Sick Pay	Maternity Leave / Paternity Leave	Pre-departure Info & Training	Travel provisions (arrival & departure /home leave) / Housing provisions	Emergency Repatriation Cost coverage	Access to finance/ Facilitated remittance transfers	Wage equality with native workers/ Vacation Pay/Anti-discrimination measures	Unemployment Benefits/Work-specific Labor market integration/ Training	Severance pay/ end-of-service benefits	Provisions in case of Bankruptcy/ Insolvency Fund	Health Care Benefits	Family Allowance or similar	Pension Benefits (Old Age/ Disability/ Survivors)/ Portability provisions (National/ Bilateral/ Multilateral)	
All countries/ National Scheme ⁷⁰	All sectors ⁷¹ / High skilled workers with highly specialized knowledge	Employer-based with labor market test	Usually 1 to 2 years renewable contracts, up to 5 years. Possibility of open-ended contracts.	YES ⁷²	YES ⁷³ /YES	YES /NC	NCU ⁷⁴	YES (only for departure) /YES ⁷⁵	NC	NC/ NC ⁷⁶	NO /YES /NO ⁷⁷	NO/NC /NC	YES ⁷⁸ /YES ⁷⁹	NO ⁸⁰ /NO	NC	NC	NCU/NCU	

Sources: Ministry of Social Affairs & Labor, Constitution of Kuwait, The Philippines Overseas Employment Administration, New Kuwaiti Private Sector Labor Law, Ministry of Labor Hashemite Kingdom of Jordan, World Bank, IFC, IOM, ILO

Comments:

- **Health Insurance Scheme:** From April 10, 2000 Kuwaiti Ministry of Health has made health insurance compulsory for expatriates. No new residence is issued or old permit renewed unless the expatriates have paid premiums to the state health insurance. The expatriates' duration of residence is correlated to the period covered by health insurance. One year health insurance paid entitles only one year residence permit.
- **Family Unification:** Once he has obtained his own residency, a male employee can sponsor his wife and children to join him and live with him in Kuwait. Minimum salary conditions are required in order to get permission to sponsor wife and children.

⁷⁰ Specific bilateral arrangements: **MoU with India** Apr 2007 (on labor, employment and manpower development) /**MoU with the Philippines** Sept 1997(on labor and manpower Development), **Agreement of technical cooperation with the Government of the Hashemite Kingdom of Jordan** regarding workforce transference 2001.

⁷¹ Main sectors: oil sector, engineering, energy, industry, petrochemicals, power, water, transport, health, energy, telecommunication, production, banking, education, operation and maintenance and Information technology (IT) sectors.

⁷² From 10th April, 2000 health insurance was made mandatory for expatriates. No residence is renewed unless the premium for health insurance is paid and the renewal period is also linked to the period of health insurance coverage (details covered in Chapter - 3). Expatriates holding health insurance from local private insurance companies will be allowed to renew their residence for the period of validity of the insurance. Before 1994, expatriates were also entitled to free medical services, but now they are charged for certain non-emergency procedures. All emergency and outpatients services are still free for expatriates. They are not charged for medication provided by government hospital pharmacies on prescriptions from hospital doctors.

⁷³ Compensation varies with severity of injury : in case of death, 1500 days pay for survivors/total permanent disability, 2000 days pay/partial permanent disability, employee gets percentage of what would be due for total permanent disability

⁷⁴ Unknown scheme as far as host countries are concerned. Major sending countries' governments in South Asia provide pre-departure training and information through Migrant Welfare Funds.

⁷⁵ Free accommodation and transportation is provided by the employer to the worker if the contract covers the execution of a government project or if the employee lives in a remote area. In the event where no accommodation is provided, the employer shall pay an appropriate accommodation allowance. (Art. 34)

⁷⁶ Bangladesh, India, Sri Lanka and Pakistan have public institutions and government financial incentives to support temporary migration /remittances inflows

⁷⁷ Reference to discrimination in art 29 of the Kuwaiti Constitution. No mention in Labor Law.

⁷⁸ Severance pay for redundancy dismissal after 20 years of employment:75.8 weeks of salary. Source: World Bank, IFC.)

⁷⁹ Article 51 of New Kuwaiti Private Sector Labor Law. The employee has right to receive end of service pay as follows:

"- The worker gets indemnity equal to 10 days salary every year during the first five years, and 15 days the following years. Total payment should not be more than one-year salary for employees who get paid on daily, weekly, hourly or per job basis. - Indemnity of 15 days for the first five years, and one month salary for the following years. Total payment should not be more than the one-year salary and half for employees paid on monthly basis.

Provisions of the Social Security Law shall be taken into consideration and the employer shall pay the net difference between the amounts accrued due to the subscription of the worker in the social security and to the end-of-service benefit."

⁸⁰ When an employer goes bankrupt the outstanding salaries and termination benefits of his employees must be paid before his other creditors.

SULTANATE OF OMAN

SCHEME OVERVIEW				SHORT-TERM BENEFITS			WORK-RELATED BENEFITS								FAMILY BENEFITS		LONG-TERM BENEFITS
Countries involved/ Legal Framework or Labor Agreement	Sector of activity/ Skill level	Access: employer-based/ quotas/ other	Duration, Renewability / Access to Permanent Residence	Health Care Benefits	Work Injury Benefits/ Sick Pay	Maternity Leave / Paternity Leave	Pre-departure Info & Training	Travel provisions (arrival & departure /home leave) / Housing provisions	Emergency Repatriation Cost coverage	Access to finance/ Facilitated remittance transfers	Wage equality with native workers/Vacation Pay/ Anti-discrimination measures	Unemployment Benefits/Work-specific Labor market integration/ Training	Severance pay/ end-of-service benefits	Provisions in case of Bankruptcy/ Insolvency Fund	Health Care Benefits	Family Allowance or similar	Pension Benefits (Old Age/ Disability/ Survivors)/ Portability provisions (National/ Bilateral/ Multilateral)
All countries/ National Scheme ⁸¹	Energy, banking, commerce, and media / High-skilled workers with highly specialized knowledge	Employer-based with labor market test / Employer must observe specified percentage for Omanisation	2 years though open-ended contracts have become increasingly common	YES	YES/YES	YES /NC	NCU ⁸²	YES (for departure) /YES ⁸³	NC	NC/ NC ⁸⁴	NO / YES (after one year of continuous service with the employer, have a right to an annual leave with basic salary) /NO ⁸⁵	NO/NC/ YES	NC/YES ⁸⁶	NO/NO	NC	NC	NO ⁸⁷ /NCU

Sources: Ministry of Manpower, Public Authority for Social Insurance, International Social Security Association, Social Security Administration, Constitution of Oman, World Bank

⁸¹ Specific bilateral arrangement : **MoU with India** Nov 2008 (labor mobility, protection & welfare of workers)

⁸² Unknown scheme as far as host countries are concerned. Major sending countries' governments in South Asia provide pre-departure training and information through Migrant Welfare Funds.

⁸³ Art. 34 Any employer, who practices work in areas specified by the Minister, shall undertake to provide his employees with suitable means of transport, appropriate accommodation, proper meals and drinking water in places to be prepared for such purpose within easy reach for the employees.

⁸⁴ Bangladesh, India, Sri Lanka and Pakistan have public institutions and government financial incentives to support temporary migration /remittances inflows

⁸⁵ Reference to discrimination in art 17 of the Omani Constitution. No mention in Labor Law.

⁸⁶ Employer must pay employee a post service gratuity in amount of the wage of 15 days/yr of service for the 1st 3 yrs, and wage of one month for each of following years if the employee is not covered by Social Insurance Law. If an establishment has a pension fund for the employees, the employer must pay to employee a lump sum in lieu of the gratuity otherwise the employee will be entitled to the gratuity provided the regulations of such fund allow. If the employee contributes to such a fund he shall be entitled to collect what is due to him from the pension fund as well as the end service gratuity.

⁸⁷ Excluded: Foreign workers.

STATE OF QATAR

SCHEME OVERVIEW				SHORT-TERM BENEFITS			WORK-RELATED BENEFITS								FAMILY BENEFITS		LONG-TERM BENEFITS
Countries involved/ Legal Framework or Labor Agreement	Sector of activity/ Skill level	Access: employer-based/ quotas/ other	Duration, Renewability / Access to Permanent Residence	Health Care Benefits	Work Injury Benefits/ Sick Pay	Maternity Leave / Paternity Leave	Pre-departure Info & Training	Travel provisions (arrival & departure /home leave) / Housing provisions	Emergency Repatriation Cost coverage	Access to finance/ Facilitated remittance transfers	Wage equality with native workers/ Vacation Pay/Anti-discrimination measures	Unemployment Benefits/Work-specific Labor market integration/ Training	Severance pay/ end-of-service benefits	Provisions in case of Bankruptcy/ Insolvency Fund	Health Care Benefits	Family Allowance or similar	Pension Benefits (Old Age/ Disability/ Survivors)/ Portability provisions (National/ Bilateral/ Multilateral)
All countries/ National Scheme ⁸⁸	All sectors ⁸⁹ / High-skilled workers with highly specialized knowledge	Employer-based with labor market test	2 years increasingly common open-ended extended or renewed by mutual consent. Not more than 5 years if limited duration.	YES ⁹⁰	YES (at cost of the employer)/ YES	YES /NC	NCU ⁹¹	YES / YES (Suitable means of transportation or suitable accommodation or both if distant location)	YES (if partial or total permanent disability or death/at cost of the employer. Heirs receive compensation.) ⁹²	NC/ NC ⁹³	NO /YES/NO ⁹⁴	NO/NC /YES	YES ⁹⁵ /YES ⁹⁶	NO/NO	NC	NC	NCU ⁹⁷ /NCU

Sources: Constitution of Qatar, Qatar Labor Law, Philippines Overseas Employment Administration, World Bank, IFC, ILO, Ministry of Overseas Indian Affairs Philippines Overseas Employment Administration, Embassy of Qatar Washington DC, US Department of State, Ministry of Labor Hashemite Kingdom of Jordan

⁸⁸ Bilateral agreement with India /Bilateral labor agreement with Pakistan (1987)/MoU with Philippines May 1997/ MoU with Indonesia to facilitate recruitment in healthcare particularly nurses/Agreement of technical cooperation between the Government of the Hashemite Kingdom of Jordan regarding organizing the employment of Jordanian Laborers (1997)/Agreement with Morocco (1981).

⁸⁹ Main sectors :Oil, Engineering, construction, maintenance, energy, industry, petrochemicals, power, water, transport, health, food, tourism, retail, energy, telecommunication, production, distribution and services, banking, education, operation and maintenance and Information technology (IT) sectors.

⁹⁰ Medical and dental treatment is heavily state-subsidized for expatriates. Residents and visitors are required to apply for a QR100 health card, which allows them to pay small charges for various tests and consultations as well as a nominal fee for inpatient care.

⁹¹ Unknown scheme as far as host countries are concerned. Major sending countries' governments in South Asia provide pre-departure training and information through Migrant Welfare Funds.

⁹² Art 110 of Labor Law. Amount of compensation calculated in accordance to Islamic Shari'a.

⁹³ Bangladesh, India, Sri Lanka and Pakistan have public institutions and government financial incentives to support temporary migration /remittances inflows

⁹⁴ Reference to discrimination in art 35 of Qatari Constitution. No mention in Labor Law.

⁹⁵ Severance pay for redundancy dismissal after 20 years of employment:60 weeks of salary. Source: World Bank, IFC.

⁹⁶ The worker is entitled to a three-week wage for every year of employment upon completion of first year.

⁹⁷ Art 56 of Labor Law. "The employer who maintains a retirement system or a similar system which secures for the worker a greater benefit than the end of service gratuity to which the worker is entitled under the provisions of Article (54) of this law shall not be obligated to pay to the worker the end of service gratuity in addition to the benefit available to the worker under the said system."

KINGDOM OF SAUDI ARABIA

SCHEME OVERVIEW				SHORT-TERM BENEFITS			WORK-RELATED BENEFITS								FAMILY BENEFITS		LONG-TERM BENEFITS
Countries involved/ Legal Framework or Labor Agreement	Sector of activity/ Skill level	Access: employer-based/ quotas/ other	Duration, Renewability/ Access to Permanent Residence	Health Care Benefits	Work Injury Benefits/ Sick Pay	Maternity Leave / Paternity Leave	Pre-departure Info & Training	Travel provisions (arrival & departure /home leave) / Housing provisions	Emergency Repatriation Cost coverage	Access to finance/ Facilitated remittance transfers	Wage equality with native workers/ Vacation pay/Anti-discrimination measures	Unemployment Benefits/Work-specific Labor market integration/ Training	Severance pay/ end-of-service benefits	Provisions in case of Bankruptcy/Insolvency Fund	Health Care Benefits	Family Allowance or similar	Pension Benefits (Old Age/ Disability/ Survivors)/ Portability provisions (National/ Bilateral/ Multilateral)
All countries/ National Scheme ⁹⁸	Oil, Health care, Finance and Trading / High- skilled workers with highly specialized knowledge	Employer based with labor market test/ Quotas for certain sectors specific occupations ⁹⁹	1 to 2 years renewable	YES (employer-sponsored medical insurance ¹⁰⁰)	YES ¹⁰¹ /YES	YES/YES	NCU ¹⁰²	YES (return trip and home leave ¹⁰³) /YES (Direct provision by employer or house rent allowance)	YES ¹⁰⁴	NC/ NC ¹⁰⁵	NO /YES ¹⁰⁶ /NO ¹⁰⁷	NO/NC/ YES	YES ¹⁰⁸ /YES ¹⁰⁹	NO/NO	NC	NC	NO/NCU ¹¹⁰

Sources: Ministry of Labor Kingdom of Saudi Arabia, Saudi Labor Law 2005, New Saudi Labor Law Apr 2006, Constitution of Saudi Arabia, ILO Natlex, Social Security Administration, International Social Security Association, ILO Migration Survey 2003, Consulate General of India Jeddah, Aspen Institute, World Bank, IFC.

Comments:

- Employer must incur the fees pertaining to recruitment of non-Saudi workers, the fees for Iqama (residence permit) and work permit (including renewal plus fines resulting from delay). Fees pertaining to change of profession, exit and re-entry visas and return tickets to the worker's home country shall be covered by the employer at the end of the relation between the two parties.
- Daily transportation is the responsibility of the employer. Whenever the employer fails to provide transportation from accommodation to job site daily, transport allowance has to be paid monthly. Rates have to be agreed mutually.
- Employer must incur the fees pertaining to recruitment of non-Saudi workers, the fees for Iqama (residence permit) and work permit (including renewal plus fines resulting from delay). Fees pertaining to change of profession, exit and re-entry visas and return tickets to the worker's home country shall be covered by the employer at the end of the relation between the two parties.
- Daily transportation is the responsibility of the employer. Whenever the employer fails to provide transportation from accommodation to job site daily, transport allowance has to be paid monthly. Rates have to be agreed mutually.

⁹⁸ **Bilateral Agreement Saudi Arabia/Sudan** (2009). Facilitates managed labor mobility as well as social protection and welfare.

⁹⁹ see Council of Ministers Decision No. 50, 21/4/115 (26/9/1994). See also ministerial Decree No. 6773 of 21/4/1423 (1/7/2002) regarding Ministerial Approval of the classification of 22 professions for Saudi nationals only.

¹⁰⁰ Firms must bear medical costs of their employees according to their work organization regulation approved by the Ministry of Labor or to the Labor Law.

¹⁰¹ The Occupational Hazards Branch of GOSI (General Organisation for Social Insurance) applies mandatory to Saudis and non-Saudis. The provisions of Occupational Hazards Branch of Social Insurance Law must be applied on work-related injuries and occupational diseases.

In the event a non-Saudi contributor sustains a work injury, he will be compensated with a lump sum.

¹⁰² Unknown scheme as far as host countries are concerned. Major sending countries' governments in South Asia provide pre-departure training and information through Migrant Welfare Funds.

¹⁰³ The employer covers cost of air fare for vacation, unless otherwise mentioned in the contract.

¹⁰⁴ GOSI bears all the expenses for the transport of the body of the contributor who dies as a result of an employment injury or the deceased recipient of a permanent disability benefit, to his home country.

¹⁰⁵ Bangladesh, India, Sri Lanka and Pakistan have public institutions and government financial incentives to support temporary migration /remittances inflows

¹⁰⁶ Vacation period is according to the clause mentioned in the contract. Normal practice prevailing in Saudi Arabia is 30 days leave with full pay per year for professionals or office staff. It is normally after the completion of 1 year or 2 years contract period. Vacation can be deferred for few months by the employer / employee depending upon the necessity of work. If not availed, vacation can be encashed depending upon mutual consent of employer and employee.

¹⁰⁷ Art 26 of Saudi Arabia Constitution. The state protects human rights in accordance with the Islamic Shari'ah. No mention in Labor Law.

¹⁰⁸ Severance award calculated at the rate of half a monthly rate for each of the five first years and one month pay for each of the following years. (Severance pay for redundancy dismissal after 20 years of employment: 75.8 weeks of salary. Source: World Bank, IFC.)

¹⁰⁹ End-of-service award of a half month wage for each of the 1st 5 years, 1 month wage for each of following years.

¹¹⁰ Migrant workers are able to maintain their acquired rights as far as long-term benefits are concerned (old-age benefit, invalidity, survivors' benefit) regardless of whether they stay in Saudi Arabia or not. Migrant workers are not authorized to accumulate rights in situations where work has been carried out in different countries over a given period of time.

UNITED ARAB EMIRATES

SCHEME OVERVIEW				SHORT-TERM BENEFITS			WORK-RELATED BENEFITS								FAMILY BENEFITS		LONG-TERM BENEFITS
Countries involved/ Legal Framework or Labor Agreement	Sector of activity/ Skill level	Access: employer-based/ quotas/ other	Duration, Renewability / Access to Permanent Residence	Health Care Benefits	Work Injury Benefits/ Sick Pay	Maternity Leave / Paternity Leave	Pre-departure Info & Training	Travel provisions (arrival & departure /home leave) / Housing provisions	Emergency Repatriation Cost coverage	Access to finance/ Facilitated remittance transfers	Wage equality with native workers/ Vacation Pay/ Anti-discrimination measures	Unemployment Benefits/Work-specific Labor market integration/ Training	Severance pay/ end-of-service benefits	Provisions in case of Bankruptcy/ Insolvency Fund	Health Care Benefits	Family Allowance or similar	Pension Benefits (Old Age/ Disability/ Survivors)/ Portability provisions (National/ Bilateral/ Multilateral)
All countries/ National Scheme ¹¹¹	Finance, Engineering, Health, Academics, Mgt experts with postgrad degrees/ High- skilled workers with specific knowledge	Employer-based with labor market test Priority given to Arab State nationals.	Two types of contracts: fixed term contracts (cannot be in excess of a period of 4 years) or unlimited contracts	YES ¹¹²	YES/YES	YES ¹¹³ /N O	NCU ¹¹⁴	YES (Return at the end of contract only) /YES	YES	NC/ NC ¹¹⁵	NO /YES ¹¹⁶ / NO ¹¹⁷	NO/NC/ YES	YES ¹¹⁸ /YES ¹¹⁹	NO/NO	YES ¹²⁰	NC	NCU (Pensions or retirement benefits for employees in certain firms ¹²¹) /NCU

Sources: Ministry of Labor, General Directorate of Residency and Foreigners Affairs, UAE Labor Law Health Authority Abu Dhabi, Constitution of United Arab Emirates, Ministry of Overseas Indians Affairs, Philippines Overseas Employment Administration, Ministry of Transport Arab Republic of Egypt, Ministry of Labor Hashemite Kingdom of Jordan, ILO, World Bank, IFC.

Comments: Categories permitted to transfer sponsorship: Engineers, Physicians, pharmacists, and nurses, University and higher college teaching staff, Legal, economic, financial and management experts and advisors holding post-graduate degrees. Electronic information systems analyzers and programmers holding university degrees in these areas, Specialists and technicians engaged in extraction and refining of oil and gas and related industries, Sports coaches in the various sports and educational activities, Specialists in marine and air navigation and in ship and plane piloting. Any other categories within the above mentioned rare specializations, to be mutually agreed between the Ministry of the Interior and the Ministry of Labor and Social Affairs.

¹¹¹ **Basic MoU with India** Dec 2006 / **Bilateral Agreement with Philippines** (labor mobility and social protection)/**Bilateral agreement with Pakistan** (2006)/**Memorandum Circular issued by Philippines** Jan 2010 on minimum monthly income of AED 25 000 for Filipino HSW (Household service Workers) **Resolution with Philippines** 2006 calling on the Committee on Foreign Relations to Investigate the plight of overseas Filipino Workers in the UAE, with the Objective of Proposing Legislation or an Appropriate labor Agreement Between both countries for the Protection of Overseas Filipino Workers /**MoU with Philippines** Apr 2007 (Implementation of the UAE Employment Agreement for Domestic Workers and Sponsors) / **Agreement with the Government of the Hashemite Kingdom of Jordan** regarding cooperation in the field of workforce 2006/**Bilateral agreement with Morocco** in the fields of labor, vocational training and social protection 1981/2007/**Bilateral Agreement with Egypt** 1988 relating to the Organization of the Egyptian Manpower Employment in UAE

¹¹² By the New Health Insurance law effective since January 1st, 2007 it is mandatory for all expatriates residing and working in the Emirate of Abu Dhabi to have health insurance provided by their employer or sponsor.

¹¹³ 45 days full pay includes before & after delivery, provided served one year. Granted half pay if not completed 1 year of service.

¹¹⁴ Unknown scheme as far as host countries are concerned. Major sending countries' governments in South Asia provide pre-departure training and information through Migrant Welfare Funds.

¹¹⁵ Bangladesh, India, Sri Lanka and Pakistan have public institutions and government financial incentives to support temporary migration /remittances inflows.

¹¹⁶ The worker receives a basic wage and a housing allowance, if any, for the days of the annual leave. If the work circumstances require that the worker stays working during his total annual leave or a part of it, and if the leave during which the worker worked is not carried forward to the next year, the employer must pay a wage compensation to the worker, in addition to a leave allowance for the days of work, equal to his basic wage.

¹¹⁷ Reference to discrimination in art 25 of United Arab Emirates Constitution. No mention in Labor Law.

¹¹⁸ Art. 132 of Labor Law 21 days' wage for each of the first five years of service. 30 days' wage for each additional year of service. Aggregate amount of severance pay must not exceed two year's wage. (Severance pay for redundancy dismissal after 20 years of employment:79.3 weeks of salary. Source: World Bank, IFC.

¹¹⁹ End of service benefits and other entitlements as provided in the terms of the employment contract or the regulations of the establishment.

¹²⁰ **Residence permits for expatriate families:** Salary of sponsored employee shall not be less than AED. 4000 or AED. 3000 + accommodation. Fees for each year's residence cost AED 100 (up to 3 years maximum for the wife and children, one year only for parents and first degree relatives). Required refundable security deposit: AED 5000 for sponsoring the parents and first degree relatives. Employers and sponsors are responsible for the procurement of valid health insurance coverage for their employees and their families (1 spouse and 3 children under 18). Included: registration fees, cost of policy and cost of all health care services that are provided to persons on his sponsorship in the event the person is not covered by a valid health insurance policy.

¹²¹ If a firm has retirement insurance or a similar scheme, an employee who is entitled to a retirement pension can opt for treatment under the said pension or severance pay or under the pension or insurance scheme, whichever is more advantageous to him.