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# LAWS

## LABOR AND WORKMEN LAW

Royal Decree No. M/21 dated 6 Ramadan 1389 (15 November 1969)

Decision of the Council of Ministers No. 745, dated 23/24 Sha'ban1389 (3/4 November 1969)

**(with 1970 procedural regulations appended)**

**The English version of this document is for guidance only.**

**The Arabic version is the governing text.**

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## CHAPTER ONE: GENERAL PROVISIONS

### Article 1:

This Law shall be called the Labor Law.

### Article 2:

The provisions of this Law shall apply to:

- Any contract under which any person undertakes to work for the account of an employer under the latter's direction or control in consideration of a wage.
- Contracts of apprenticeship (industrial indentures).
- Workmen of the Government, local authorities, charitable institutions, and public organizations.

### Article 3:

By way of exception, the provision of this Law shall not apply to:

- Workmen in family enterprises which include only members of the employer's family.

Persons working in pastures or agriculture, with the exception of:

- Persons working in agricultural establishments which process their own produce.
- Persons who are permanently engaged in the operation or repair of mechanical equipment required for agriculture.

Domestic servants and persons regarded as such.

#### Article 4:

In the absence of a special provision to the contrary, the provisions of Chapter Eight and Articles 164, 165, and 166 shall not apply to the following:

- Workmen employed in non-mechanized establishments which normally employ less than five workmen, where the work does not cause any of the occupational diseases included in the Schedule of Occupational Diseases.
- Seamen and skippers employed on ships of less than 500 tons, who are subject to the provisions of Part 11 of the Commercial Regulations (Maritime Trade) sanctioned by Royal Order No.32, dated 15 Muharram 1350 [3 June 1931].

#### Article 5

The Minister of Labor may consider all or any of the following establishments to be governed by the provisions of the Articles and Chapters mentioned in Article 4 of this Law:

- Any establishment employing juveniles.
- Any establishment employing women.

#### Article 6:

It is illegal to violate the provisions of this Law or to prejudice any other rights acquired by the workmen by virtue of any other regulations or concession agreements, Labor contract or any other agreements, or by virtue of any arbitration award or Royal Order, or in accordance with generally accepted practice or with what has been habitually granted by the employer to his workmen in a given area or areas.

Any stipulation in a contract or agreement whereby the workman waives any right established in his favor by virtue of the provisions of this Law shall be null and void, even if such stipulation was made prior to the effective date hereof.

#### Article 7:

In this Law, the following terms and expressions shall have the meanings set forth below:

- An "Adult" is a person who has completed eighteen years of age.
- An "Adolescent" is a person who is more than fifteen years old but has not completed eighteen years of age.
- A "Juvenile" is a person who has not completed fifteen years of age.
- The "Commission" is the Commission for the Settlement of Labor Disputes formed under the provisions of Chapter Eleven of this Law, and the "Chairman of the Commission" is the official who heads this Commission.

"Continuous Service" is the uninterrupted service with the same employer or his legal successor from the date of commencement of service. Service shall be regarded as continuous in the following cases:

- (a) Regular vacations or leaves authorized by the employer.
- (b) Where, for legitimate excuse, the workman absents himself from work for intermittent periods totaling not more than thirty days a year.
- (c) Where the workman stops working for a reason imputable to or emanating from the employer, with which the workman had nothing to do.

"Wage" is all that is given to the workman in consideration of his work under a labor contract, whether written or unwritten, regardless of the nature of the wage, whether it is in cash or in kind and payable monthly, weekly, daily, or on a piecework basis, or on the basis of the number of work hours or the amount of production; regardless of whether all or any part of such wage consists of commissions or tips where the latter are paid in accordance with generally accepted practice and where there are rules permitting the accurate calculation thereof.

In general, wages shall include all increases and allowance of any kind, including the high cost of living allowance and the family allowance.

A "Workman" is any person working for the account of an employer under the latter's direction or control, even though he may not be under the employer's direct supervision, in consideration of a wage.

An "Employer" is any natural or juristic person employing one workman or more in consideration of a wage.

An "Apprentice" is any person who joins the service as an employer for the purpose of learning a trade or craft.

#### Article 8:

If the employer entrusts to a natural or juristic person one of his principal operations or any part thereof, the latter shall give his workmen all the rights and privileges granted by the employer to his own workmen, and both shall be jointly and severally responsible for such rights and privileges.

#### Article 9:

Both the employer and the workman shall know all the contents of the Labor Law so that each shall know where he stands and be aware of his rights and obligations. In addition, there shall be displayed at a conspicuous place in every establishment employing twenty or more workmen a set of rules, duly approved by the Ministry of Labor, for the purpose of regulating the work in the establishment, and containing the following:

- Classification of the workmen according to their occupational categories.
- Work periods and hours, official holidays, weekly day of rest, and pay days for the various categories of workmen.
- Work shifts.
- Rules governing attendance, tardiness, absence, entry into and exit from the places of work, and inspection.

- Vacations and eligibility therefor.
- Any other details required by the nature of work in the establishment.
- There shall also be displayed at a conspicuous place in the establishment a set of disciplinary rules listing the acts, offences, acts of insubordination and the workman's obligations, and the corresponding cash penalties or disciplinary actions, in accordance with the standard disciplinary rules to be issued by the Minister of Labor. Such rules and any amendments thereto shall not become effective except after they have been approved by the Ministry of Labor.

#### Article 10:

The employer or responsible manager shall keep at the place of work records and rosters showing the full name of each workman as well as his nationality, trade or occupation, his date of birth or age, place of residence, family status, date of commencement of his service, his wages and wage supplements, any changes in the workman's status, and any penalties imposed on him and the relative investigation reports, his regular work hours and overtime, the vacations and benefits in cash or in kind that he receives, the date of termination of his services and the reasons for such termination, the indemnities received by the workman on account of such termination, and such other necessary information as relate to the implementation of the provisions of this Law, particularly those pertaining to the employment of juveniles and women and to labor injuries and occupational diseases.

#### Article 11:

In the event there are several partners or managers in any establishment, one of them, who is a resident of the place of work, shall be appointed to represent the employer and be responsible for any violation of the provisions of this Law. The appropriate Labor Office shall be informed of the name of such partner or manager who shall remain responsible before the said Labor Office until it is informed of his replacement by another notice.

#### Article 12:

In the event of any complaint against any of the officials who are charged with the enforcement of the provisions of this Law in connection with the discharge of their official duties, such complaint shall be investigated by a Commission of three, one of whom shall be selected by the Minister of Labor, while the second shall be from the Personnel Bureau and the third an administrative investigator designated by the Grievance Board or by any judicial authority replacing it.

If the investigation reveals that complaint is false or vexatious, the complainant shall, by a decision of the Commission, be punished with a fine of not less than five hundred riyals and not more than twenty thousand riyals. If the complaint against the official is found to be valid, the Commission shall submit a report to this effect to the Minister of Labor so that he may issue his instructions for the necessary action to be taken in accordance with the statutory provisions in force.

#### Article 13:

No complaint shall be heard by any Commission in respect of violations of the provisions of this Law or of the rules, decisions or orders issued in accordance therewith, after the lapse of twelve months from the date of the occurrence of such violation. No case or claim relating to any of the rights provided for in this Law shall be heard after the lapse of twelve months from the date of termination of the contract. Also, no action or claim relating to any of the rights provided for in any previous regulations shall be heard after the lapse of one full year from the effective date of this Law.

Article 14:

Actions arising under the provisions of this Law shall be heard expeditiously. The Commission may order the losing party to pay the other party all or part of the expenses incurred by the latter.

Article 15:

The amounts to which the workman or his dependents are entitled under the provisions of this Law shall be considered first-class privileged debts, and for the recovery thereof the workman or his heirs shall have a priority right over all the employer's property. In the event of the employer's bankruptcy or the liquidation of his establishment, such amounts shall be recorded as privileged debts, and the workman shall be paid immediately a portion equivalent to one month's pay before payment of any other costs, including judicial bankruptcy or liquidation costs.

Article 16:

Arabic is the language to be used in all resolutions, records, registers, files, statements, and other documents provided for in this Law, or in any decision or order issued in application of the provisions hereof, as well as in any instructions or circulars issued by the employer to his workmen. In the event a foreign language is used by the employer along with the Arabic language, the Arabic text shall prevail at all times.

Article 17:

All periods and time-limits provided for in this Law shall be computed on the basis of the Hijrah Calendar, unless another calendar is agreed upon.

Article 18:

Before the commencement of work in any establishment, the employer shall furnish the appropriate Labor Office with the following information in writing:

- Name type and location of the establishment and the address to which communications shall be sent.
- Nature of the work to be carried out or likely to be carried out by the establishment.
- The number of workmen to be employed in the establishment.
- Name of the responsible manager of the establishment.
- Any other information required for the proper enforcement of this Law.

Information concerning establishments existing at the time this Law is put into effect shall be sent within three months from the effective date hereof.

#### Article 19:

In the event the responsible manager is replaced, the employer shall notify the appropriate Labor Office in writing of the name of the new manager within seven days from the latter's assumption of his duties. If no one has been appointed as a responsible manager of the establishment, or if the person so appointed has not assumed his duties, then the person who actually performs the manager's duties or the employer himself shall be regarded as a responsible manager of the establishment.

#### Article 20:

Within the meaning of this Law, a month shall be reckoned as thirty days unless otherwise provided.

#### Article 21:

Physicians for the issuance of the necessary certificates shall be selected by consultation between the Minister of Labor and the Minister of Health.

#### Article 22:

It is illegal for any workman or employer to do any act that may constitute an abuse of any of the provisions of this Law, or of the decisions and rules issued in execution of the provisions hereof. It is also illegal for any workman or employer to do any act that may bring pressure to bear on the freedom of the other or on the freedom of other workmen or employers with the object of realizing any interest or supporting any point of view which they adopt and which is inconsistent with the freedom of work and the jurisdiction of the authorities concerned with the settlement of disputes.

Any offender shall be liable to the penalties provided for in this Law and in the general regulations.

## CHAPTER TWO: LABOR INSPECTION

#### Article 23:

Labor inspection shall be undertaken by competent inspectors to be designated by decision of the Minister of Labor.

They shall have the powers and functions provided for in this Law.

#### Article 24:

Labor inspection shall have the following functions :

- Supervising the proper enforcement of the provisions of the Labor Law, particularly as regards work conditions, wages, control and protection of workmen on the job, the workmen's health and safety, and the employment of juveniles.
- Furnishing employers and workmen with the information and technical guidance that will enable them to adopt the best means for the enforcement of the provisions hereof.
- Informing the competent authorities of the deficiencies which the provisions in force fail to remedy, and suggesting the necessary action.
- Recording violations of the provisions of the Labor Law and of the decisions issued in application hereof.

#### Article 25:

Labor inspectors, shall, before assuming their official duties, take the oath before the Minister of Labor to discharge their duties honestly and faithfully and not to disclose the secret of any industrial invention or any other secret which may come to their knowledge by reason of their offices, even after they cease to have any connection with such offices. Labor inspectors shall carry identification cards to be provided them by the Ministry.

#### Article 26:

Employers and their agents shall extend to inspectors and other officials charged with Labor inspection the necessary facilities to enable them to perform their duties, and shall furnish them with any information they may require, respond to any summons to appear before them, and send a delegate to appear on their behalf if they are so required.

#### Article 27:

Labor inspectors shall have the right to :

- Enter any establishment that is subject to the provisions of the Labor Law at any time during the day or night without prior notice, provided that such entry shall be made during working hours.
- Conduct any examination or investigation that may be necessary to ascertain the proper enforcement of the Law.

They may in particular:

**First:** Question the employer or the workmen separately or in the presence of witnesses about any matter relating to the enforcement of the provisions of the Law.

**Second:** Examine all books, records, and documents required to be kept under the provisions of the Labor Law and of the decisions issued hereunder, and obtain any copies or extracts therefrom.

**Third:** Take a sample or samples of the materials used or handled in the industrial and other operations that are subject to inspection, if such materials are believed to have a harmful effect on the health or safety of the workmen, for the purpose of having such samples analyzed in Government laboratories and determining the extent of such effect, duly notifying the employer or his representative of their action.



**Fourth:** Ascertain that notices and communications required to be posted under the Law are duly posted.

Article 28:

The Ministry of Labor shall prepare the appropriate Rules of implementation for the control and regulation of the inspection operations provided for in the preceding Article, and such Rules shall be issued by a decision of the Council of Ministers.

Article 29:

The person performing the inspection shall notify the employer or his representative of his presence, unless he believes that the matter for which he is making the inspection calls for a different course of action.

Article 30:

A labor inspector shall have the right to order employers or their agents to make modifications in the operating rules pertaining to the plant and equipment used in their establishment within the periods prescribed by the inspector in order to insure the proper application of the provision pertaining to the health and safety of the workmen. Where there is an imminent danger threatening the workmen's health and safety, the inspector may require the immediate adoption of whatever measures he may deem necessary to forestall such danger.

Article 31:

Labor inspectors shall treat any complaints reaching them in respect of any deficiency in the plant or any violation of the provisions of the Law as strictly confidential and shall not disclose to the employer or his representative the existence of such complaints.

Article 32:

If, in the course of his inspection, the inspector finds that a contravention of the Labor law or of any decisions issued hereunder has been committed, he shall prepare a report in duplicate setting forth the contravention and shall submit such report to the Director of the Labor Office for necessary action against the offender.

Article 33:

The Director and inspectors of the Labor Office may, where necessary, call upon competent administrative authorities and members of the police force to provide whatever assistance may be required.

If the inspection relates to the health aspects of the work, the inspector shall, with the approval of the Director of the Labor Office, take with him a competent physician from the Ministry of Labor or the Ministry of Health.

Article 34:

The Chief of Labor Inspection in the area shall prepare a monthly report on the labor inspection activities, the aspects of inspection, the establishments inspected and the number and nature of the violations committed. He shall also prepare an annual report on inspection in the area and the results and effects thereof, in which he shall include his comments and suggestions. A copy of both the monthly and the annual reports shall be sent to the Ministry of Labor.

#### Article 35:

The Deputy Ministry for Labor shall prepare an annual report on inspection in the Kingdom. Such report shall include all matters relating to the Ministry's control over the enforcement of the provisions of the Labor Law, particularly the following matters:

- A statement of the provisions covering inspection.
- A list of the officials in charge of inspection.
- Statistical data on the establishments that are subject to inspection and the number of workmen therein.
- Statistical data on the number of visits and inspection tours made by the inspectors.
- Statistical data on the contraventions committed and the penalties to which the offenders were sentenced.
- Statistical data on Labor injuries.
- Statistical data on occupational diseases.

#### Article 36:

The Ministry shall prepare forms for contravention reports, inspection records, notices and warnings, and shall lay down the necessary rules for the safekeeping and use of such forms and for their distribution to all the Labor offices in the various areas.

#### Article 37:

In addition to the general requirements for the employment of Government employees, the Labor inspectors must satisfy the following requirements:

- They shall be completely impartial.
- They shall not have any direct interest in the establishments inspected by them.
- They shall pass a special professional examination following a training period of not less than three months.

#### Article 38:

The training of labor inspectors and controllers shall be conducted in special training courses to be organized by the Ministry. Attention shall be given in those courses to training the inspectors in the following matters in particular:

- Principles of the organization of inspection visits and of contacts with employers and workmen.
- Principles of auditing books and records.
- Principles of counseling the employers in the requirements of the statutory provisions and the benefits to be derived from their application, and assisting the employers in such application.

- Fundamental principles of industrial technology and means of protection against labor injuries and occupational diseases.
- Fundamental principles of productivity and the relation it bears to the extent of providing the favorable conditions for the performance of the work.

## CHAPTER THREE: COMBATING UNEMPLOYMENT, AND THE VOCATIONAL REHABILITATION OF THE DISABLED

### FIRST: EMPLOYMENT OFFICES

#### Article 39:

The Ministry shall set up employment offices in locations suitable for both the employers and workmen. Such offices shall be under the supervision of the Ministry and shall offer their services free of charge for the purpose of assisting workmen in finding suitable jobs and assisting employers in finding suitable workmen.

The employment offices shall collect and analyze the necessary information on the position and development of the labor market so that such information may be available to the various public and private organizations concerned with economic and social planning. Such offices shall perform the following duties:

- Recording the names of applicants for jobs, indicating their vocational qualifications and experience, as well as their duties.
- Obtaining information on vacant jobs from employers.
- Referring workmen's applications to suitable vacancies.
- Extending advice and assistance to job applicants concerning vocational training or re-training required to obtain the vacant jobs.
- Facilitating the transfer of the workman from one occupation to another.
- Such other matters as may be determined by the Deputy Minister for Labor.

#### Article 40:

No person shall act as an employment agent or as a contractor to supply workmen unless he is permitted to do so by the Deputy Minister for Labor and is in possession of an annual license which shall be renewable at the discretion of the competent authority which shall control his activity. No such license shall be granted where there is an employment office belonging to the Ministry or to an organization approved by the Ministry operating in the area and capable of acting as an intermediary for the supply of the necessary labor.

#### Article 41:

The employment agent or the labor supplier may not demand or accept from any workman, whether before or after his employment under a labor contract, any money or material reward in return for the workman's employment, or to collect from the workman any costs except as may be decided and approved by the competent authorities. The workmen supplied by the employment agent or labor contractor (labor supplier) shall, immediately upon their engagement by the employer, be regarded as employed by the latter and shall have all rights and privileges of the original workmen of the establishment. The relationship between them and the employer shall be direct without any intervention by the labor supplier whose mission and relation with the workmen shall end immediately upon presenting them to the employer.

#### Article 42:

The employer shall inform the appropriate Labor Office, by registered letter or by any other means proving receipt, of vacancies and newly-created jobs of any kind, and shall give the kind and location of each job, the wage allotted to it, the job requirements and the date fixed for filling it. Such notice shall be given within a period not exceeding ten days from the date on which the job becomes vacant or is created.

#### Article 43:

The employer shall send to the appropriate Labor Office during the month of Dhu al-Hijjah of each year the following annual statements:

- A statement showing the number of his workmen, and the names, job, occupation, rate of pay, age, nationality, and the number and date of work permit of each.
- A statement of the vacant and newly-created jobs and positions, and the kind and rate of pay of each, the jobs that have been filled and the reasons for not filling the rest during the year preceding the date of such statement.
- A report on the condition, circumstances, and nature of the work, and the expected decrease or increase in the number of jobs during the year following the date of such report.

#### Article 44:

Without prejudice to the conditions laid down in concession and other agreements and orders regarding training, education, and scholarships, every employer employing one hundred or more workmen shall train in technical jobs a number of his Saudi workmen that is not less than 5% of the total number of his workmen, in accordance with a training program to be prepared by the Ministry of Labor.

The Minister of Labor shall, by decision, prescribe the rules and conditions to be observed in such training and shall indicate the minimum and maximum training periods, and set forth the curricula of the theoretical and practical training, the method of testing and the certificates to be granted in this regard.

#### Article 45:

The number of the Saudi workmen of the employer shall not be less than 75% of the total number of his workmen, and their wages shall not be less than 51% of the total wages of his workmen.

If technical skills or educational qualifications are not available, the Minister of Labor may reduce this ratio temporarily.

#### Article 46:

The Minister of Labor may, if necessary, require employers in certain industries or occupations or in certain areas not to hire workmen except through the employment offices, subject to the terms and conditions he shall prescribe in a decision.

#### Article 47:

A decision of the Minister shall determine the rules and procedures governing the conduct of business at the employment offices, and shall prescribe the forms of the Records, notices and other documents handled by such offices, as well as job classification schedules in accordance with the international job classifications, which shall serve as basis for the organization of employment operations.

## SECOND: EMPLOYMENT OF FOREIGNERS

#### Article 48:

Work is a right of the Saudi national and may not be exercised by other except after fulfillment of the conditions provided for in this Chapter. Saudi workmen are equal in their right to work in all areas of the Kingdom without discrimination.

#### Article 49:

No foreigners shall be brought into the country to work nor may he be permitted to work with companies and private establishments except after the approval of the Minister of Labor and after securing a work permit in accordance with the form, procedures, and rules to be prescribed by the Minister of Labor. Such permit shall not be granted except after fulfillment of the following conditions:

- That the workman shall have entered the country in a legal manner and shall have satisfied the conditions prescribed in the Residence Regulations.
- That he shall possess the vocational skills and educational qualifications of which the Country is in need, provided that the nationals possessing such qualifications are either lacking or insufficient in number.
- That he shall be under contract with and guaranteed by a Saudi employer, or a non-Saudi employer authorized under the Regulations for the Investment of Foreign Capital, or shall be a member of a liberal profession, guaranteed by Saudi national, or under contract with and guaranteed by a concessionaire company.

The term "work" as used in this Article shall mean any industrial, commercial, agricultural, financial, or other work, and any service, including domestic service.

#### Article 50:

In accordance with the conditions, rules and periods to be determined by the Minister of Labor, every employer shall vocationally prepare his Saudi workmen to replace non-Saudis, by improving their standard in technical jobs performed by non-Saudis so that the Saudi workman may be able to replace the non-Saudi. The employer shall keep a register in which he shall record the names of the Saudi workmen who have replaced non-Saudis.

## THIRD: VOCATIONAL REHABILITATION OF THE DISABLED

### Article 51:

A disabled person is any person whose capacity to perform and maintain a suitable job has actually diminished as a result of a physical or mental infirmity.

### Article 52:

"Vocational rehabilitation" shall mean the services provided to the disabled personal to enable him to regain his capacity to perform his original work or any other work which suits his condition.

### Article 53:

The Minister of Labor shall, in agreement with the Ministries and establishments concerned, set up and organize the institutions necessary to provide vocational training services. Such institutions shall give the disabled workman who has been rehabilitated a certificate confirming such rehabilitation. The information to be contained in such certificate shall be determined by a decision of the Minister of Labor.

### Article 54:

Any employer who employs 50 or more workmen, and the nature of whose work allows him to employ disabled workmen who have been vocationally rehabilitated, shall employ such workmen to the extent of 2% of the total number of his workmen, whether through nomination by the employment offices or otherwise. He shall send to the said office a statement indicating the jobs and positions occupied by disabled workmen who have been vocationally rehabilitated and the pay rate of each such workman.

### Article 55:

If a workman sustains an injury resulting in disablement which does not prevent him from performing a job other than his previous job, the employer in whose service the injury occurred shall assign such workman to a suitable job at the salary fixed for such job, within 1% of his total work force, and without prejudice to the workman's right to compensation for his injury.

## FOURTH: CONTRACTS OF APPRENTICESHIP

### Article 56:

A contract of apprenticeship is a contract whereby an employer agrees to employ a young workman in order to train him methodically in a certain trade or craft within a specified period during which the apprentice is bound to work under the employer's supervision.

Article 57:

The employer who employs apprentices shall be at least 21 years old, of good reputation, and he, or the person in charge of training, shall possess adequate qualifications and experience in the subject trade or craft. The establishment itself shall satisfy the appropriate technical requirements to provide the apprentices with the necessary facilities for training in the particular trade or craft.

Article 58:

The apprenticeship contract shall be made in writing, and shall indicate the period of apprenticeship, its successive stages and the wages due at each stage. Wages at the last stage shall not be less than the minimum wages paid for similar work, and shall under no circumstances be determined on a piecework or production basis.

Article 59:

The apprenticeship contract shall be drawn up in at least three copies, one copy of which shall be retained by each party, and the third copy shall be deposited at the appropriate Labor Office within one week from the date of signing the contract. The official indisputable date of the contract shall be held to be the date on which this copy is deposited and recorded at the Labor Office. The contract shall be signed by the employer or his official representative, and by the apprentice or his legal or testamentary Guardian where the apprentice is under 16 years of age. Apprenticeship contracts shall be exempt from registration fees and stamp duty.

Article 60:

The Minister of Labor may submit a proposal for determining those trades and crafts in which apprentices shall be accepted, the period of apprenticeship in each trade or craft, the theoretical and practical programs to be followed, the conditions governing examinations and the certificate to be given at the end of the apprenticeship period, provided that such proposal shall be approved by the President of the Council of Ministers.

Article 61:

The Minister of Labor shall have the right in all cases to designate one expert or more in the trade or craft in which apprenticeship is to be organized, in order to avail himself of the expert's report in such organization.

Article 62:

Before commencing his apprenticeship, the apprentice shall submit to a medical examination for the purpose of determining his state of health and his ability to perform the work of the trade wherein he wishes to be apprenticed. Where the trade requires special physical and health conditions, the medical report shall indicate that the candidate fulfills such special conditions, whether they be physical or psychological.

Article 63:

The employer shall treat the apprentice as a good father, guiding him and supervising his conduct. He shall advise his legal or testamentary guardian of the serious errors committed by the apprentice, as well as of his moral and temperamental aberrations. The employer shall notify such guardian without delay in case of the apprentice's illness or absence and in any other cases requiring the guardian's quick intervention. He shall not use the apprentice except in the operations and services relating to his practicing and learning the trade or craft.

Article 64:

The employer shall instruct the apprentice gradually and fully in the principles and techniques of the trade or craft stipulated in the apprenticeship contract, and shall at the end of his apprenticeship, deliver to him a document acknowledging completion of the apprenticeship.

Article 65:

The apprentice shall observe his master's instructions and advice with due respect and politeness, and he shall cooperate with him and assist him within the limits of his capacity and ability.

Article 66:

The employer may cancel the apprenticeship contract if he feels that the apprentice does not have the aptitude or ability to usefully complete his apprenticeship. The apprentice and his legal guardian shall also have this right. The party wishing to cancel the contract shall so notify the other at least one week before the date of cessation of the work.

Article 67:

In the establishments, industries and trades to be specified by decisions of the Minister or Labor, the latter may oblige such establishments, industries and trades to accept:

- A number and specified proportion of apprentices in accordance with the terms, periods and conditions determined by the Minister under Articles 60 and 61.
- A number and specified proportion of students or graduates of industrial and vocational institutes, for training and pursuance of practical experience, in accordance with the terms, conditions, periods and wages to be specified in an agreement to be concluded between the Ministry and the management of the establishment concerned.

Article 68:



The Council of Ministers may, by decision, impose a fiscal charge called "the Vocational Training tax" on the industrial and trade establishments whose occupational fields and number of workmen shall be determined in such decision on the recommendation of the Minister of Labor. The proceeds of the vocational training tax shall be appropriated to finance the existing training establishments and their institutes, and to create new establishments and institutes where necessary.

Article 69:

The employer shall have the right either to retain the apprentice in his service after completion of his apprenticeship period, or not to employ him. Similarly, the apprentice shall have the right either to remain in the employer's service after completion of the apprenticeship period, or to leave such service, unless otherwise provided in the apprenticeship contract.

## CHAPTER FOUR: THE LABOR CONTRACT

Article 70:

A labor contract is a contract concluded between an employer and a workman, whereby the latter agrees to work under the direction or control of the employer for a specified or unspecified period in consideration of wage, or for the performance of a specified job, and which contains the terms of employment agreed upon.

Article 71:

An employer cannot be obliged to reemploy a workman under probation for a period exceeding three months in respect of workmen employed at a monthly rate, or exceeding one month in respect of other workmen.

A workman shall not be employed under probation more than once by one employer. The contract shall specifically and in writing provide that the workman is under probation, and the period shall be clearly defined, otherwise the workman shall be considered as a regular employee.

Article 72:

A labor contract concluded for a specified period shall terminate upon the expiry of its term. If both parties continue to enforce the contract thereafter, it shall be considered renewed for an unspecified period.

Article 73:

If the contract is for an unspecified period, either party may cancel it for a valid reason, subject to giving the other party a thirty-day prior notice in respect of workmen employed at a monthly rate, and a fifteen-day prior notice in respect of other workmen.

If the party who has cancelled the contract fails to observe the prescribed notice period, he shall pay the other party an indemnity equivalent the workman's pay for the notice period or the remainder thereof. The workman's last wages shall be taken as a basis for determining the indemnity in respect of workmen who receive their pay by the month, the week, the day or the hour.

In the case of workmen whose wages are fixed on a piecework basis, the indemnity shall be determined on the basis of the average pay received by the workman for actual workdays during the last three months.

#### Article 74:

If the contract is cancelled for no valid reason, the party who is prejudiced by such cancellation shall be entitled to an indemnity to be assessed by the competent Commission, provided that such assessment shall take into account actual and contingent material and moral prejudice suffered by such party. In the case of the workman, such assessment shall take into account the nature of the work, the period of service, the workman's age, the pay he was receiving, the family burdens he shoulders, the extent to which his income from his new job is lower than the income from his old job, the degree of arbitrariness of the discharge decision, the extent to which this decision affects the workman's reputation, and any other conditions and concomitant circumstances in accordance with the rules of equity and current generally accepted practice.

#### Article 75:

A workman who is discharged for no valid reason may apply for a stay of execution of such discharge. The application shall be submitted to the Director of the Labor Office of the area in which his place of work is located, within a period not exceeding fifteen days from the date on which the employer delivers the discharge decision to the workman, or notified him of such discharge by registered letter or by any other means proving receipt. The Director of the appropriate Labor Office shall, immediately upon submission of the application to him, take necessary action to settle the dispute amicably. If settlement is not reached, the Director shall, within one week from the date of submission of the application, refer the same to the appropriate Commission of the area in which the place of work is located, together with a memorandum, in five copies, containing a summary of the dispute and the arguments of both parties together with the Labor Office's comments and recommendations for the settlement of the dispute.

The chairman of the Commission shall, within three days from the date of referral of the application to the Commission, fix a hearing for the examination of the stay of execution, within two weeks from the date of such referral. The workman and the employer shall be given notice of the time and place of the hearing, and both workman and employer shall be summoned to attend such hearing.

A copy of the memorandum of the Labor Office shall be attached to each notice which shall be served by registered letter or by any other means proving receipt.

The Commission shall expeditiously decide on the application for stay of execution within two weeks from the date of the first hearing. Its decision in this respect shall be final. The decision shall fix a date for a hearing to examine the basic issue within the week following the issuance of the decision. If the Commission orders a stay of execution, the employer shall simultaneously be ordered to pay to the workman forthwith a sum equivalent to his pay from the date of his discharge.

The employer may, within one week at the most from the date of issuance of the decision ordering the stay of execution, return the workman to his job and pay him his wage arrears, whereupon the dispute shall be considered settled and such settlement shall be recorded in a report to be drawn up before the Chairman of the Commission, signed by the employer and the workman, and approved by the Chairman of the Commission. This report shall have the force of a decision issued by the Commission. If the said period expires and no settlement is reached, the Commission shall decide on the basic issue within a period not exceeding fifteen days from the date of issuance of the decision ordering the stay of execution.

If the Commission finds that the workman's discharge was without a valid reason, it may order his reinstatement with payment of his wage arrears, or it may order payment of his statutory entitlements as well as any compensation due him for damages he has sustained. The onus of proof that the discharge was for a valid reason shall lie with the employer. The Commission's decision in this respect shall be considered a decision of first instance.

Discharge shall be regarded as having no valid reason if it is established that it followed the workman's demand for legitimate rights due to him by the employer and no other valid reason for termination is established. In such case, the employer shall be ordered to reinstate the workman, pay his wages from the date of his discharge to the date of his reinstatement, and to consider his services as continuous.

The workman's discharge shall also be regarded as having no valid reason if such discharge was caused by the workman's refusal to comply with an order transferring him from his original place of work when such transfer is not based on an adequate, valid reason dictated by work requirements, or is such as to cause serious prejudice to the workman. In such case, the employer shall also be ordered to return the workman to his original place of work and to pay his wage arrears from the date of his discharge to the date of his reinstatement, and to consider his services as continuous.

The workman's right to apply for a stay of execution of the decision to discharge him, shall lapse if he fail to submit his application within the prescribed period of fifteen days, without prejudice to his right to claim his other statutory rights within the one-year period prescribed in Article 13 hereof.

#### Article 76:

If a labor contract is concluded by any person acting on behalf or for the account of the original employer, both the employer and such person shall be held jointly and severally responsible for the fulfillment of the obligation prescribed hereunder.

#### Article 77:

The labor contract must be in writing, drawn up in Arabic and in duplicate, one copy to be retained by each of the two parties. However, even though it is not written, a contract shall be considered existent, so that the workman alone may by all means of proof establish his rights, and either party may at any time demand that the contract be put in writing.

As for workmen employed by the State or by general organizations, the appointment decision or order issued by the appropriate authority shall replace the contract.

#### Article 78:

The employer may not transfer the workman from his original place of work to another place necessitating a change in his place of residence, if such transfer is apt to cause a serious prejudice to the workman and is not justified by a valid reason dictated by the nature of the work.

Article 79:

A monthly-rated workman may not be reclassified as a daily-rated workman or as a weekly, hourly or a piecework rated workman, unless he so agrees in writing and without prejudice to the rights he has acquired during the period he spent as a monthly-rated workman. The grade classification shall be considered an acquired right of the workman and he may not be reclassified in a lower grade.

Moreover, except in cases of necessity and as dictated by the nature of the work, a workman may not be called upon to perform a work which is essentially different from the work agreed upon, unless he so agrees in writing and provided that this is done on a temporary basis.

Article 80:

Except within the limits dictated by the need to attract foreign workmen, an employer who employs foreign workmen may not pay them wages and remunerations in excess of what he pays Saudi workmen of equal competence, technical proficiency and academic qualifications.

Article 81:

If a workman causes the loss, damage or destruction of materials, machinery or products which belong to or are in the custody of the employer, where such loss, damage or destruction was the result of the workman's fault or contravention of the employer's instructions and not the result of a third party's fault or force majeure the employer may withhold from the workman's wages the amount required for repairs or for restoring things to their original condition, provided that the amount so withheld shall not 'exceed five days' wages in each month. However, the employer may, if necessary, lodge a complaint to claim a higher amount if the workman has other property from which recovery can be made. The workman may also appeal the employer's assessment to the appropriate Commission, and if the latter rules that the employer had no claim against the workman for the amount he withheld from the workman's pay or if the employer is awarded a smaller amount, the employer shall refund to the workman, within seven days from the date of issuance of the ruling, the amount unduly withheld.

Article 82:

The labor contract shall not come to an end upon the employer's death unless his person was taken into consideration in concluding the contract. It shall, however, come to an end upon the death of the workman, his total disability to perform his work as established by a medical certificate, or his illness resulting in his absence from work for a period of not less than ninety consecutive days or for periods which in the aggregate do not exceed one hundred and twenty days within one year.

Such disability or illness shall be established by a medical certificate to be issued by a competent physician accredited by the employer or, if the latter does not have an accredited physician, then by a physician to be appointed by the appropriate Government agency.

The employer must refrain from terminating the contract during the period of illness and, without prejudice to the provisions pertaining to compensation for industrial injuries, the employer shall, in case the contract comes to an end for any of the said reasons, pay the workman the full termination award in accordance with the provisions of this law.

#### Article 83:

The employer may not cancel the contract without termination award, advance notice or indemnity except in the following cases, and provided that he gives the workman a chance to state his reasons for objecting to the cancellation:

- If, during or by reason of the work, the workman has committed an assault against the employer or against any of his supervisors.
- If the workman fails to fulfill the essential obligations arising from the labor contract, or to obey legitimate orders, or if, in spite of being warned in writing, he deliberately fails to observe the instructions posted by the employer in a conspicuous place for the safety of the work and workmen.
- If the workman is proved to have adopted a bad conduct or to have committed an act affecting honesty or honor.
- If the workman has deliberately committed any act or negligence with intent to cause material loss to the employer, provided that the latter shall report the incident to the appropriate authorities within twenty-four hours from the time of its coming to his knowledge.
- If it is proved that the workman had resorted to forgery in order to obtain the job.
- If the workman is hired on probation.
- If the workman absents himself without valid reason for more than twenty days in one year or for more than ten consecutive days, provided that discharge shall be preceded by a warning in writing by the employer to the workman after ten days' absence in the second.
- If it is proved that, without permission from the person supervising his treatment, the workman has left the hospital or any place provided for his treatment. This shall not prejudice his right to such compensation as he is entitled to under the provisions on injuries and compensation set forth in the Social Insurance Law.
- If it is proved that the workman has divulged the industrial and commercial secrets of the work in which he is engaged.

#### Article 84:

Without prejudice to his right to an award for his period of service and indemnity for any prejudice that he may have sustained, as if the cancellation has been initiated by the employer, the workman may, without advance notice, leave the work before the expiration of the contract in the following cases:

- If the employer has not fulfilled his obligations towards the workman.
- If the employer calls upon the workman to perform a work which is essentially different from the nature of the work for which he has committed himself under the contract, or if the employer transfers the workman from his

original place of work to another place, necessitating a change in his place of residence, which is apt to cause serious prejudice to the workman and has no valid reason dictated by the nature of the work.

- If the employer or whoever is acting on his behalf has committed an assault or an immoral act against the workman or against a member of his family.
- If there is a serious hazard which threatens the safety or health of the workman, provided that the employer has been aware of the existence of such hazard and has taken no steps to remove it.
- If at the time of concluding the contract, the employer or his representative has misled the workman with respect to the terms of employment.
- If the employer through his actions and particularly by his unfair treatment or by his breach of the terms of the contract, has caused the workman to appear as the party terminating the contract.

#### Article 85:

The employer shall bear the costs of returning the workman to the place where the contract was concluded or to the place from which the workman was brought, within the period to be specified by the appropriate Labor Office, after the date of the end of the work or the date of termination of the contract for one of the reasons set forth in Articles 82, 83 and 84, provided that the workman shall not have engaged in another work at the place of the last job, or shall not have prematurely ceased to work for no valid reason, or shall have expressed in writing before the appropriate Labor Office his desire not to return to the place where the contract was concluded or to the place from which he had been brought. If the employer fails to fulfill this obligation, the appropriate administrative agencies shall, at the request of the director of the labor office, repatriate the workman immediately and recover the costs from the employer. The appropriate labor office may, in case the workman is discharged under Article 83, exempt the employer from this obligation if the employer so request, with due regard to the circumstances surrounding the discharge of the workman.

#### Article 86:

In case the workman's service is terminated or comes to an end, the employer shall return to him all that he has deposited with the employer. Moreover, the workman shall be entitled to obtain from the employer, free of charge, a service certificate specifying the period of the workman's service and the salary and benefits he was receiving. If such certificate contains anything that may prejudice the reputation of the workman or diminish his chances to find a job, it must state the grounds therefor.

#### Article 87:

Where the term of a labor contract concluded for a specified period comes to an end or where the employer cancels a contract of unspecified period, the employer shall pay to the workman an award for the period of his service to be computed on the basis of half a month's pay for each of the first five years and one month's pay for each of the subsequent years. The last rate of pay shall be taken as basis for the computation of the award. For fractions of a year, the workman shall be entitled to an award which is proportionate to his service period during that year. Furthermore, the workman shall be entitled to the service award provided for at the beginning of this article in the following cases:

- If he is called to military service.

- If a workwoman resigns because of marriage or childbirth.
- If the workman is leaving the work as a result of a force majeure beyond his control.

#### Article 88:

In contract of unspecified term, if the workman resigns he shall be entitled to one third of the award provided for in the preceding Article if his service period is not less than two consecutive years and not more than five years, he shall be entitled to two thirds of the award if his service period is more than five consecutive years and less than ten years, and to the full award if he resigns after ten years of service; provided that in all the said cases, he give notice to the employer in writing of his intention to resign thirty days before he leaves the work.

#### Article 89:

All obligations shall be discharged, notwithstanding the dissolution, liquidation, shutdown, bankruptcy, merger or subdivision of the establishment or its conveyance by inheritance, legacy, donation, sale, assignment or any other disposition. With the exception of liquidation, bankruptcy and authorized final shutdown, the labor contract shall be considered in force in all the above cases.

#### Article 90:

The original and the new employer shall be held jointly and severally responsible for the discharge of the obligations arising from the contract which fell due prior to the transfer of ownership. As for obligations arising after such transfer, these shall be assumed by the new employer alone.

## OBLIGATIONS OF EMPLOYERS:

#### Article 91:

In addition to the obligations provided for in this law and in the rules and decisions issued for its implementation, the employer shall:

- Treat his workmen with due respect and refrain from any word or deed that may affect their dignity or religion.
- Facilitate any task of the officials of the appropriate authorities relating to the to the inspection, control or supervision of the proper implementation of the provisions of this law and of the rules and decisions issued pursuant to it. He shall also furnish the competent authorities with all the necessary information that may be required from him for the achievement of this purpose.
- Grant the workmen the necessary time to enable them to exercise their rights provided for herein without any deduction from their wages for such time. He may, however, regulate the exercise of this right in such a manner as would not disrupt the progress of the work.

#### Article 92:

With due to the relevant regulations, the employer shall pay the workman his wages at the time and place specified in the contract or determined by accepted general practice.

#### Article 93:

If the workman or employee reports to work in the hours of the day stipulated in the labor contract or expresses his readiness to perform his work during these hours and is prevented from doing so only by a cause which is ascribed to the employer, the workman or employee shall be entitled to the pay of that day.

#### Article 94:

Employers or their agents, or any person having authority over the workmen, shall tighten control to prevent the entry of any legally prohibited substance to the places of work, and anyone who is found in possession of such substance or who has consumed it shall, in addition to the legal penalties, be liable to deterrent administrative penalties.

#### Article 95:

In the case of establishments employing ten or more workmen, employers shall provide each workman with a service card bearing the signature of the employer or his agent and the stamp of the establishment, and giving the workman's name, surname, occupation, date of birth, nationality and date of his employment, as well as his wages with their supplements. At the end of the workman's service, the date of his severance shall be added in his card. The Minister may issue service card forms which employers shall have to adopt.

## OBLIGATIONS OF WORKMEN:

#### Article 96:

In addition to the obligations provided for in this Law and in the rules and decisions issued for its implementation, a workman shall:

- Perform the work required of him pursuant to his labor contract under the employer's control and direction and in accordance with his instructions, if such instructions involve no inconsistency with the contract, with the Law or with public morals and if obeying such instructions does not expose the workman to danger.
- Return to the employer the unconsumed materials and take adequate care of the Machines and tools placed at his disposal.
- Observe good conduct and behavior during work.
- Extend every help and assistance without demanding additional pay in return, in cases of disasters and dangers that threaten the safety of the place of work or of the place of work or of the persons working therein.
- Submit at the request of the employer to the medical examinations he wishes him to undergo before or in the course of his employment for the purpose of making sure that the workman is free from occupational, communicable or incurable diseases.



- Keep the technical, commercial and industrial secrets of the products which the workman produces or in the production of which he directly or indirectly participates and, in general, keep all the trade secrets relating to the work which, if divulged, are apt to prejudice the interests of the employer.

Article 97:

- If, while in the service of the employer, a workman succeeds in making a new invention, the employer shall have no right to such invention, even though the workman may have developed the invention in connection with the work he performed in the service of the employer.
- However, any inventions developed by the workman in the course of his work shall belong to the employer if the nature of the work undertaken by the workman requires him to devote all his efforts to the development of inventions, or if the employer has specifically stipulated in the contract that he shall be entitled to whatever inventions the workman may develop.
- If the invention has a significant economic value, the workman may in the cases described in the preceding paragraphs, claim a special consideration which shall be assessed in accordance with the principles of equity. Such assessment shall take into account the amount of assistance extended by the employer and the extent to which his facilities were used for this purpose.

Article 98:

The workman shall use the safety equipment designated for each operation and shall preserve such equipment. He shall abide by the instructions laid down for the preservation of his health and for his protection from injuries and diseases. He shall refrain from any act or negligence which would result in failure to abide by the instructions or in misusing or impairing the equipment provided for the protection of the health and safety of his fellow workmen. The employer may include in the disciplinary rules a provision for the punishment of any workman who violates the provisions of this Article.

## CHAPTER V: MARINE LABOR CONTRACT

Article 99:

Any contract of employment made between the owner or financier of a Saudi Arabian ship of not less than 500 tons, or between the representative of either, and a seaman or master to perform work on board ship, or for a sea voyage, is a marine labor contract to which the provisions of this law shall apply when they are not inconsistent with the provisions of this Chapter and the decisions issued pursuant thereto.

Article 100:

In the application of the provisions of this Chapter, the term "financier of ship" shall mean any natural person, any company, or any public or private organization for whose account the ship is fitted out.

Article 101:

In the application of (the provisions of) this Chapter, the term "seamen" shall mean any person, male or female, who undertakes to the financier of the ship or his representative to work on board ship.

#### Article 102:

All persons working on board ship shall be subject to the authority and orders of the master of the ship.

#### Article 103:

The labor contracts of all seamen working on a ship shall be entered in the ship's records or appended thereto, under pain of nullity and liability. These contracts shall be written in a clear language, leaving no room for doubt or controversy as to the rights and duties stipulated therein.

These contracts shall indicate whether they are made for an unspecified term or for one voyage. If the contract is made for a specified term, this term must be clearly indicated. If it is made for one voyage, it must specify the town or seaport at which the voyage shall end, and at what stage of unloading the ship at the said port the contract shall terminate.

#### Article 104:

A marine labor contract must specify the kind of work assigned to the seaman, the method of performing it, the amount of wages and wage supplements to be paid to him, and other details of the contract.

#### Article 105:

The work rules and conditions on board ship shall be posted in the ship and in the section reserved for the crew. These conditions and rules must specify:

- The seaman's obligations and duties towards the ship's financier and the work organization rules on board ship.
- The obligations of the ship's financier towards the seaman as regards their fixed wages, rewards, and other forms of pay.
- The method of suspending the payment of wages, or of making deduction therefrom, as well as of payment of advances on wages.
- The place and time of settlement of accounts and final payment of wages.
- The rules and principles governing the supply of food and sleeping accommodations on board ship.
- The illness and injuries of seamen.
- The conduct of seamen and the conditions governing their repatriation.
- The seamen's paid annual vacations.
- The end-of-service award and other indemnities payable in connection with the termination or expiration of the labor contract.

#### Article 106:

The marine labor contract must be in writing and in quadruplicate, one copy to be delivered to the master, the second to the seaman, the third copy shall be filed with the Coast Guards and the fourth with the Office of the Deputy Minister for Labor. The contract shall indicate the date and place of its execution, the seaman's name, surname, age, nationality, domicile, the work he is bound to perform, his wages, the certificate permitting him to work in sea navigation, and his marine identification card. If the contract is for a single voyage, the date and point of departure shall be indicated.

#### Article 107:

A person who works as a seaman must satisfy the following requirements:

- He must have completed eighteen years of age.
- He must be in possession of a certificate permitting him to work in marine service.

#### Article 108:

All the seaman's entitlements shall be paid in the official currency, and they may be paid in foreign currency if they fall due while the ship is outside the territorial waters and the seaman so agrees in writing.

The seaman may request his employer to pay the cash wages due to him to whomever he shall designate.

#### Article 109:

The employer shall deposit the amounts due to the decedent or lost seaman, or to the seaman who is unable to receive them, with the Chairman of the appropriate Primary Commission.

#### Article 110:

The seamen shall be provided with food and sleeping accommodations at the expense of the employer, and this matter shall be regulated by decisions to be issued by the Minister of Labor.

#### Article 111:

Any seaman who participates in helping or rescuing another ship shall have a share of the reward to which the ship on which he is working is entitled, regardless of the kind of his wages.

#### Article 112:

The employer may terminate the contract without prior notice, and without award or indemnity, if the ship sinks, or if it is confiscated or lost.

Where the wage is on a single voyage basis, the employer may also terminate the contract without prior notice and without award or indemnity if the voyage is canceled at the outset for a reason beyond the employer's control, unless otherwise stipulated in the contract.

Article 113:

In case of expiration or cancellation of the contract, the employer shall be under obligation to:

- Return the seaman to the port from which he departed at the beginning of the performance of the contract.
- Provide him with food and sleeping accommodations until he reaches that port.

Article 114:

Working hours on board ship while it is on the high seas must not exceed twenty-four hours in two consecutive days, or 112 hours in a period of 14 consecutive days. Working hours while the ship is in port shall not exceed eight hours a day. If the ship is in port the seaman may be put to work on routine and cleaning jobs during his weekly rest days for a period not exceeding two hours.

## CHAPTER VI: PROTECTION OF WAGES

Article 115:

The Council of Ministers shall, when necessary, have the right to determine the minimum wages either in general or with respect to a given area or occupation.

Such decision of the Council of Ministers shall be issued on the recommendation of the Minister of Labor, and the decision of the Council of Ministers shall be considered effective from the date of its publication in the Official Gazette.

In recommending the minimum wages, the Minister of Labor shall seek the assistance of a committee composed of the Deputy Ministers of Labor, Finance and National Economy, Petroleum and Mineral Resources, and Commerce and Industry.

The Minister of Labor shall, by decision, add to them two other members of experience and knowledge he shall select. The committee shall be called to a meeting whenever the Minister of Labor deems it necessary.

Article 116:

The workman's wages and any amount due to him must be paid in the official currency of the country. Wages must be paid during working hours and at the place of work in accordance with the following provisions:

- Wages of daily-rated workmen shall be paid at least once a week.
- Wages of monthly-rated workmen shall be paid once a month.
- If the work is performed by piece and it needs a period exceeding two weeks, a payment proportionate to the work completed by the workman must be made to him every week, and the full balance of his wages shall be paid within the week immediately following the delivery of the work.
- In cases other than those mentioned above, wages shall be paid to workmen at least once a week.

Article 117:

If the workman's service terminates, his wages shall be paid immediately; however, if he leaves the work of his own accord his wages may in this case be paid within seven days at the most from the date of his leaving the work.

Article 118:

The employer shall have the right not to pay the workman's wages or any amount due to him, unless the workman acknowledges receipt by signing a special register provided for the purpose at the place of work in accordance with the form that will be determined by decision of the Minister of Labor.

Article 119:

No amount may be deducted from the workman's wages in satisfaction of private rights, except in respect of the following:

- To recover the advances or any amounts paid to him in excess of his rights, provided no deduction shall, in this case, be made from the workman's wages in excess of 10% of such wages.
- Social insurance premiums due from the workman.
- The workman's contributions to the Savings Fund and the advances due to this Fund.
- Installments pertaining to any plan for the construction of houses for the purpose of transferring ownership thereof to the workmen, or to any other benefits or services, if any, as decided by the Minister of Labor.
- Fines that are inflicted on the workman for offenses committed by him under the provision of Article 126, as well as any amount that is withheld from his pay in accordance with Article 81, for any damage he has caused.
- Any debt to be recovered in execution of a judiciary judgment, provided that the amount deducted in this respect shall not exceed one-fourth of the wages due to the workman and provided that an alimony debt and a debt for food, clothing, and lodging shall be satisfied in this order and before all other debts.

Article 120:

In all cases, the percentage of the amounts deducted shall not exceed one-half of the wages due to the workman, unless the Commission finds that it is possible to increase the deduction beyond such percentage, or that the workman needs more than one-half of his salary. In this latter case, the workman shall under no condition be paid more than three-fourths of his salary.

Article 121:

If any amount is deducted from the workman's wages for reasons other than those specified herein, without the latter's consent, or if the employer delays, without justification, payment of the workman's wages when they fall due in accordance with the Law, the workman, his representative, or the Head of the appropriate Labor Office may submit an application to the appropriate Commission so that it may order the employer to return to the workman any wrongfully-deducted amounts or to pay him his outstanding wages.

If it is established to the said Commission that the employer has unjustifiably deducted the said amounts or delayed payment of the wages, the Commissions may impose on the employer a fine that shall not exceed double the amount deducted from the workman's wages, or double the outstanding wages. All pavements ordered by the Commission in this case shall be collected through administrative channels.

#### Article 122:

Service is presumed to be rendered for pay if the service consists in work which is not customarily performed gratuitously, or which is in the occupational line of the person who performed it.

#### Article 123:

If neither the labor contract nor the Labor Law, nor the basic work rules stipulate the wages that the employer is obligated to pay, the wage determined for another work of the same kind, if it exists, shall be adopted; otherwise, the wage shall be determined in accordance with the generally accepted practice of the trade and of the area in which the work is performed. If no such practice exists, the appropriate Commission shall determine the wage according to the requirements of equity.

The foregoing shall also be followed in determining the quality and scope of the service which the workman must render.

#### Article 124:

The following amounts shall be considered an integral part of the wage and shall be taken into account in computing the amount that may be attached.

The commission given to peddlers, traveling salesmen, and commercial representatives.

Percentages paid to employees of commercial establishments on the price of their sales, as well as the allowances paid to them on account of the high cost of living.

Any grant made to the workman in addition to the salary, as well as any amount paid to him as a reward for his honesty, or for his increased family obligations and the like, if such amounts are stipulated in the labor contracts or in the basic works rules, or if such amounts are paid as a matter of generally accepted practice so that workmen have come to regard them as part of the wage, and not as a gratuity.

#### Article 125:

In an establishment that employs twenty or more workmen, the employer must draw up a set of rules covering penalties and rewards and the conditions under which these are to be imposed or granted, and he shall post such rules in a conspicuous place in the establishment. To become effective, such rules and any modifications thereto must be approved by the Minister of

Labor within two months from the date of their submittal. If the said period elapses without the Minister's approval or objection, they shall become effective.

The Minister may by decision issue standard rules for penalties and rewards relevant to the nature of the work, in order that employers may be guided by them in preparing the rules of their own establishments.

The employer may not impose a penalty on a workman for an offense not listed in the disciplinary rules.

The employer may not impose on the workman, for a single offense, a fine exceeding the wages of five days, or suspend him as a disciplinary measure and without pay for a period exceeding five days for a single offense. In all cases, the workman shall not be subject to more than one penalty for the same offense, nor shall the amount withheld from his wage in a single month in satisfaction of the fines imposed upon him exceed the pay of five days; nor shall the period of suspension from work without pay exceed five days per month.

#### Article 126:

A workman may not be accused of any offense that was discovered more than fifteen days earlier; nor may a penalty be imposed upon him more than thirty days after the offense is proven with regard to monthly-paid workman, or more than fifteen days after the offense is proven with regard to other workmen.

No penalty may be imposed upon a workman except after hearing his remarks and examining his defense. The workman shall have the right to object before the appropriate Commission which shall issue its final decision in this matter within a period of one week from the date of recording the objection with it.

#### Article 127:

Fines imposed on workmen shall be recorded in a special register which shall indicate the name of the workman, the amount of his wage, and the reason for imposing the fine upon him and the date on which it was imposed.

## CHAPTER VII: PROTECTION AND SOCIAL SERVICES

#### Article 128:

Every employer shall take the necessary precautions for the protection of workmen from hazards and diseases resulting from the work and the machinery used, and for the protection and safety of the work. The employer may not charge the workmen or withhold from their wages any amount in return for providing such protection.

#### Article 129:

Every employer shall observe the following rules:

- The establishment shall be kept clean and in a sanitary condition and free from obnoxious odors which may emanate from sewers or any other source.
- Work rooms in the establishments shall be ventilated and an area and a sufficient space for breathing shall be provided in accordance with the health levels and standards to be determined by the Minister of Labor.
- Necessary precautions shall be taken to protect workmen from injuries resulting from any gas, dust, smoke or any other waste which may be generated in the course of the work.
- The establishment shall be adequately lighted during working hours.
- Water closets shall be provided in places where they may be easily accessible, at the rate of one water closet for every fifteen workmen or less.
- An adequate supply of potable water shall be provided at suitable places.
- An adequate supply of water and facilities shall be provided for the workmen to wash themselves.

#### Article 130:

If the work exposes any person working on it to a physical injury, poisoning or disease, the Minister of Labor may issue decisions to determine such work and the measures that the employer must take to protect the workmen. The employer or whoever may be acting on his behalf shall inform the workman upon his employment of the hazards of his occupation and of the precautionary measures which he must take.

#### Article 131:

The employer must always and continuously enclose, within suitable protective guards all moving parts of power generators and transmission gears, as well as the dangerous parts of machines, whether they are stationary or mobile, unless these parts are so designed or installed as to provide full protection. He must also fence the manholes and all obstructions that may expose workmen to the danger of falling or collision.

#### Article 132:

The employer shall be responsible for incidents and accidents which may cause injury to persons other than his workmen, who enter the places of work by virtue of their official duties or with the consent of the employer or his agents, if such injury is due to his having neglected to take the technical precautions which the nature of his work requires, and he shall compensate them for the damage they may suffer, in accordance with general regulations.

#### Article 133:

Every employer shall take the necessary precautions against fire and shall provide the technical means to combat it, including safety exits which he shall maintain in a serviceable condition at all times.

#### Article 134:



The employer shall provide first-aid services for the workmen in accordance with the standards to be determined by the Minister of Labor in collaboration with the Minister of Health. If the number of his workmen in a single location or town, or within a radius of fifteen kilometers, exceeds fifty, he shall employ a nurse who shall be familiar with first-aid services and shall be exclusively assigned to rendering such services; the employer shall assign a physician to examine and treat the workmen at the place to be provided by the employer for this purpose and the employer shall provide them with the medicines necessary for their treatment. The aforementioned services shall be free of charge whether during working hours or otherwise. If in the cases mentioned above, the number of workmen exceeds a hundred, the employer shall, in addition, provide them with all other means of treatment in cases requiring treatment by specialists or performance of surgical or other operations.

In case operations are performed as well as in cases of incurable diseases, the expenses shall be taken from the Social Insurance Fund. The costs of treatment, medicines and hospitalization in government or charitable hospitals as well as the party who will assume such costs, shall be determined pursuant to the decision to be made by the Minister of Labor in agreement with the Minister of Health, or to the rules laid down in the Social Insurance law.

However, if the number of workmen is less than fifty, the employer must provide the workmen with a medical aid cabinet which shall be maintained in a good condition and shall contain the bandages medicines, and antiseptics to be determined by the Minister of Labor in agreement with the Minister of Health, in order to provide the workmen with first aid.

#### Article 135:

Every employer who employs more than fifty workmen shall inform the appropriate Labor Office of the name of the physician whom he has selected to treat his workmen. In case he employs more than a hundred workmen, he shall inform the Office of the names of the physicians and specialists whom he has selected to treat his workmen, and of the names of the hospitals which he has designated for that purpose. In both cases, he must notify the appropriate Labor Office of the minimum number of days fixed for the examination of workmen, provided that this minimum shall not be less than three times a week.

#### Article 136:

Every employer shall prepare for each workman a medical file showing the result of the medical examination performed on the workman upon his employment, a description of the cases of his illness, the stages of his treatment, and the periods of his absence from work, provided that mention shall be made in the file of the kinds of ordinary and occupational diseases and labor injuries.

#### Article 137:

The employer who employs fifty workmen or more must set up for his workmen a savings and thrift plan to be approved by the Ministry of Labor, provided that the workman's participation in such a plan shall be voluntary. He shall provide them at his expense with suitable rest and recreational facilities in accordance with the specifications to be determined by the Minister of Labor.

If he employs five hundred or more workmen, the Minister of Labor, after taking into consideration the nature and conditions of the work areas and the number of the workmen therein, may decide that the employer shall carry out at his expense all or part of the following:

- Provide shops for the sale of food, clothes and other necessary commodities at moderate prices in work areas where such shops are not ordinarily available.
- Provide parks and, athletic fields annexed to the place of work, as well as cultural libraries for the workmen.
- Make the necessary medical arrangement for the proper protection of the health of the workmen and for the comprehensive treatment of their legal dependants with due regard to the provisions of the Social Insurance Law.
- Provide schools for education of the workman's children, if no adequate schools are available in the area, and provide mosques in the place of work.
- Set up programs to combat Illiteracy among the workmen.
- Prepare rules agreeable to the Ministry of Labor for the appointment and promotion of workmen and for the allowances and benefits they receive.

#### Article 138:

Concessionary companies which entrust to contractors the execution of some of their works, such as construction, maintenance, otherwise, shall stipulate in the contract that the contractor shall satisfy all the rights and assume all the obligations which would accrue to the workmen if the concessionary company itself performed such works.

#### Article 139:

The workmen of the contractors working for concessionary companies shall be subject to the same basic work rules applicable to the workmen of such companies, and shall benefit from all grants, compensations and wage rates in force in such companies.

#### Article 140:

Concessionary companies shall assume legal liability toward the workmen of their contractors in application of the provisions of the two preceding articles, and they may, in return, withhold from the price of the works entrusted to their contractors such amounts as would guarantee such liability until the expiration of the contract.

#### Article 141:

In all contracts where the contractors fail to apply the provisions of the preceding articles, the Minister of Labor and Social Affairs shall have the right to cancel such contracts by a decision based on a report submitted by the Chief Labor Inspector in the Ministry following a special investigation he shall conduct.

#### Article 142:

Every employer shall provide means of transportation to carry his workmen from their places of residence or from a given point of assembly to the places of work and to return them daily, if the places of work are reached by ordinary, regular means of transportation.

#### Article 143:

With regard to workmen who perform work in places far removed from inhabited areas, which shall be determined by a decision of the Minister of Labor and Social Affairs, and especially those working in mines, quarries and centers of oil exploration, extraction or exploitation, the employer shall be obligated to:

- Provide the workmen with adequate living quarters, so that some of these quarters shall be assigned for married workmen. The conditions and specifications for such dwelling quarters, as well as the rates chargeable to the workmen for using them, shall be determined by a decision of the Minister.
- Provide his workmen with three meals a day at places which he shall establish for the purpose and which shall be clean and meeting the sanitary requirements. The kinds and quantities of food in each meal, and the cost to be charged to the workman for each meal shall be determined by a decision of the Minister. Where all or some of the meals are served inside the mine, the food shall be served to the Workmen hygienically wrapped or placed in tightly covered containers. These meals may not be replaced by any financial allowance.
- Provide his workmen with medical, social and cultural services which shall be determined by a ministerial decision.
- With regard to workmen who perform work in exploration areas and live in camps, the employer shall also provide his workmen, gratuitously and free of charge, with camps suitable for living, and shall provide them potable water and three meals a day at places meeting sanitary conditions which he shall establish for the purpose. The kinds and quantities of food in each meal shall be determined by a decision of the Minister, and these meals may not be replaced by any financial allowance.
- In special medical cases and upon the recommendation of a physician, the workman may request special food that suits his special situation. If such request cannot be fulfilled, he may demand a financial compensation in lieu of the meal.

#### Article 144:

Every employer employing fifty or more workwomen shall provide a suitable place entrusted to a female nurse qualified to care for the workwomen's children who are under six years of age.

## CHAPTER VIII: CREATION OF NEW ESTABLISHMENTS

#### Article 145:

Any person who wants to construct buildings to be used in a new project, to add any annexes to an existing mechanically-operated project, to increase the mechanical power used in running the project, or to convert existing buildings into a mechanically-operated project, he shall, where he employs at least twenty workmen; submit an application to the Ministry of

Commerce and Industry (Industrial Research Center) for the necessary license, to which shall be attached the following:

- A map of the site.
- The design of the building.
- A layout showing the locations of machines and equipment, and their specifications.
- The drawings or photographs of machines.

In addition to the foregoing he shall submit any other information that will clarify the nature of the work to be carried out in the building: as will be requested by the Ministry of Commerce and Industry.

The maps of the buildings and site must contain details on the locations and dimensions of all doors, windows, ventilation facilities, stairs, fire escapes and other sanitary facilities. When the said Ministry is satisfied that the buildings, additions or extensions conform to this Law and to the rules issued hereunder, it shall give its final approval to the issuance of the license, if the municipalities have no direct concern in the matter. When necessary, the said Ministry may seek the opinion of the Ministry of Health with regard to the health aspect.

#### Article 146:

If the Labor Office finds that any building or any part thereof, or any part of the roads, machines, or equipment in any establishment is in such condition as to constitute a danger to human life or safety, it may after consulting the Ministry mentioned in the previous article, issue to the manager of the establishment a written order requesting him to make the necessary repairs within a specified period and to submit a technical report showing that he has made such repairs on time. The Labor Office may, in its written order, specify the protective measures deemed necessary to prevent any danger, and it may prohibit the use of the machine or building which constitutes the source of danger until it is repaired or replaced.

The manager of the establishment may, within thirty days from the date of his notification, appeal to the Minister of Labor who shall, after consulting with the Minister of Commerce and Industry, uphold, modify, or cancel the order. Lodging the appeal shall not entail the suspension of the protective measures ordered by the Labor Office, nor shall it entail a stay of execution of the appealed order, unless the Minister of Labor decides otherwise.

## CHAPTER IX: WORKING HOURS - WEEKLY REST VACATIONS

#### Article 147:

A workman shall not be employed for more than eight actual working hours in any one day, or forty-eight hours a week, in all months of the year, with the exception of the month of Ramadan when actual working hours shall not exceed six hours a day or thirty-six hours a week, exclusive of the intervals reserved for prayer, rest and meals. The number of working hours may be raised to nine hours a day in respect of certain categories of workmen or in certain industries and operations where the Workmen does not work continuously, such as seasonal establishments, hotels, snack bars, restaurants and the like. The

number of daily working hours may be reduced for certain categories of workmen or in certain industries or operations of a hazardous or harmful nature. The categories of workmen, industries and operations referred to in this article shall be determined by decision of the Minister of Labor.

#### Article 148:

Working hours shall be scheduled that no workman shall work more than five consecutive hours without an interval of rest, prayer and meals which shall not be less than half an hour each time, or one and a half hours during the total working hours, and that the workman shall not remain in the place of work more than eleven hours in any one day. In the case of factories where work is performed in successive shifts day and night, the Minister shall by decision, regulate the manner for granting workmen time intervals for rest, prayer and meals.

#### Article 149:

Friday, which the day observed as an official holiday, shall be a day of rest with full pay. The employer may, however, with the approval of the appropriate Labor Office, replace this day for some of his workmen by any other day of the week, provided that the number of working days per week shall not exceed six, and that the workmen shall in all cases be enabled to perform their religious duties.

#### Article 150:

The employer shall not be required to adhere to the provisions of Articles 147, 148 and 149 of this Law in the following cases:

- Annual stock-taking, preparation of the balance sheet, liquidation closing of accounts, preparation for sales at reduced prices and preparation for festive seasons, provided that the number of days during which the workman remains on the job in excess of the prescribed daily working period shall not exceed thirty days in any one year.
- Where the work is intended to prevent a dangerous accident, or to prepare damage resulting, from such accident, to avoid the certain loss of perishable materials.
- Where the work is designed to cope with unusual work pressure. In the last two cases, a report shall be made to the appropriate Labor Office within 24 hours, stating the emergency and the period required for completion of the work, and the Office's written confirmation of approval shall be obtained.
- Holidays, festive seasons and other occasions, and seasonal operations as may be determined by decision of the Minister of Labor.

In all the foregoing cases, the number of actual working hours shall not exceed ten hours a day.

#### Article 151:

The employer shall pay the workman for additional work hours an additional wage equivalent to the workman's normal wage plus fifty percent (50%). Where the work is performed on the weekly day of rest or on feast days or official holidays, the employer shall pay the workman additional wages for the regular or additional work hours.

Article 152:

The provisions of Articles 147 and 148 shall not apply to the following cases:

- Preparatory and supplementary operations which must be completed before or after the end of the work.
- Work which is necessarily intermittent.
- Workmen assigned to watch and janitorial duties.
- Work in drilling or exploration for petroleum and minerals in remote areas.

The operations referred to in Paragraphs (A), (B) and (C) of this article and the maximum number of working hours in such operations shall be determined by decision of the Minister of Labor. In the operations referred to in Paragraph (D), the total number of actual working hours shall not exceed 48 hours a week.

Article 153:

The workman who has completed one year in the service of the employer shall be entitled to an annual vacation of fifteen days with full wages payable in advance. This vacation shall be increased to 21 days when the workman completes ten continuous years in the service of the employer. The workman may, with the employees consent, defer his annual vacation or a number of days thereof to the next following year. The workman may not forego his annual vacation.

The employer shall have the right to choose the dates of such vacations according to work requirements, or to grant the vacations on a rotational basis to ensure the proper conduct of his business.

Article 154:

If the workman leaves the work, he shall be entitled to receive pay for unused vacation days due in respect of the period for which he has not taken his vacation. He shall be entitled to vacation pay for fractions of the year, in proportion to that part of the year which he has spent at work.

Article 155:

Each workman shall be entitled to days-off with full pay on the holidays designated by a decision to be issued by the Minister of Labor, provided that such holidays shall not exceed ten days a year.

Article 156:

The workman may obtain leave without pay for not more than 10 days a year, subject to the employer's approval.

Article 157:

The workman shall not, while enjoying the vacations or leaves provided for in this Chapter, work for another employer. Where the employer proves that the workman has violated this provision, he may deprive him of his wages for the vacation period or recover any vacation pay he may have paid to such workman.

#### Article 158:

An employer who employs twenty workmen or more shall, in case a workman's illness is confirmed by a medical certificate issued by a competent physician accredited by the employer, or where the employer has no accredited physician, by a physician designated by the appropriate Government agency, grant the workman sick leave with full pay for the first thirty days and with three-quarter pay for the next 60 days in any one year.

#### Article 159:

The workman shall be entitled to a three-day leave for his marriage and to a one-day leave with full pay in each of the following two cases:

- In the event a child is born to him.
- In the event of the death of the workman's spouse or any of his ascendants or descendants.

The employer shall have the right to require the workman to furnish documents in confirmation of the above cases.

## CHAPTER X: EMPLOYMENT OF JUVENILES AND WOMEN

### 1. COMMON RULES

#### Article 160:

Adolescents, juveniles and women may not be employed in hazardous operations or harmful industries, such as power-operated machinery, mines, quarries and the like. The Minister of Labor shall, by decision, designate the occupations and operations that are regarded as harmful to health, or are apt to expose women, juveniles and adolescents to given hazards requiring that their employment in such occupations or operations be prohibited or restricted by special conditions, in no case may men and women commingle in the place of work or in the accessory facilities or other appurtenances thereto.

#### Article 161:

Adolescents, juveniles and women may not be employed during the night time which covers an interval of at least eleven hours between sunset and sunrise, except in the cases to be determined by decision of the Minister of Labor in respect of non-industrial occupations and in cases of force majeure.

#### Article 162:

Juveniles and adolescents may not be employed for a period exceeding six hours a day, and the exceptions provided for in Articles 150 and 152 of this Law shall not apply to them.

## 2. EMPLOYMENT OF JUVENILES

### Article 163:

A juvenile who has not completed thirteen years of age shall not be employed, nor shall he be allowed to enter places of work. The Minister of Labor may, by decision, raise this age limit in certain industries or areas. Before employing a juvenile, the employer shall secure from him the following documents and shall keep them in the juvenile's personal file:

- An official birth certificate or an age estimation certificate issued by a competent physician and approved by the Ministry of Health.
- A certificate of physical fitness for the required work issued by a competent physician and duly approved by the Minister of Health.
- The consent of the juvenile's guardian.

The employer shall, within the first week following the employment of every juvenile, notify the appropriate Labor Office of such employment and shall keep at the place of work a special register for juvenile workmen in which he shall indicate the name of the juvenile, his age, the full name of his guardian, his place of residence and the date of his employment, in addition to the general register provided for in article 10 of this Law.

## 3. EMPLOYMENT OF WOMEN

### Article 164:

The workwoman shall be entitled to take as maternity leave the four weeks immediately preceding the expected date of delivery and six weeks following that date. The probable date of delivery shall be determined by the physician of the establishment or by a medical certificate approved by the Ministry of Health. No employer may employ any woman during the six weeks immediately following her delivery.

During her absence on maternity leave, the workwoman shall be entitled to half pay if she has been in the employer's service for one year or more, and to full pay if she has been in the employer's service for three years or more, as of the date of commencement of such leave.

A workwoman shall not be paid any wages during her regular annual vacation to which she is entitled under the provision of these Regulations, if she had availed herself in the same year of a maternity leave with full pay, and she shall be paid half-wages during the annual leave, if she had availed herself in the same year of a maternity leave with half-pay.

### Article 165:

When the workwoman returns to work following her maternity leave, she shall be entitled to a period or periods of rest totaling not more than one hour daily for the purpose of feeding her newborn child, in addition to the rest periods granted to all workers.



Article 166:

The expenses of medical examination and the costs of treatment and delivery shall be borne by the employer.

Article 167:

The employer shall not terminate the workwoman while she is on pregnancy and delivery leave.

Article 168:

The employer shall not terminate the workwoman during her illness resulting from work or delivery, provided that such illness shall be confirmed by an approved medical certificate, and that the period of her absence shall not exceed six months. Nor shall she be terminated, without any of the legitimate causes provided for in this Law, during the six months preceding the expected date of delivery. Where a workwoman is terminated in breach of the provisions of this article, the appropriate Commission shall order her reinstatement

Article 169:

The workwoman shall forfeit her entitlements under the provisions of this Chapter if it is established that she has worked for another employing her authorized leave. In such event, the original employer may deprive her of pay for such leave or recover any wages he had paid to her.

Article 170:

By way of exception, the provisions prohibiting or restricting the employment of adolescents, juveniles and women shall not apply to charitable or official institutions of vocational or professional training character, provided that the bylaws of such institutions shall specify the nature of the trades and crafts involved, the working hours and terms of employment, and the suitability of the work to the workwomen's physical capabilities, and that the Ministry approves the bylaws in question after consulting the Ministry of Health.

Article 171:

In all places and in all occupations where women are employed, they shall be provided with seats to assure their comfort.

## CHAPTER XI: ON LABOR COMMISSIONS AND SETTLEMENT OF DISPUTES

Article 172:

The Labor and Settlement of Disputes Commissions shall be as follows:

- The Primary Commissions for Settlement of Disputes.
- The Supreme Commissions for Settlement of Disputes.

#### Article 173:

There shall be constituted by decision of the Council of Ministers, based on the recommendation of the Minister of Labor, at every main and branch Labor Office in the Kingdom a Primary Commission for Settlement of Disputes composed of three members experienced legal matters. The chairman shall be a holder of a degree in Shari'ah, and at least one of the other two members shall be a holder of a degree in Shari'ah or in Law. The said decision shall name the chairman from among these members.

#### Article 174:

The Primary Commission for Settlement of Disputes shall have exclusive jurisdiction to:

##### **First:** Render final decisions on

- Labor disputes, the value of which does not exceed three thousand riyals.
- Disputes relating to the stay of execution of decisions to terminate workmen, which are filed in accordance with the provisions of this Law.
- Disputes relating to the imposition of fines or requests for exemption from such fines.

##### **Second:** Render decisions of first instance on

- Labor disputes, the value of which exceeds three thousand riyals.
- Disputes pertaining to Labor injuries whatever the amount involved may be.
- Disputes pertaining to termination of service.

#### Article 175:

There shall be constituted by decision of the Council of Ministers a commission to be called " The Supreme Commission for Settlement of Disputes ", which shall consist of five members, three representing the Ministry of Labor and Social Affairs, one representing the Ministry of Commerce and Industry, and one representing the Ministry of Petroleum and Mineral Resources. One of the members, whose grade shall not be below Grade II, shall be designated as Chairman in the same decision of the Council of Ministers. The chairman and members of the Supreme Commission shall be impartial and experienced in legal matters.

#### Article 176:

The Supreme Commission shall have exclusive jurisdiction to render final and definitive decisions in all disputes referred to it on appeal and shall likewise be competent to impose upon the violators of the provisions of this Law the penalties prescribed herein.

#### Article 177:

The Council of Ministers shall issue the rules of procedure and of conciliation and amicable settlement proceedings before the Primary Commissions and the Supreme Commission.

The Minister of Labor shall issue a decision setting up an Office for each of these Commissions and indicating the number of clerks, attendants, employees and administrative personnel assigned for such functions.

Article 178:

The Supreme Commission and the Primary Commissions shall render their decisions by a majority vote of their members. These decisions shall be grounded and signed by all members, and the dissenting member may record therein the reason for his dissent.

Article 179:

Each of these Commissions shall save exclusive right to examine all disputes relating to labor contracts, and may summon any person for interrogation or assign one of its members to conduct such interrogation. It may also require the presentation of documents or evidence and adopt any other measure it may deem fit. The Commission shall also have the right of access to any premises occupied by the establishment, for the purpose of conducting the required investigation in accordance with the provisions of this Law.

Article 180:

Suits shall be filed with the Primary Commission in whose locality or within whose circumscription the place of work lies, and the Commission shall render its ruling within the period and in accordance with the procedures referred to in Article 177. If either party to the dispute wishes to appeal the decision rendered by the Primary Commission, that party shall submit the application of appeal to the Supreme Commission within thirty days of its being served with a copy of the decision to be appealed.

Article 181:

The Chairman of the Supreme Commission shall set a date for hearing the case appealed before him within fifteen days of the registration of the appeal petition with the Commission's Office. The Commission shall render its decision on the dispute appealed before it promptly and within thirty days from the date of the first hearing.

Article 182:

If the decision of the Primary Commission is not appealed within the period specified in Article 180, the decision shall become final and enforceable. All decisions of the Supreme Commission shall be deemed enforceable immediately upon the parties concerned being notified thereof, and an amicable settlement shall be binding upon both parties once it is registered with one of the appropriate Commissions.

Article 183:

In all cases, the parties to a dispute may by mutual agreement appoint one arbitrator for both of them, or one or more arbitrators for each party so that the arbitrator or arbitrators may settle the dispute in lieu of the Commissions provided for in this chapter.

Where the arbitrators fail to select an umpire, the chairman of the Primary Commission in whose circumscription the place of work is located shall appoint the said umpire, if such an umpire has not already been appointed in the arbitration agreement. The arbitration agreement shall indicate the time-limits and the rules of procedure to be followed in order to settle the dispute. The arbitrators' award shall be of first instance and appeal able before the Supreme Commission within the time-limits, time-extensions and the rules of procedure prescribed for the appeal of decisions before the said Commission, unless the arbitration agreement expressly provides that the arbitrators' award shall be definitive in which case such award shall be irrevocable.

A copy of the arbitration agreement shall be deposited with the Office of the appropriate Primary commission in the area, and the arbitrators' award shall be registered with the Office of the said Commission within one week of its rendering.

#### Article 184:

The arbitrators' awards shall be executed after registration with the Office of the appropriate Primary Commission, and after due endorsement for execution by the chairman of the Commission.

#### Article 185:

None of the commissions provided for in this chapter may abstain from rendering a decision on the pretext that there are no applicable provisions in this Law. In such a case, the commissions shall be guided by the principles of Islamic Shari'ah, local rules, established judicial precedents, principles of justice, usage and the rules of equity.

#### Article 186:

Neither party to a dispute may raise again the issue in respect of which a definitive decision has been rendered by one of the commissions provided for in this Chapter.

#### Article 187:

In the course of conciliation and arbitration proceedings before any of the commissions provided for in this Chapter, the employer may not so change the terms of employment which were in force before the commencement of such proceedings as to cause prejudice to the workman, nor may the employer dismiss or penalize any workman without written permission to do so from the appropriate Commission.

#### Article 188:

If a Primary Commission has not been constituted in a given area, the Minister may, when necessary, assign to another Commission constituted in the nearest area the duties and exclusive functions of the unconstituted commission. Where a branch labor office and a main labor office are in the same area, a single Primary Commission shall be constituted for that

area.

## CHAPTER XII: PENALTIES

### Article 189:

(a) Any person who conspires with a group of persons for the purpose of stopping:

1. Means of transportation between parts of the Kingdom and between the Kingdom and other countries;
2. Postal, telegraph and telephone communications;
3. Any of the public utilities, especially those concerned with the distribution of water, electricity and principal foodstuff; shall be punished with imprisonment for a term of one month to one year or a fine of SR 1,000 to SR 3,000 or both.

(b) The same penalty shall apply to the concessionaire of any of the said utilities, if he stops its operation without legitimate cause.

(c) Where the crime is accompanied by acts of violence against persons or property or by threats or other means of intimidation, or by forms of deceit or false pretence that are apt to influence the mind, or by gathering on public roads and in public squares, or by occupying the place of work, the offenders shall be punished with imprisonment for a term of six months to two years or a fine of SR 1,000 to SR 5,000 or both.

### Article 190:

Any person who, using any of the means mentioned in the last paragraph of the previous article, causes or attempts to cause others to stop their work by agreement among themselves, or encourages or attempts to encourage them to stop such work, shall be punished with imprisonment for a term of one year to three years or a fine of SR 5,000 to SR 10,000, or both.

### Article 191:

Where an employer, head of an enterprise, employee or workman stops work with the object of exerting pressure on public authorities or of protesting against a decision or measure adopted by such authorities instead of having recourse to legitimate means, each such offender shall be punished with imprisonment for a term of two to six years or a fine of SR 4,000 to SR 10,000, or both.

### Article 192:

Without prejudice to any penalties prescribed under other regulations against anyone who prevents a public official from discharging the duties of his office, whoever violates the provisions of Article 26 of this Law shall be punished with a fine of SR 100 to SR 1,000, which shall be doubled in case the offense is repeated.

### Article 193:

Whoever violates the provisions of Article 41 of this Law shall be punished with a fine of not less than SR 500 and not more than SR 1,000.

Article 194:

Whoever violates the provisions of Article 44 of this Law shall be punished with a fine of not less than SR 500 and not more than SR 1,000.

Article 195:

Whoever violates the provisions of Article 45 of this Law shall be punished with a fine of not less than SR 500 and not more than SR 1,000.

Article 196:

Whoever violates the rules prescribed for bringing foreigners into the country for the purpose of work, as set out in Article 49 of this Law, shall be punished with a fine of not less than SR 500 and not more than SR 1,000 for each workman.

Article 197:

Whoever violates the provisions governing the vocational training of Saudis for the purpose of replacing foreign workmen, as set out in Article 50 of this Law, shall be punished with a fine of not less than SR 100 and not more than SR 500 for each workman.

Article 198:

Whoever violates the provisions of Chapter V of this Law or of the decisions issued in accordance therewith, shall be punished with a fine of not less than SR 500 and not more than SR 1,000.

Article 199:

Whoever violates the provisions governing wages, as set out in Article 116 of this Law, shall be punished with a fine of SR 200. The offender shall be required to pay the difference in wages, and the fine shall be multiplied by the number of individuals involved.

Article 200:

The employer and every person responsible for the payment of the workmen's wages shall, if he violates any of the provisions of Chapter VI, be punished with a fine of SR 200 for each workman.

Article 201:

The employer or the responsible manager of the establishment shall be punished for any violation of the provisions of chapter VIII or any rules, decisions or orders issued in accordance therewith, with a fine of not less than SR 500 and not more than SR 1,000 for each violation.

Article 202:

Whoever violates the provisions of Chapter VIII shall be punished with a fine of SR 1,000, in addition to the total or partial closure of the establishment, or the suspension of new constructions. The appropriate Labor Office may seek the assistance of the competent administrative authorities to enforce the closure or suspension.

Article 203:

The employer or the responsible manager of the establishment shall be punished for any violation of Chapter IX or any rules, decision or orders issued in accordance therewith, with a fine of not less than SR500 and not more than SR 1,000 for each violation.

Article 204:

If the employer violates any of the provisions of Chapter X, he shall be punished with a fine of not less than SR 500 and not more than SR 1,000, and shall be ordered to pay compensation for the damage resulting from his violation of the provisions of that Chapter.

Article 205:

Any employer or head of an enterprise and any workman or employee who refuses or delays the implementation of the arbitration award or any other definitive decision rendered by any of the commissions provided for in Chapter XI of this law, shall be liable to double the penalties imposed upon him, if any, or shall be punished with a fine of not less than SR 500 and not more than SR1,000, or with imprisonment for a term not exceeding three months, or with either of these two penalties.

Article 206:

With due regard to the provisions of Article 78 of this Law, the workman who refuses, in cases of necessity, to work elsewhere than in his original place of residence, or to perform work other than that for which he was contracted, shall be punished with a fine not exceeding SR 100.

Article 207:

For whatever violation of any of the provisions of this Law, or of the rules, decisions and orders issued in accordance therewith, where no specific penalty has been prescribed, the employer or the responsible manager of the establishment shall be punished with a fine of not less than SR 100 and not more than SR 500. The penalties provided for in this Law shall be applied unless penalties more severe are prescribed in other laws and regulations.

All fines imposed for violation of the provisions of this law shall revert to the Workmen's Social Insurance Fund in a special account to be spent on projects designed to raise the standard of work and workmen in the Kingdom, as shall be determined by the Minister of Labor.

Article 208:

The grade or the salary of a workman shall not be lowered except in such cases as are provided for in this Law or in the decisions issued in accordance therewith.

## CHAPTER XIII: CONCLUDING PROVISIONS

Article 209:

The Minister of Labor shall issue the decisions and rules necessary for the implementation of the provisions of this Law, except where another authority has been designated for this purpose.

Article 210:

The Labor and Workman Regulations issued on 25 Dhu al-Qa'dah 1366 (10 October 1947 ), as well as regulations, orders, and decisions in effect prior to the coming into force of this Law, are hereby repealed in so far as they are inconsistent with the provisions hereof.

Article 211:

This Law shall be put into effect as of the date of its publication in the official gazette.

## KINGDOM OF SAUDI ARABIA , MINISTRY OF LABOR AND SOCIAL AFFAIRS, DEPARTMENT OF LABOR RELATIONS

### **Rules of Implementation for the Control and Regulation of Labor Inspection Activities**

**[1970]**

*Approved by Council of Ministers' Decision No. 444, dated 3 Jumada I, 1390 H. (7 July, 1970)*

*and published on Um-Al-Qura Newspaper No. 2339 dated 17 Rajab 1390 H. (18 September 1970)*

***The English version of this document is for guidance only.***



*The Arabic version is the governing text.*

## CHAPTER I: GENERAL ORGANIZATION OF THE LABOR INSPECTION APPARATUS

### Article 1:

Labor inspection is the inspection carded out by labor inspectors who are designated by a decision of the Minister of Labor for the purpose of ensuring the application of the provisions of the Labor and Workmen Law and the rules and decisions issued for the execution thereof, and of guiding both parties of production, i.e. the workmen and the employers alike, to the best methods which should be followed for improving the circumstances and conditions of work, particularly those of them which relate to health and safety at the places of work.

### Article 2:

The labor inspection apparatus shall consist of a central section at the Labor Affairs Agency and sub-sections at the Labor Offices existing in the areas.

### Article 3:

The terms of appointment, number, and grades of the labor inspection personnel shall be defined in the regulations related to State employees. They shall, however, be qualified, unbiased, and completely impartial, shall have no direct interest in the establishments which they inspect, and shall pass a special professional examination following a training period of not less than three months.

In all cases, these inspectors, once appointed may not be replaced or required to perform additional duties save within the following conditions:

- That the replacement be made by a decision of the Minister of Labor and for reasons connected with the public interest.
- That the additional duties not be in conflict with the inspectors' main duties.
- That the requisites of competence and impartiality which the inspectors should possess in accordance with the regulations not be affected in any way.

### Article 4:

The labor inspectors and their supervisors shall, on their appointment and before proceeding to carry out the duties of labor inspection, take the following oath before the Minister of Labor and Social Affairs.

*"I swear by God to discharge the duties of my office honestly and faithfully, and not to disclose the secret of any trade or industrial invention or any other secret which may come to my knowledge by reason of my office, even after I cease to have any connection with this office."*

After taking the said oath a report shall be prepared of which a copy shall be referred to the Chief of Labor Inspection in the Ministry for keeping in the Inspector's file. A second copy shall be referred to the Labor Office to which the inspector belongs.

#### Article 5:

The labor inspectors shall carry identification cards when performing labor inspection duties. These shall bear their photographs and be signed by the Minister of Labor and stamped with the official seal. The inspector shall return the card on quitting his inspection work, or when he ceases to have this capacity for any reason.

#### Article 6:

The central section for labor inspection shall assume the following duties:

- Supervising the work of the inspectors in the Labor Offices, guiding them, controlling the inspection activities, and following up on inspection plans and programs.
- Looking after the health and safety of the workmen, protecting them against the hazards of machinery, occupational diseases and work injuries, and promoting hygienic and preventive consciousness by all means possible.
- Drafting decisions, regulations, and instructions relating to labor inspection.
- Preparing an annual general report on the achievements of labor inspection in the Kingdom as required under Article 35 of the Labor and Workmen Law.
- Preparing samples for the reports, statements, forms, and registers relating to labor inspection, and furnishing these to the labor inspection, departments at the (labor) offices.
- Studying the monthly reports prepared by the labor inspection departments, auditing them, and noting down their observations on them.
- Organizing training courses for the labor inspectors in order to qualify them for performing their duties and acquaint them with the latest scientific and practical developments in the field of labor inspection, in accordance with a training program to be prepared for this purpose and made to include theoretical and applied curricula relating to the training courses.

#### Article 7:

Labor Inspection at the Labor Offices shall perform the following duties:

- Supervising the application of the provisions of the Labor and Workmen Law and the rules and decisions issued there under in the factories, establishments, and occupations which are subject to labor inspections, by making sure, through inspection visits, that the statutory precautions and conditions which are the subject of the inspection are carried out, and by subsequently taking the necessary measures in the event they are not.
- Assisting both the workmen and the employers and guiding them to the best methods to be followed for applying the provisions of the law, implementation rules and decisions, and technical instructions concerning the work.

- Studying the circumstances, terms, and conditions related to work, and submitting reports thereon to the ministry, particularly with regard to any shortcomings observed which the provisions of the existing pertinent regulations have failed to remedy or deal with.
- Preparing a monthly report about the labor inspection activity in the area, the establishments in which labor inspection has been carried out, the number and types of violations observed, and the problems that have stood in the way of implementation and suggestions for overcoming such problems.
- Preparing an annual report about the labor inspection activity in the area and its results and effects and suggestions as necessary in this regard. The Ministry shall issue special instructions about the method of preparing these two reports and the forms which should be used in this regard.
- Performing such other duties as may fall within the jurisdiction of labor inspection in these offices.

## CHAPTER II: DUTIES OF THE LABOR INSPECTOR

### Article 8:

The labor inspectors shall supervise the application of the statutory provisions, particularly those of them which relate it to the terms of work, in order to be sure that they are complied with.

They shall visit the places of work which are subject to their supervision, in accordance with the instructions of their supervisors, in order to carry out labor inspection there and submit comprehensive reports about all their observations and findings concerning the application of the statutory provisions.

### Article 9:

The labor inspector shall notify the employer or his representative upon his entry into his establishment to perform labor, inspection there, unless he feels that such notification may prejudice his duties. Under no circumstances, however, may prior notification of the inspection visit be made for any reason whatsoever. In ordinary cases, the inspector shall introduce himself to the employer, produce his (identification) card on request, and proceed to explain to him his assignment and the purpose of his visit with enough courtesy and tact to win his appreciation and confidence in respect of the inspection assignment for which he has been commissioned.

### Article 10:

The labor inspectors and their supervisors shall supply the employers and workmen with technical information and practical directions for the proper implementation of the statutory provisions. They shall also advise and direct them in the application of the best standards of hygiene and safety, in addition to encouraging cooperation between them for intensifying the technical and hygienic precautions and upholding the methods of safety in the places of work.

### Article 11:

The labor inspectors and their supervisors shall cooperate to the utmost extent possible with both parties of production, i.e., the workmen and the employers alike, in order to help in improving human relations and productive efficiency, and consequently in creating an atmosphere of stability in labor relations in which mutual understanding and fruitful cooperation between the parties concerned shall prevail.

#### Article 12:

The labor inspectors shall devote all their time and attention to the inspection duties assigned to them. They shall deal with the problems submitted to them from their various aspects, and shall endeavor to solve them with the parties concerned with efficiency and tact and in a spirit of fairness and equity. They shall have no direct or indirect interest in the establishments and factories which are under their supervision. They shall avoid accepting gifts, and shall refuse any offer of any private nature, even if it be of low cost, and whether it be from the employers or the workmen, under penalty of applying the punishments provided for in the regulations in force.

### CHAPTER III: POWERS OF LABOR INSPECTION

#### Article 13:

The labor inspectors shall, in the course of performing the labor inspection duties assigned to them, exercise the following:

- Enter, without prior notice, all places of work during work hours, at daytime or at night, for the purpose of carrying out labor inspection there and investigating matters in connection with the inspections, provided that this shall be done in accordance with instructions communicated to them by their supervisors.
- Examine the registers, papers, books, files or any other documents relating to workmen, and obtain copies and extracts therefrom, for the purpose of ascertaining their conformity to the requirements provided for in the Labor and Workmen Law and in the decisions issued for the application thereof. The inspector may request the employer or his representative to put all the said documents at his disposal, and may draw his attention to the necessity of posting the statements and notices provided for in the Regulations.
- Obtain samples of the materials used and handled in the establishment for the purpose of analyzing them, and examine the various machines and fixtures to ascertain the presence of adequate and effective means for protecting the safety and health of the workmen. The inspector may issue the necessary orders for carrying out urgent changes required for providing the necessary elements of protection against the hazards of the work and machinery.
- Question the employer, or his representative, and the workmen, either privately or in the presence of witnesses, about any matter relating to the application of the statutory provisions in order that it would be possible, in the light thereof, to infer whether, and to what extent, the requirements provided for in the Labor and Workmen and the decision issued for the execution thereof are duly complied with.
- Discuss with employers and the workmen, separately or jointly, the best methods of facilitating the application of the statutory provisions relating to work, and of overcoming the difficulties that stand in the way of such application, especially as regards ignorance of the provisions of the Regulations.

Article 14:

In the course of their labor inspection in any establish or industrial or commercial concern in execution of the provisions of the Labor and Workmen Law and the decisions issued for the application thereof, the labor inspectors may take the following measures, as applicable, in respect of those who violate the statutory provisions:

- Offering counsel and guidance to the employer, and considering that sufficient in the event of his acceptance and favorable response, provided that this be accompanied by an official letter through the Labor Office containing the observations resulting from the visit to his establishment and the directions and guiding instructions for the avoidance of violations.
- Addressing an oral reminder which shall be recorded by the inspector in the inspection report which he prepares about his visits to the establishment, provided that it shall be signed by the employer or his representative who shall undertake to remedy the violations observed in his establishment within a reasonable period as agreed with the labor inspector.
- Addressing a written warning to the offending employer through the Labor Office in which it shall be stated that failure to remedy the violations within a period to be fixed by the inspector at his discretion would make the violator liable to the penalties provided for in the Labor and Workmen Law.
- Drawing a report in the place of work in which the violations witnessed by the inspector shall be recorded.

Article 15:

The Labor inspectors shall have complete freedom to address warnings or give advice to the employer in lieu of drawing a report of the violations observed, depending on the graveness of the violation committed and other circumstances to be evaluated by the inspector.

## CHAPTER IV: REGULATION OF DAY AND NIGHT INSPECTION VISITS

Article 16:

The head of labor inspection in each (Labor) Office shall regulate the inspection visits that take place during official work hours in accordance with weekly programs put in advance and approved by the responsible director of the office, which programs shall be prepared on the following bases:

- (a) The occupations and establishments which are subject to inspection shall be distributed so that each inspector shall be responsible for certain occupations and establishments. In making the distribution, consideration shall be given to the number, nature, and size of the establishments which are subject to inspection and which lie within the area of jurisdiction of (a certain Labor) Office, as well as to the number and categories of the workmen employed there, the diversity of the statutory provisions whose application is to be ensured, and the physical means of enforcement at the disposal of the inspectors. Distribution shall be made in accordance with administrative orders to be approved by the responsible director of the Office

and communicated to the inspectors. These may be superseded (by other orders) according to the circumstances and exigencies of the work, provided that a copy thereof shall be transmitted to the Deputy Minister's Office as soon as they are issued.

(b) A program shall be prepared in advance, in agreement with the labor inspectors, for the visits which should be carded out during the week, such program to show the following:

- The name of the labor inspector assigned to make the visit.
- The occupations and establishments in which each Inspector is required to carry out labor inspection on each day of the week.
- The date and time of the visit.
- The type of the visit, so as to distinguish between visits carried out for purposes of general inspection, in which an examination of the circumstances and conditions of work in the establishment from all aspects is made, and special visits, such as re-inspection and visits for investigating complaints, accidents, and occupational diseases.

(c) In fixing inspection visits care shall be taken for the proper choice of time, so that the visits to the establishments shall be made while their activities are in full swing and with due regard to the distribution of work hours in the establishment. The labor inspector shall dedicate part of his work hours for carrying out administrative and clerical work at the Labor Office, provided that this shall not affect the time required for the performance of his basic work of inspection.

#### Article 17:

Labor inspection at night or outside the official work hours shall be carried out in accordance with the written instructions and orders of the authorities which are given to the labor inspectors by their supervisors. Such orders shall include the names of the establishments to be inspected, the times of inspection, and the names of the inspectors assigned for it.

#### Article 18:

Inspectors who have been assigned labor inspection at night or outside the official work hours shall submit their reports on the results of the inspection to their supervisors on the day following the carrying out of the inspection.

#### Article 19:

Remuneration for inspection at night or outside official work hours shall be fixed by a decision of the Minister of Labor within the limits of the allocations appropriated for this purpose in the budget of the Ministry.

## CHAPTER V: INSPECTION RULES AND PROCEDURES

#### Article 20:

Places of work shall be inspected as frequently as possible with such thoroughness as may be needed for the actual enforcement of the statutory provisions. Periodical visits devoted for the purposes of general inspection shall include at least one visit a year to each establishment, with special emphasis on visiting the big establishments, or those whose management is unsatisfactory from the point of view of safety and health protection for the workmen, or in which dangerous or unhygienic operations are conducted. In the event of discovery of a serious violation of the conditions which should be observed in the places of work, the inspector shall make an early return visit to such places to ensure that the said violation has been remedied.

#### Article 21:

In periodical visits devoted for the purposes of general inspection, the inspection should cover all the work conditions, terms and circumstances in the establishment inspected, and it may not be confined to a special aspect. In this type of visits the inspector shall visit the whole establishment where work is performed, and shall examine the methods that are applied for the implementation of the statutory requirements for the protection of workmen.

#### Article 22:

Only one labor inspector shall carry out inspection in each establishment or occupation unless the director of the Labor Office sees fit to assign two or more inspectors to make a joint inspection in one establishment or conduct any investigation therein, subject to the following:

- In case there are health and safety specialists in the Labor Office, these shall join the labor inspectors in the inspection activities each according to his specialty.
- In case there are no specialists in the fields referred to, the labor inspectors shall observe the aspects relating to health and safety in the places of work. They may seek the assistance of specialists in the other ministries or their branches in the areas, as well as request necessary guidance from the Ministry of Labor.

#### Article 23:

The labor inspector shall prepare a report on each inspection he carries out in each establishment or concern he visits, which should be submitted to his immediate supervisor for study and action. Such report shall include the following information:

- Administrative data relating to the inspector's visit, viz, the labor inspector's name, the date and time of the visit, and the names of the persons whom he has met.
- Identification of the establishment which he has visited, including its name and address, the name of its owner and responsible manager, the nature of its work, and the date of its foundation.
- The number of workmen who work in it, together with their nationalities, sex and ages.
- A summary of the study carried out by the inspector covering the rules, notices, and schedules provided for in the Regulations, the work and rest hours, vacations, registers, workmen's permits, wages, the bringing of foreign workmen, the health and safety measures, the violations observed, the result of the visit, the statements of the workmen and of the employer, the measures and steps taken, and all other information which would give a

complete picture of the work conditions and terms applied in the establishment pursuant to the provisions of the Labor and Workmen Law and the rules and decisions issued thereunder.

Article 24:

The labor inspectors shall be cautious and honest in (choosing) the information and statements they include in their reports concerning the establishments and occupations in which they have carried out labor inspections. In particular, they shall base their observations on what they themselves see or witness. They shall also refrain completely from making any comments on matters with which they are not adequately acquainted, in order to maintain the employers' and workmen's confidence in them.

Article 25:

The labor inspectors shall follow up those employers who are found to have violated the Labor and Workmen Law and the decisions issued for the application thereof by means of consecutive visits after granting them sufficient and reasonable respites to remedy the violations.

Article 26:

In the case of resort to drawing a report of the violations, such report should be drawn up in the place of work, unless this cannot be done for some exceptional reason. The labor inspector shall ask the employer about the reasons for committing each of the violations he has witnessed, and he shall record in the report a summary of his reply. The report shall be signed by the inspector and the employer or his representative. In the event of refusal to sign, a reference shall be made to this effect in the report. The inspector shall bear in mind that his fundamental duty consists in offering guidance and direction and in cooperation with the employers to the utmost extent possible, with a view to putting the provisions of the Regulations into effect, which would be considered proof of the inspector's success in performing his task in the proper manner.

Article 27:

The reports of violations that are drawn up by the labor inspectors in respect of those who violate the statutory provisions shall be submitted to the Director of the Labor Office through proper channels. The director concerned shall refer these to the responsible committee.

Article 28:

The Ministry shall lay down forms for the reports on violations, inspection registers, notices and warnings, and other forms relating to the enforcement of the provisions of these Rules and the provisions of the Labor and Workmen Law which relate to labor inspection, giving the necessary instructions on how to use, keep and shall circulate them, and it circulate these instructions to the Labor Offices in the various areas, which Offices may not use any forms other than those approved by the Ministry.



# KINGDOM OF SAUDI ARABIA , MINISTRY OF LABOR AND SOCIAL AFFAIRS, LABOR AFFAIRS AGENCY

## APPENDIX: MINISTERIAL DECISION ON VACATIONS

*Decision of Minister of Labor and Social Affairs No. 812, 16/11/1394 H [November 30, 1974]*

After reviewing article 155 of the Labor Law issued under Royal Decree No. M/21 dated 6/9/1389 H., and after reviewing the ministerial decision No. 357 dated 24/11/1389 H issued to specify leaves, and or Welfare, The Ministry of Labor and Social Affairs decides:

### ARTICLE 1:

Eid-Al-Fitr's Leave (Lesser Bairam) is three days starting with the following day of the 29th of Ramadan, in accordance with Um-Al-Qura.

Eid-Al-Adha's Leave (Corban Bairam) is four days starting with the day of being existed on Arafat area.

The national day of the Kingdom is on the 1st of Al-Mizan (Libra).

### ARTICLE 2:

If the employer wishes to increase periods of leaves more than the specified periods in Article (1), he may determine or distribute this increase before or after the specified time.

### ARTICLE 3:

This decision will not affect the acquired rights of the workers of better conditions with any law, agreement, contract, regulations, habitual or traditional practice or others.

### ARTICLE 4:

This decision should be notified for implementation.

Minister of Labor and Social Affairs

ABDEL RAHMAN ABA-AL KHAIL



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