

# LEXIS MIDDLE EAST HR ALERT

ليكسيس الشرق الأوسط لشؤون الموظفين

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May 2025

## **TRENDSETTER BLUE COLLAR WORK**

Flexible blue collar working in the UAE

## **PROFILE PROFESSIONAL SERVICES**

Nishanth Krishnan of Grant Thornton UAE

## **POLICY POINTERS**

Working time in Kuwait

ROUND-UP OF LEGAL AND BUSINESS DEVELOPMENTS IMPACTING HR IN THE MIDDLE EAST

# FRAMEWORK IMPLEMENTED

Saudi Arabian Labour Law Implementing Regulations





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# A NEW APPROACH

In this issue we take a closer look at the recent changes to Saudi Labour Law following the issue of the new Implementing Regulations (Saudi Arabia Ministerial Decision No. 115921/1446) which have put meat on the bones of the amendments to the Labour Law brought in by Saudi Arabia Cabinet Decision No. 117/1446.

A whole host of areas have changed as a result including termination, resignation and probation, which will require employers to ensure they have made the necessary changes to employment contracts and their policies. There are even a number of provisions which specifically alter the approach employers should be taking to non-Saudi employees' employment contracts.

Interestingly, one of the areas with a new approach is that there are expanded provisions on flexible work arrangements under this new Saudi regime which are being seen as a means of offering greater work opportunities.

However, it is not only in Saudi Arabia where more flexible working arrangements are being increasingly considered. In recent years these types of models have become increasingly popular in office environments although up until now they have been a less common approach with blue collar workers.

With greater demand for and talent shortages of workers of this type in the UAE, an increasing trend is that employers in this sector are now looking for ways to stand out. Possibly as a result there have been reports too of flexible working models being considered more frequently for blue collar roles in the UAE.

At first sight initiatives of this type can look quite simple. It is a good way to increase employee satisfaction without adding to the wage bill. However, as we explain in the Trends column in this issue, labour law requirements, and health and safety considerations also need to be factored in when making a change of this type - along with contract and policy changes, which must also factor in specific sectoral and environmental differences.

Claire Melvin - Editor

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# FRAMEWORK IMPLEMENTED

Shiraz Sethi and Fatima Al-Sabahi of Dentons look at some of the most significant changes to the Saudi labour law regime, now that the implementing regulations have been issued.

**L**ast year there were significant amendments to Saudi Labour Law when Saudi Arabia Royal Decree No. M44/1446 approved Saudi Arabia Cabinet Decision 117/1446 amending the Saudi Labour Law (Saudi Arabia Royal Decree No. M51/1426 which had approved Saudi Arabia Cabinet Decision No. 219/1426)," states Shiraz Sethi. "The Implementing Regulations (Saudi Arabia Ministerial Decision No. 115921/1446) which provide further detail on how this new regime works have also been issued. These changes came into force on 18 February 2025."

"This new regime has significantly enhanced worker protections, expanded employer responsibilities and clarified a number of key legal provisions in the law," adds Fatima Al-Sabahi. "Several areas have been impacted including an employee's right to resign, overtime compensation, leave entitlements, working conditions and the training and development of Saudi nationals."



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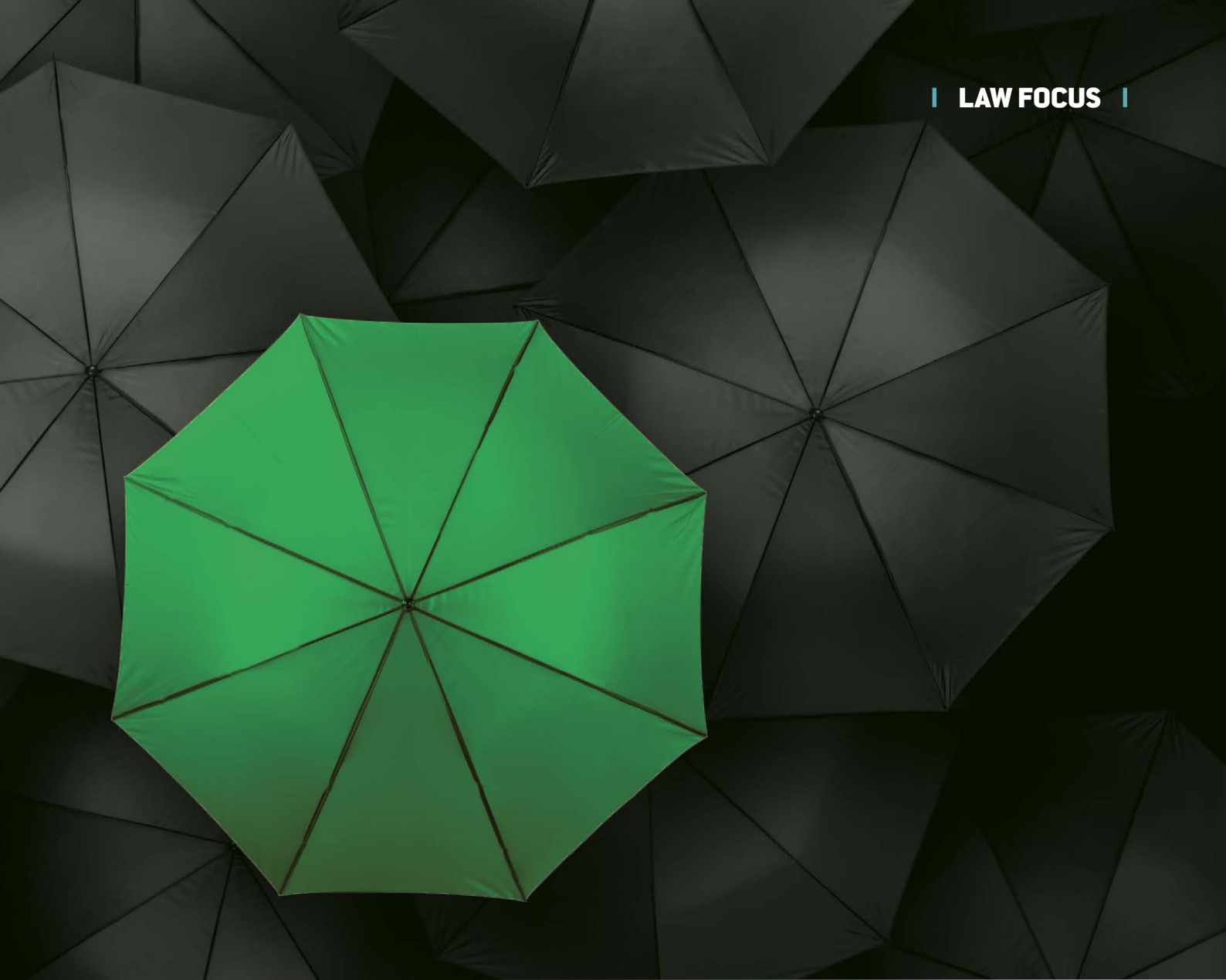
## PROBATION

"Article 53 of Saudi Arabia Cabinet Decision No. 117/1446 (as approved by Saudi Arabia Royal Decree No. M44/1446) now requires any probationary period in an employment contract to be expressly mentioned and limits the duration to a maximum of 180 days," Sethi states. "Previously, probationary periods were limited to 90 days, although they could be extended for an additional 90 days, but that extension required prior mutual consent of both parties."

"The Implementing Regulations have also now clarified that Eid holidays, National Day, Founding Day and periods of sick leave will be excluded from the 180 day calculation. The changes have given employers a longer period to evaluate employees without the need for additional approvals. They also provide employees with a fair assessment based on actual days worked and, should promote transparency in employment arrangements."

## NON-SAUDI EMPLOYMENT CONTRACTS

"One of the other areas where significant changes have occurred is the employment contracts of non-Saudi employees," Al-Sabahi adds.



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“These must be written and for a fixed term as required by the Labour Law and the Implementing Regulations.”

“However, if there is no express fixed term, Article 37 of Saudi Arabia Cabinet Decision No. 117/1446 (as approved by Saudi Arabia Royal Decree No. M44/1446) deems it to be one year from the date on which the employee began work.”

“It is also important to note if the parties continue the employment arrangement beyond this term, the contract will be deemed to have been automatically renewed for a similar fixed term,” Sethi adds. “These contracts will not convert into unlimited term contracts even if the parties agree to this, as that is expressly prohibited under the Implementing Regulations. This is a lot clearer than the previous position where the duration of an employment contract was deemed to be the duration of the work permit where there was no express term in a non-Saudi national’s employment contract. In the past this caused uncertainty in some instances particularly when the work permit duration had changed or had not been clearly documented.”

## RELEVANT LEGISLATION

### Article 12 of Saudi Arabia Ministerial Decision No. 115921/1446

In implementing the provisions of Article 37 of the Law, the employment contract of a non-Saudi national shall be considered as a fixed term contract regardless of the duration of the contract or renewal periods. In all cases, the said contract shall not be converted into an open-ended contract even if both parties agree thereto.

(Source: Lexis Middle East)

## TERMINATION AND RESIGNATIONS

“Another significant change in this new regime is the way the Labour Law and the Implementing Regulations now tackle the termination of employment contracts,” Al-Sabahi states. “For example, an employee’s right to resign from a fixed term contract is now expressly recognised which is something not previously codified under the Labour Law, even though established in practice.”

“Under Article 79(bis) of Saudi Arabia Cabinet Decision No. 117/1446 (as approved by Saudi Arabia Royal Decree No. M44/1446), an employee’s resignation is automatically approved if their employer fails to respond within 30 days, preventing unnecessary delays

## EMPLOYERS' NEXT STEPS

### Saudisation

Develop and budget for strategic Saudisation training and development plans which balance compliance with legal and operational requirements.

### Review HR policies

Check policies and procedures align with the new regime, particularly on termination, notice periods, leave and overtime.

### Employment Contracts

Revise or prepare new employment contracts which reflect the new requirements and become familiar with the model forms for each type of employment contract.

### Audits

Conduct audits on the business' compliance with the new regime and establish monitoring systems to track ongoing compliance across all workforce segments.

in employment transfers," Sethi adds. "However, employers are entitled to defer the acceptance of a resignation for a period of not more than 60 days, if this postponement is in the best interest of the business, and the justification has been provided to the employee in writing."

"The Labour Law also now details additional provisions on the resignation process and acceptance of resignations," Al-Sabahi states. "Under Article 75 of Saudi Arabia Cabinet Decision No. 117/1446 (as approved by Saudi Arabia Royal Decree No. M44/1446) the minimum termination notice period has also now been reduced from 60 days to 30 days for employees on a monthly salary who wish to terminate an unlimited term employment contract. However, employers must still continue to observe a minimum termination notice period of 60 days."

"These changes align Saudi Arabia more closely with international best practice and will give employees greater flexibility and mobility. Saudi employers will also now need to be more agile on workforce planning and have greater focus on succession planning. The Labour Law now expressly recognises that the issuance of a court decision or final judgment to terminate an employment contract in

bankruptcy proceedings initiated under the Bankruptcy Law (Saudi Arabia Cabinet Decision No. 264/1439) will be treated as a valid ground for termination."

## LEAVE

"The Labour Law and the Implementing Regulations have also given employers a new option to offer time off in lieu for overtime work performed by employees," Al-Sabahi states. "Previously only paid overtime was possible. The Saudi Labour Law includes specific provisions on this compensatory leave."

"Another notable change is the increase in paid maternity leave from 10 weeks to 12 weeks, which includes six weeks of compulsory post-delivery leave in line with Article 151 of Saudi Arabia Cabinet Decision No. 117/1446 (as approved by Saudi Arabia Royal Decree No. M44/1446). Article 155 of Saudi Arabia Cabinet Decision No. 17/1446 (as approved by Saudi Arabia Royal Decree No. M44/1446) provides for protections which safeguard pregnant employees from termination during pregnancy and maternity periods. In addition, the Labour law has also enhanced paternity leave entitlement and introduced bereavement leave for some of the employee's family members."

## SAUDISATION

"With Saudisation continuing to be a national priority the Labour Law and the Implementing Regulations reinforce the Ministry of Human Resources and Social Development's authority to take action against non-compliant employers, for example, refusing to renew a work permit, if they fail to comply with their Saudisation obligations in line with Article 35 of Saudi Arabia Cabinet Decision No. 117/1446 (as approved by Saudi Arabia Royal Decree No. M44/1446)," Sethi states.

"Under the Implementing Regulations certain professions have been exclusively reserved for Saudi nationals and it is expected this list will be updated by the Ministry of Human Resources and Social Development from time to time," Al-Sabahi continues. "In addition, under Article 42 of Saudi Arabia Cabinet Decision No. 117/1446 (as approved by Saudi Arabia Royal Decree No. M44/1446), employers must establish a policy to train and qualify their Saudi employees and Article 15 of Saudi Arabia Ministerial Decision No. 115921/1446 provides specific requirements of the components in this policy. These provisions show employers are expected to take a proactive, structured approach to developing Saudi nationals in their workforce."

## FLEXIBLE WORK ARRANGEMENTS

"Saudi Arabia Cabinet Decision No. 117/1446 as approved by Saudi Arabia Royal Decree No. M44/1446 has expanded on the provisions governing flexible work arrangements," states Al-Sabahi. "Working hours in flexible work arrangements, which are reserved for Saudi nationals, have been increased from 95 hours under the old regime to 160 hours per month per establishment. A full Saudisation (Nitaqat) point is awarded to an establishment when a total of 160 hours of flexible work is completed either by an employee or a group of employees. Hours beyond the previous 95 hours a month are now considered additional work and parties can agree that these additional hours are compensated based on the basic hourly rate specified in the employment contract in line with the Implementing Regulations. These flexible work contracts can also be for up to a year and may be extended beyond this period by mutual agreement of both parties."

## PENALTIES

"It is important to note that under the new regime there are escalating penalties for non-compliance," Al-Sabahi states.

"For example, Article 229(bis) of Saudi Arabia Cabinet Decision No. 117/1446 (as approved by Saudi Arabia Royal Decree No. M44/1446) has introduced a specific penalty ranging from SAR 200,000 to SAR 500,000 for anyone found to be involved in the employment of Saudi nationals, recruitment of workers or provision of employment-related services, without having the requisite regulatory approvals and licences."

## More Flexible Blue Collar Jobs

A blue collar talent shortage in the UAE has been reported to have increased interest in rolling out more flexible working models in this sector. Mary Rintu Raju of NYK Law firm looks at the legal issues when doing this.

Research has shown that in 2024 blue collar jobs increased by 64% in the UAE while blue collar hiring reduced by 21% - potentially indicating problems with attracting talent in this sector. Perhaps therefore it is not surprising that another trend currently being reported is the growing interest in flexible work arrangements from blue collar workers in construction, manufacturing, logistics, and other labour-intensive sectors - an approach which has tended to have been more commonly seen in office-based environments in the past. Flexible arrangements which can include compressed hours, e.g. working four days of 10 hours each, shift swapping or staggered shifts, seasonal working particularly in the summer months and time-off-in-lieu are now being explored to boost employee satisfaction and enhance operational efficiency in what is a competitive labour market.

With blue collar workers in the UAE when considering more flexible working arrangements it is vital to factor in the summer working hours and heat regulations. Summer working hours are governed by the Midday Break Rule, which is implemented annually by the Ministry of Human Resources and Emiratisation (MoHRE), from 15 June to 15 September. Under this Rule outdoor workers are not permitted to work under direct sunlight between 12:30 PM and 3:00 PM. Therefore, if an employer is considering the implementing of compressed hours during this period, they must ensure work is not concentrated during prohibited midday hours, and workers receive the mandated cooling breaks and access to shaded rest areas. Employers should consider adjusting shift structures (e.g. starting earlier in the morning or extending work into the evening) while staying compliant with rest requirements. Those considering compressed hours in the UAE also need to consider maximum hours and break requirements. Maximum working hours are a set eight hours per day or 48 hours per week. Although in certain sectors, especially in commercial and industrial roles, hours may be extended to nine hours per day with the approval of MoHRE. Overtime is permitted but must not exceed two hours per day, and overtime pay must be calculated at appropriate premium rates. Further, employees must be given at least one rest day per

week, and a 30-minute rest break after five consecutive hours of work. Therefore, where compressed schedules are operating employers must ensure that extended daily hours do not violate provisions on maximum working hours and that overtime is properly managed and compensated.

Employers offering shift flexibility, such as shift-swapping or staggered hours must also ensure this is reflected in the employment contract or officially agreed amendments. UAE law requires any material change to working hours or conditions be made with the employee's written consent. Employers must also be aware of minimum rest periods between shifts. A failure to provide adequate rest could expose an employer to breach of health and safety obligations, particularly if fatigue might impact worker performance or safety. In order to formally introduce a flexible working model for blue-collar employees, employers should: update employment contracts to reflect new work schedules, total hours, overtime arrangements, and rest periods. Where applicable, they should also execute addendums outlining flexible work terms, signed by the employee to confirm consent. They should ensure any compressed or rotational schedule aligns with UAE labour laws, which govern working hours, breaks, and exemptions. They should also introduce a Flexible Working Policy, which has been approved internally and aligns with UAE legislation, to outline procedures for requesting, reviewing, and implementing flexible arrangements. Employers operating in free zones (such as JAFZA, DIFC, or DMCC) should also check the zone-specific employment regulations, which may differ slightly in terms of structure and flexibility allowances.

Any flexible model must incorporate health and safety risk assessments, particularly for physically demanding jobs. For example, employers should monitor fatigue and productivity levels for employees working extended hours.

They should also ensure access to hydration, shaded rest areas, and PPE which is appropriate for seasonal conditions. It is also important to provide special training to supervisors so they can identify signs of heat exhaustion or fatigue under new working patterns. Flexible working should also be offered transparently and fairly to avoid favouritism or indirect discrimination based on nationality, age, or physical ability.



**Mary Rintu Raju**  
NYK Law firm



# NEWS ROUND-UP

COVERING RECENT KEY DEVELOPMENTS – REGION-WIDE

## DUBAI

### FREEZONE COMPANY CHANGE



Dubai Executive Council Decision No. 11/2025 Concerning the Regulation of Free Zone Entities' Operation of Their Activities Within the Emirate of Dubai has been issued and allows free zone businesses to expand into mainland Dubai by obtaining onshore licenses and activity permits. Businesses established in Dubai free zones (other than financial institutions licensed to operate within the DIFC) will be able to obtain a license to establish a branch of the free zone entity in onshore Dubai, a license to establish a branch of the free zone entity with its headquarters in the free zone which will be valid for one year or a temporary permit so they can practice some activities in onshore Dubai for up to six months. An establishment licensed or authorised to operate its activities within Dubai in line with this new law will be able to use members of its workforce registered with the Free Zone authorities onshore and continue to benefit from all the advantages provided by the Free Zone related to this workforce.

## UAE

### WAGE PROTECTION SYSTEM



The UAE Ministry of Human Resources and Emiratization (MOHRE) has announced the mandatory use of the Wage Protection System (WPS) for new categories of domestic workers, from 1 April 2025. Employers of domestic workers, must pay their wages through banks, exchange houses, and financial institutions which are authorised by the UAE Central Bank. There is mandatory registration for a range of professions under this system including private trainers, private teachers, home caregivers, private representatives, and private agricultural engineers. Optional professions include housekeepers, nannies, and cooks. Exemptions from the system include domestic workers with pending labour disputes, those with active

'absconding' reports, and new workers within the first 30 days of their employment.

## ARAB LEAGUE

### MODEL IMMIGRATION LAW



A sub-committee of the Arab Parliament which is made up of nominees by each of the Arab League Member states has been reviewing a draft model law aimed at combating illegal immigration. The subcommittee is part of the Legislative, Legal and Human Rights Affairs Committee. This law aims to establish a comprehensive legal framework which would specifically address illegal immigration, unlike existing broader frameworks which tackle areas such as immigration, nationality, or penal codes. The law would give member states a model for developing or refining their own national laws in order to curb illegal immigration, combat migrant smuggling, and prevent cross-border criminal activities.

## SAUDI ARABIA

### HR MINISTRY SERVICES



A new virtual branch of the Saudi Ministry of Human Resources and Social Development has reduced visits to labour offices by 93% over 23 months. The virtual branch is available through the Qiwa platform, and offers digital services, including issuing professional and temporary visas, renewing work permits, transferring labour services, and enquiring about employment contracts. It also allows users to submit labour complaints online and book advisory appointments with ministry representatives.

## OMAN

### MIDDAY WORK PERMITS



The Omani Ministry of Labour (MoL) has announced that applications for midday work permits for Summer 2025 will be possible between 6 April 2025 to 22 May 2025. The permits

allow uninterrupted delivery of critical services during peak heat hours in the Summer. They exempt outdoor workers from the regular midday ban on outside working during the Summer months.

### SEASONAL WORK PERMITS



The Ministry of Labour in Dhofar has been granting temporary work permits to employers so they can hire expatriate workers during the Khareef (or monsoon) season. The temporary work permits are being issued to employers and businesses, allowing them to hire expatriate workers so they can meet the heightened demand for services during this period. During this period there is a surge in tourism. In 2024 there was an increase of 9% in visitor numbers compared to the previous year.

## BAHRAIN

### SPORTS CLUB WAGES



Bahraini MPs have proposed that Tamkeen, the Labour Fund, cover the wages of athletes and sports club staff to prevent pay delays and create job opportunities in the sector. It is proposed Tamkeen, should finance the wages of local sports professionals, including athletes, coaches, and club staff. The scheme, if implemented, would cover all sports at local clubs, with Tamkeen providing financial support for those employed under professional contracts. The Services Committee has endorsed the proposal. The measure would support the Sports Professionalism Law Bahrain Law No. 8/2021 and encourage clubs to adopt a more commercial approach.

### GOLDEN RESIDENCY



Bahrain has launched a dedicated website and hotline to provide comprehensive information on its Golden Residency Programme. An official website ([www.goldenresidency.gov.bh](http://www.goldenresidency.gov.bh)) and hotline (+973 17484000) will offer detailed information on the Golden



Residency Programme. The programme grants permanent residency to qualifying individuals and their families, including investors, property owners, artists, athletes, professionals with specialised skills, and long-serving employees. It is available to employees who have worked in Bahrain for at least five years with a monthly salary of no less than BHD 2,000, property owners with real estate valued at BHD 200,000 or more, and retirees with a pension of at least BHD 2,000. It also covers entrepreneurs and highly skilled professionals who contribute significantly to Bahrain's economy or society. Applications can be submitted via Bahrain's eGovernment portal, and there is a dedicated support team available to assist applicants.

## QATAR

### SECTORAL COUNCILS



The Qatar Ministry of Labour (MOL) has formed a number of sectoral councils which will identify and address key gaps in the labour market, in order to increase Qatarisation. The sectoral councils will be made up of representatives from various strategic sectors including food and agriculture, education, healthcare, information technology, financial services, logistics, tourism, manufacturing, construction, and real estate. Their aim will be to coordinate efforts among stakeholders to meet future labour market needs. The councils will be tasked with developing skills, creating new job opportunities for Qataris, and driving the transformation of local human capital. They are set to begin operations in the second quarter of 2025. The Ministry of Labour has prepared a comprehensive guide on their structure and activities which has been shared on social media.

### BORDER CROSSING



A pre-registration service on the Metrash app has been introduced for those using the Abu Samra border. The optional feature will enable Qatari citizens and residents to efficiently complete their travel procedures and reduce wait times by pre-registering their travel details via the Metrash app. This is done by selecting

the Travel icon on the Metrash app and choosing the Pre Registration at Abu Samra Port option. They must fill in necessary data, including specifying entry or exit, selecting the date, choosing the vehicle and driver, add passengers, and proceed to the next step. Once completed, a text message confirms the registration, allowing travellers to use the pre-registration lane and avoid queues in regular lanes.

## JORDAN

### NEW ENTRY REGULATIONS INTRODUCED



Jordan has introduced new entry regulations under which residents of GCC countries, the US, Canada, Australia, Japan, South Korea, and all European nations will be able to enter Jordan without prior approval, if they hold residency permits for one of these countries which are valid for at least four months. The new regulations have also expanded entry eligibility for Syrian nationals, allowing them to enter from all European countries, and have removed the need for citizens of South Sudan and Libya, to receive prior approval. In addition, foreign nationals who do require prior approval will be assessed based on their country of residence's entry conditions, and holders of Schengen and US visas will be granted entry even if these visas are unused. A significant feature of the new regulations is the introduction of a five-year, multiple-entry visa which is available at border crossings, allowing holders to stay in Jordan for up to three months per visit without reporting to security centres. Domestic workers accompanying Jordanian sponsors residing in the GCC or GCC citizens will also be eligible for a three-month temporary residency permit

## TURKEY

### HARASSMENT CHANGE



Turkey Presidential Circular No. 3/2025 on the Prevention of Psychological Harassment, e.g. mobbing or ganging up, in workplaces has come into force in Turkey. The circular has re-established the Psychological Harassment Prevention Board which will

## IN BRIEF

**Bahrain:** The Bahraini Government is to launch an online platform for those looking to switch jobs in the private sector this year...

**Jordan:** A Jordanian Administrative Court Decision on the dismissal of a former member of the Petra Development and Tourism Region Authority's Board of Commissioners has confirmed when Council of Ministers' decisions can dismiss those in public positions...

**Bahrain:** Proposed powers which may be given to the courts to limit the access of some juveniles to the internet and social media would not be allowed to interfere with the young person's employment...

**Egypt:** A 180 day short-term work authorisation (STWA) has been introduced for foreign workers in Egypt...

**Bahrain:** A draft law is being discussed which would lead to stricter conditions on those who can practice as a lawyer in Bahrain and those who do not meet the criteria would have to register as trainee lawyers...

**Dubai:** Golden visa applications for individuals employed by companies registered under the Dubai Development Authority (DDA) must be submitted through the DDA's electronic portal, AXS unless they have an approved government nomination...

**Saudi Arabia:** The Saudi General Organisation for Social Insurance (GOSI) has launched a comprehensive directory for occupational safety and health standards...

**Saudi Arabia:** Expats can update their passport information through their employer's Absher account...

**Bahrain:** Proposals to extend maternity leave for female government employers to 70 days have been considered...

help to formulate policies nationwide. It also emphasises that employers should develop preventive and protective policies and avoid any actions that could be considered to be psychological harassment. The Circular highlights the importance of employers organising training and providing information to raise awareness about psychological harassment in workplaces.



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Ali Ibrahim, Director and KSA Immigration Lead, of Vialto Partners explains the latest immigration changes in Saudi Arabia.

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#### LOCALISATION IN THE SPOTLIGHT

**S**audi Arabia's localisation agenda continues to accelerate, as authorities push to rebalance the workforce and embed Saudi nationals into a broader range of private sector roles. While much of the recent focus has been on the tourism industry, a sweeping new measure set to take effect from July 2025 will see 269 professions across the private sector brought under Saudisation requirements.

These roles span a diverse range of industries including Administration, Sales, Media, Customer Service, Finance, and Technical Support, marking a significant expansion in the scope of jobs targeted by nationalisation policies. Previously, many of these positions were commonly held by foreign nationals, offering companies flexibility in hiring international talent. The upcoming changes reflect a shift in policy enforcement, moving beyond high-profile or strategic

sectors to a broad-based localisation model.

Employers should be preparing now to understand which of their existing roles may be impacted and what workforce adjustments may be required. Upskilling local staff, revising recruitment strategies, and reviewing outsourcing arrangements will be essential to remain compliant.

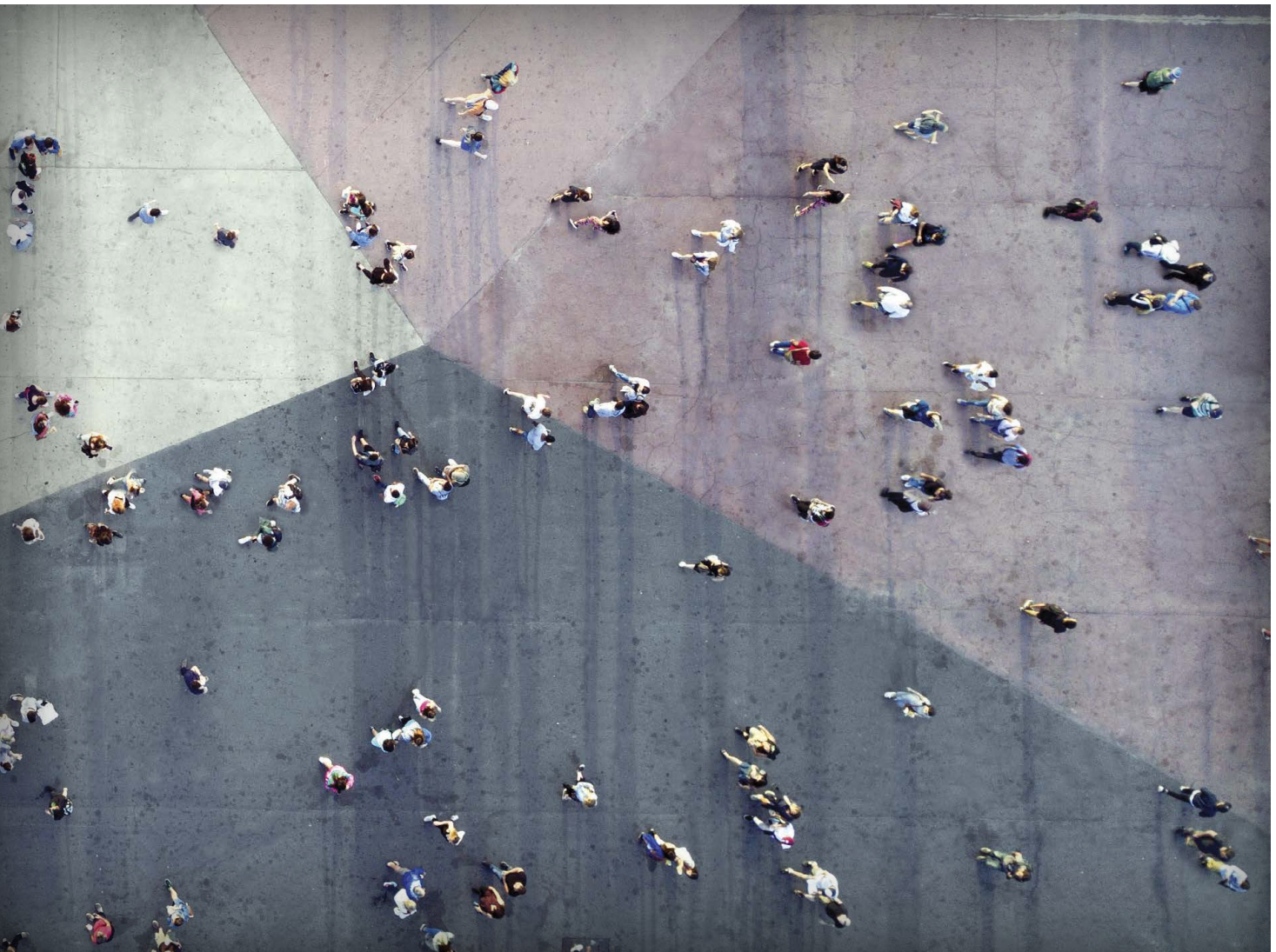
#### TOURISM INDUSTRY

In collaboration with the Ministry of Tourism, the Ministry of Human Resources and Social Development has announced a phased localisation plan for 41 tourism-related professions. These include key leadership and specialised roles such as Hotel Managers, Planning and Development Managers, Sales Specialists, and Hotel Receptionists

The implementation will occur in three phases:

- Phase 1 (22 April 2026): 100% Saudisation for





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Receptionists, Hotel Receptionists, Information Clerks, and Call Centre Agents; 70% Saudisation of Branch Managers and Tour Guides; and 50% Saudisation of Tourist Agents and Sales Reps.

- Phase 2 (3 January 2027): 30% Saudisation of Chefs.
- Phase 3 (2 January 2028): 50% Saudisation of Hotel and Sales Managers.

A detailed procedural guide has been issued to help companies understand calculation mechanisms, exemptions, and penalties. Employers in the tourism sector are advised to proactively review workforce strategies, invest in national talent development, and consider role restructuring where necessary to meet these new thresholds.

## ACCOUNTING AND ENGINEERING

Beyond tourism, accounting and engineering professions are also subject to heightened Saudisation efforts, reinforcing the government's intention to embed Saudi nationals across a broad range of professional and technical fields.

1. Accounting: From 27 July 2025, the minimum Saudisation rate in the private sector will increase

from 40% to 70% by 2028. This affects roles such as accountants, internal auditors, financial controllers, and budget analysts. Employers will need to review staffing structures and succession planning for finance teams, as this may limit the ability to onboard or retain expatriate finance professionals in affected roles.

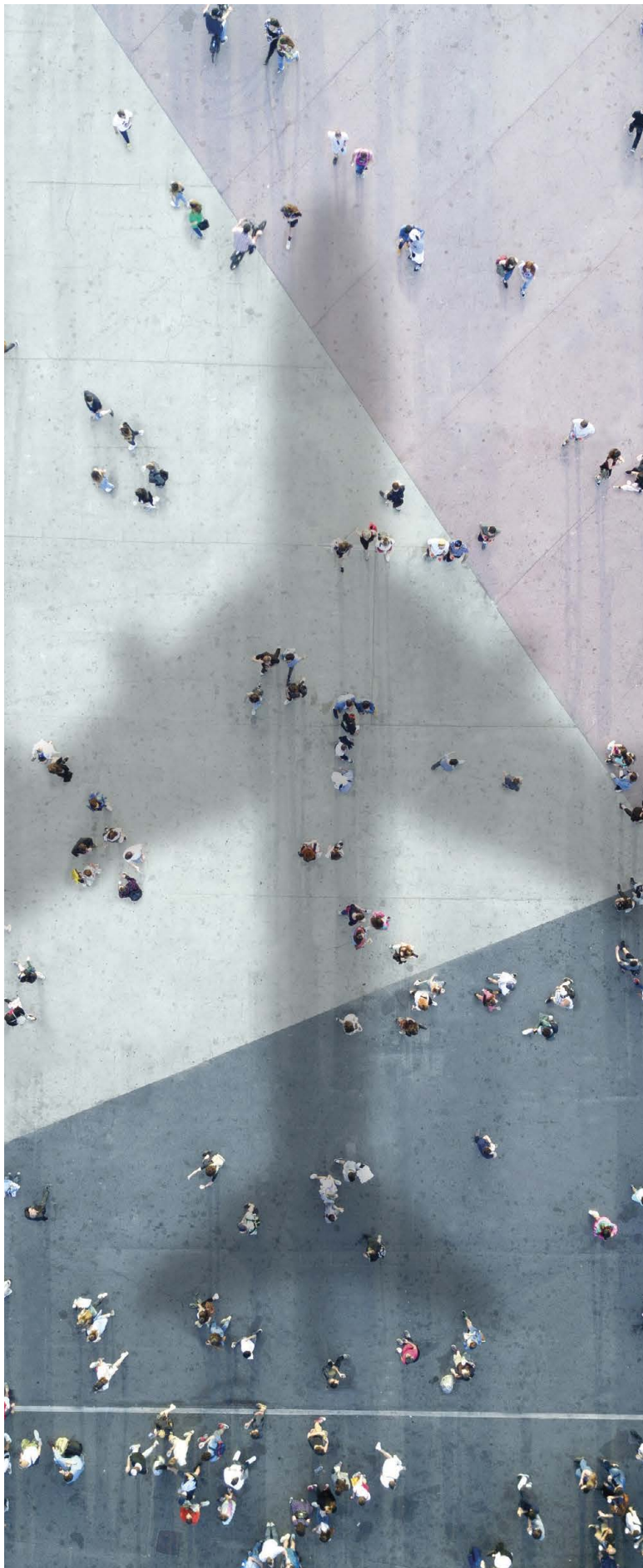
2. Engineering (Technical Professions): The Saudisation rate will rise from 25% to 30%, with a focus on technical engineering roles across construction, manufacturing, and infrastructure development. Companies operating in energy, utilities, and industrial sectors should expect closer monitoring and enforcement of localisation quotas, particularly for roles requiring registration with the Saudi Council of Engineers.

These developments are part of a wider localisation strategy that favours skills transfer and professional development of Saudi talent in traditionally expatriate-heavy roles. Employers must be prepared to invest in training, mentoring, and national talent pipelines to meet upcoming targets. Additionally, partnerships with local training institutions and proactive engagement with



**Ali Ibrahim**  
Director  
Vialto Partners





### TEMPORARY WORK VISA (TWV) SUSPENSION

In a separate but equally impactful development, Saudi Arabia has suspended the Temporary Work Visa (TWV) programme for all nationalities, including pending applications. The TWV quota has been removed from the Qiwa platform, signalling a halt in processing effective from 28 April 2025.

This sudden suspension, introduced without a public announcement or timeline for resumption, has caused uncertainty for employers relying on short-term international talent. Sectors such as construction, consultancy, event management, and maintenance could face immediate challenges sourcing talent for project-based needs.

Employers are urged to assess longer-term alternatives, such as Iqama-based employment, and monitor developments for further official guidance. There is also ambiguity about the status of current TWV holders, including whether they must exit or can remain in-country until their visa expires.

### SHORT TERM VISA CHANGES DURING HAJJ PERIOD

From April through 15 June 2025, Saudi Arabia introduced temporary travel and visa restrictions for nationals of several countries during the Hajj period. These included Algeria, Bangladesh, Egypt, India, Indonesia, Iraq, Jordan, Libya, Morocco, Nigeria, Pakistan, Sudan, Tunisia, and Yemen.

Citizens from these countries are unable to apply for short-term business, tourist, or family visit visas during this period. Those already holding valid visas have been advised to confirm entry permissions with local embassies prior to travel. In addition to this, we are now seeing an extension of these restrictions to long-term visas for some of the above nationalities, which we will be monitoring closely once the Hajj season concludes.

Travellers currently in the Kingdom have been encouraged to register with Absher to track visa validity and stay compliance. Business travellers were reminded to adhere strictly to permitted activities under their visa conditions.

Although regular travel and visa issuance are expected to resume from 15 June 2025, no formal confirmation had been issued at the time of writing.

Saudi Arabia's immigration and workforce policy landscape is currently undergoing rapid and widespread reform. From expanding localisation quotas across hundreds of professions to pausing short-term visa access, these developments signal a strategic realignment of how the Kingdom approaches talent management.

As a result, employers must remain agile and should reassess mobility programmes, update compliance protocols, and prepare to invest more heavily in national workforce development.

The pace and scope of change highlight the need for ongoing vigilance and strategic planning to ensure successful business continuity and regulatory compliance in the region.



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# LAW CHANGES

## NEW AND PROPOSED MENA LAWS

### KUWAIT WORK PERMITS

Mona Al-arbash of Al-Arbash International Centre explains how Kuwait Administrative Decision No. 1/2025 has changed the rules on granting work permits.

**K**uwait Administrative Decision No. 1/2025 Amending Some Provisions of the Regulation of the Rules and Procedures for Granting Work Permits has led to significant changes to the Regulation on the Rules and Procedures for Granting Work Permits, which are enforced by the Public Authority for Manpower (PAM). A key aim has been to improve oversight of commercial licenses, curb the misuse of inactive or fictitious files, and reinforce administrative compliance within the Kuwaiti labour market.

This Administrative Decision amends Kuwait Administrative Decision No. 156/2022 On the Issuance of a Regulation for the Rules and Procedures of Granting Work Permits but Kuwait Law No. 109/2013 On the Public Authority for Manpower and Kuwait Law No. 6/2010 On Labour in the Private Sector are also relevant in this context. A new Article 47(3) of the Work Permit Regulation has been introduced which imposes restrictions on employers and license holders when certain regulatory violations are found in their labour files. Administrative sanctions will be triggered if one or more licenses registered under the file are non-operational or inactive; one or more licenses has been administratively closed; or one or more licenses is not associated with a valid or registered address.

When this happens it will not be possible to register new employer files at PAM by the same licensee or manager; or to add new commercial licenses. It will also not be possible to recruit new workers; submit workforce quota requests or update license details, including address changes.

This Administrative Decision came into force on 25 February 2025 and there is no transitional or grace period. One of the main things Kuwait Administrative Decision No. 1/2025 has done has been



### DUBAI - WORKERS' HOUSING



Dubai Executive Council Decision No. 12/2025 On the Provision of Housing for Employees Working in

Establishments in the Emirate of Dubai has been issued requiring commercially licensed establishments in Dubai to provide housing for low-income workers. The new decision impacts commercially licensed establishments in Dubai which employ 50 or more workers. Any workers who earn a salary of 2,000 AED or less, must be provided with housing by them. This law comes into force 90 days after its publication in the Official Gazette which was on 21 March 2025. However, employers will have one year from this date to act on it.

to reinforce what is known as the doctrine of 'Clean File Requirement'. In effect this means any irregularity, such as a dormant license or unverified business address, can disqualify the file holder from administrative privileges.

This doctrine is being increasingly adopted in Kuwaiti administrative law to link legal eligibility to full regulatory compliance, in order to encourage proactive correction before it is possible to use public services. The second approach being seen is Personal Administrative Accountability. Kuwait Administrative Decision No. 1/2025

extends beyond the corporate entity to target the individual licensee or manager, preventing them from initiating new files with the authority. This approach discourages abuse of administrative systems by creating multiple files or using nominee arrangements. It marks a significant development in administrative liability, focusing on personal conduct and responsibility. The decision's third feature is that it is preventive, not punitive in nature. Although the consequences of non-compliance are restrictive, the decision does not constitute a punitive measure in the classical sense. It is an

## MOROCCO - STRIKES



Morocco Law No. 97-15/2025 which outlines the conditions and procedures for exercising the right to strike, will come into effect six months after its publication in the Official Gazette which was on 24 March 2025. This law, was reviewed by the Constitutional Court on 12 March 2025 before it was published in the Official Gazette. The right to strike has been included in the Moroccan Constitution since 2011 but previously there was no specific law on how to exercise it. Strikes are defined as a temporary, partial or total, stoppage of work, intended to defend a right, or a social, economic, professional, or moral interest, undertaken by workers, or professionals, in the context of their direct or indirect relationship with a company, an administration, or a public facility. They are subject to lead times which will vary between 15 and 45 days, depending on the party which has called for the strike, its scope, and if there has been a request to extend the lead time, to allow the parties to negotiate before the effective start of the strike.

## QATAR - LOCALISATION



The Qatari Cabinet has approved a draft Emiri Decision which will lead to establishment of the Qatar Award for Localisation in the Private Sector. The award aims to encourage positive competition between the private sector when it comes to progress on job localisation by honouring entities that have achieved localisation targets. It will also honour Qatari citizens who are distinguished talents who work in the private sector.

## BAHRAIN - SICK LEAVE



Amendments to Article 30 of Bahrain Decree-Law No. 48/2010 (the Civil Service Law) as a result of Bahrain Decision No. 18/2025 have given civil service employees with chronic illnesses an additional 30 days' sick pay per year. The additional days will be given to employees who have been diagnosed with chronic illnesses, such as diabetes, cancer, heart disease, and autoimmune disorders, and have exhausted their regular sick leave entitlements. However, they will also need approval from a competent medical authority which ensures the leave is medically justified.

## KUWAIT - PENSIONS



Proposals to change the law on retirement age in Kuwait have been discussed. If adopted the retirement age would be increased to 60. Currently it is possible to retire at 45 in Kuwait if an individual has 15 years' service, although this is with a reduced pension.

administrative safeguard, intended to pre-empt future violations by freezing expansion or operational action until legal compliance is restored—without the need for formal disciplinary proceedings or sanctions. Another important feature is the principle of Public Interest Supremacy. This regulation states it has been issued in accordance with 'labour market interest', and recognises the administrative law principle that when individual business activity conflicts with regulatory order, public interest prevails. It shows how administrative discretion can be used to stabilise a sector by

targeting risk patterns. While the decision is normative in scope, its application to individual files may constitute an administrative act subject to judicial scrutiny under Kuwait's administrative judiciary. If a business or licensee believes the restriction was applied without a proper basis or proportionality, legal recourse remains available through judicial review. Employers should be checking now all commercial licenses are valid, active, and properly registered with official addresses. Close attention should be paid to closed or expired licenses. All addresses should be up to date and

supported by legal documentation. If a freeze has been imposed new licensing or labour transactions should be suspended and attempts made to seek resolution directly with PAM. Internal compliance protocols should also be put in place to monitor ongoing conformity with labour market regulations and there should be systems in place so advice can be quickly obtained from legal counsel on interpretation and mitigation of administrative restrictions.

# CASE FOCUS

**Case No ....** Clare Holloway v MBG Corporate Services LLC, QFC Case No. 0059/2024, [2025] QIC (F) 19 issued on 23 March 2025

**Jurisdiction ....** QFC

**Court ....** Court of First Instance, QICDRC

**Recommended by ....** Mohammed Al Ansari, QICDRC

## WHAT IS IT ABOUT?

The QFC Court of First Instance recently issued two employment dispute judgments against the same employer which had similar facts: Clare Holloway v MBG Corporate Services LLC and Nabila Kesraoui v MBG Corporate Services LLC (QFC 0059/2024, [2025] QIC (F) 19 and QFC 0061/2024, [2025] QIC (F) 18). Holloway and Kesraoui had been employed in the same department at MBG. As a result of performance issues, Holloway had been informed it would not be possible to continue to employ her. Both she and Kesraoui had their employment terminated on 15 December 2024 and their employment ended on 15 January 2025. Both their contracts allowed termination of employment with 30 days' notice. They began proceedings against MBG, for various payments and compensation but each case was tried separately. They had not been issued with a traditional employment contract but had been sent an offer letter signed by the employer, which they had accepted, signed and returned. These letters were considered by the Court to be their employment contracts.

## WHAT WAS DECIDED?

In both cases, salary arrears and pay in lieu of notice due had been settled before the court hearing. MBG had also admitted liability for unpaid leave. Holloway also contested QAR 6,050 in deductions taken from her salary for unauthorised sick leave and being late.

Kesraoui challenged a QAR 4,400 deduction from her annual leave for disciplinary matters. The Court ruled these deductions were unauthorised and ordered MBG to repay them. MBG had argued they were fair as they followed documented policies in their Employee Handbook, but the Handbook had not been incorporated into their employment contracts. Article 27 of QFC Employment Regulations 2020 prohibited deductions from an employee's salary unless they were required or authorised by law or regulation or the employee's contract of employment, the employee had previously agreed to them, the deduction was a reimbursement for overpaid wages or expenses, or it had been ordered by the QFC Employment Standards Office, the Civil and Commercial Court, or the Regulatory Tribunal. The employees also sought reimbursement for medical expenses as MBG had not provided medical insurance. MBG argued under their Employee Handbook these claims would only be honoured if there was written proof of the expense. The Court also upheld these claims, as MBG had violated Article 48 of QFC Employment Regulations 2020 which required employers to obtain and maintain insurance cover for health and disability income in the manner prescribed in rules, policies or orders issued under the Regulations.

Holloway also tried to claim a QAR 10,000 reimbursement for transport costs, which was denied, because of a lack of supporting invoices. A QAR 22,000 claim by Holloway for a delayed start to her employment was also denied as her contract clearly stated her actual start date. Kesraoui made what appeared to be a claim for QAR 96,000 in damages for alleged defamation based on statements MBG had made about her in their written submissions to the Court. The Court rejected this and confirmed that statements made in legal proceedings were protected



from defamation claims unless they were proven to have been made with improper intent, so this claim was misconceived. The employees also sought QAR 99,000 for 'emotional damages' and for QAR 96,000 for 'emotional distress' respectively. Following the precedent in *Khadija Al-Marhoon v Ooredoo Group Company* [2023] QIC (A) 5, the Court ruled while emotional damages could be awarded in employment disputes, this would only be if the employer's conduct was egregious. There was no evidence of this in these cases and both claims were dismissed. Holloway was also criticised by the Court for having immediately resorted to litigation. The HR Director had tried to settle the dispute, but she had refused to do so and had filed the case with the court the very next day. As a result, the Court ordered Holloway to pay 50% of MBG's reasonable legal costs, which was an unusual costs order in the QFC Court where usually the unsuccessful party (the employer here) has to pay the successful party's reasonable costs (see Article 33 of the Court's Regulations and Procedural Rules). In *Kesraoui's* case, there was no order as to costs, and each party bore their own expenses. Although she had had some success her claims had not been substantially successful.

An important point here was the employees' offer letters were considered to be their Employment Contracts as no other Employment Contract had been issued to them. Employment contracts in the QFC must explicitly include all relevant terms. Employers cannot rely on unwritten policies or external Employee Handbooks unless they are expressly incorporated into the employment contract. That Handbook had confirmed there were policies which covered these deductions and their position on medical costs. However, the important point was if the deductions were authorised in the employment contract (which contained no mention of the deduction policies), unauthorised salary deductions are prohibited. Employers must ensure any deductions are either expressly allowed under the employment contract or otherwise permitted by law. These cases also show Employers must adhere to statutory obligations, such as the provision of medical insurance. Both of the Employees had tried to rely on cases from other jurisdictions to support of their claims for damages for emotional or moral damage. However, the Court emphasised that emotional damage claims need persuasive evidence.

Moral damages require clear proof of improper conduct by the employer. Claims of this type will not be upheld unless supported by cogent evidence. On costs, the Holloway case shows how important it is for employees to attempt to resolve any dispute with an employer (or former employer) out of Court before initiating legal proceedings. This case shows it is not always advisable to pursue litigation as a first resort. Both employers and employees should first attempt reasonable settlement discussions before

they resort to legal action. Those who do not may find (as happened here) the Court might penalise aggressive litigation tactics with a requirement to pay their opponent's costs, even if they are the winning party.

**Case No ....** Nasser v Najat DIFC Case No. 452/2024 [2024] DIFC SCT 452 issued on 25 November 2025

**Jurisdiction ....** DIFC

**Court ....** DIFC Small Claims Tribunal

**Recommended by ....** Ayesha Karim

## WHAT IS IT ABOUT?

Nasser was an employee who was employed at Najat a company in the DIFC under an employment contract dated 25 September 2021. While employed he allegedly experienced panic attacks, anxiety, and severe sleep deprivation which impacted his ability to work. On 5 May 2023, a cardiologist recommended immediate and extended sick leave to manage his conditions, and he was later diagnosed with depression. In June 2023, he told Najat's Managing Partner about his diagnosis and the recommendation for extended leave to manage his condition. The Managing Partner stated Najat's HR team would follow the appropriate procedures and policies on this. However, the HR team failed to reach out or provide any formal communication on potential support or adjustments to help accommodate his medical condition and his sick leave was extended without any structured plan for his reintegration or support being provided. On 8 September 2023, he was called by the HR team terminating his employment with immediate effect as he had exhausted his sick leave entitlements. He filed a claim almost 13 months after the termination call in the DIFC Courts' Small Claims Tribunal for USD 20,000 for discrimination and wrongful termination.

## WHAT WAS DECIDED?

The Court ruled his last working day was 8 September 2023 when HR had formally terminated his employment but the employee had continued contact with his employer for six months after termination with the help of legal support.

Under Article 61(2) of DIFC Law No. 2/2018, an employment claim will not be considered unless it has been brought within six months of the employee's Termination Date. There was no evidence Nasser had worked beyond September 2023. He stated there were discussions with his employer, but no outcome was reached. He also stated he had remained on his employer's visa until October 2024.

The Court ruled both the employment visa and employment contract performance must be considered when evaluating the limitation period. Nasser had not received any salary after 8 September 2023, and could not be considered an employee after then when calculating the limitation period. There are often post termination discussions with employment claims; but these interactions do not stop the limitation period from running and employees must keep track of it.

# HR PROFILE

## PEOPLE ADVISORY DIRECTOR – PROFESSIONAL SERVICES



### Creating change

Nishanth Krishnan Director in People Advisory and Business Consulting at Grant Thornton UAE discusses the requirements and expectations when implementing HR change.

#### BACKGROUND

Nishanth grew up in India and spent a lot of time travelling around as his father was in the military and worked in the field of engineering. When asked about his background, Nishanth says he was very creative when he was younger, writing and drawing which he learnt from family members who were all very creatively minded.

He studied mechanical engineering at the National Institute of Technology (NIT) in Trichy which helped him with problem solving. He later went on to study a Post Graduate Diploma in Management: Human Resources at the International Management Institute (IMI) in New Delhi which taught him, among other things, long-term thinking and collaborative working.

After his studies, he worked in HR in the corporate sector where he trained a lot of interns and trainees, and he learnt a great deal about the merits of psychological testing and training of employees. He then went to work in a factory where he acquired knowledge of labour law.

This led to a role in HR for a sales company where he focused on performance reviews to encourage growth within the sales team, and he understood how leadership skills can help the sales process. His role had an impact on the growth of sales targets within the sales team.

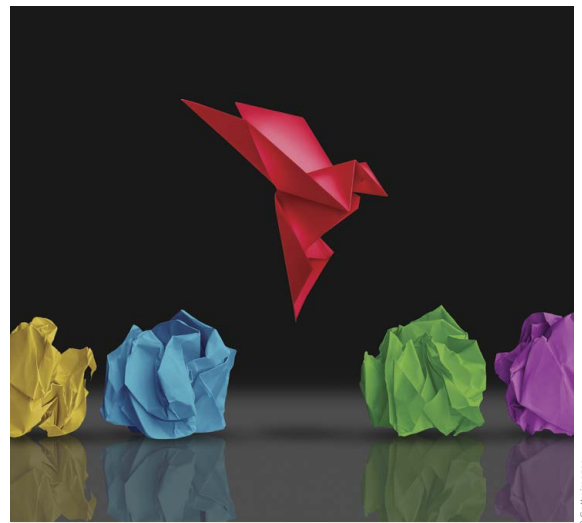
#### CURRENT ROLE

Grant Thornton UAE is a leading professional services firm and provides a comprehensive range of solutions for businesses specifically across Audit, Advisory and Tax services. They have over 700 specialists in the UAE and a global footprint of over 76,000 people.

Nishanth has extensive experience in various domains and is now a Director in People Advisory and Business Consulting at Grant Thornton where his role focuses on people problems in his clients' businesses. He has 13 years of experience in Business Consulting for financial services, retail, manufacturing and family-run conglomerates.

He has a diverse range of clients that he supports by working on complex projects including with Chief Financial Officers of big named clients.

The role has a mix of work in which he can use



many of his skills as it includes pure human resources elements such as talent assessments, performance management, learning and development and compensation and rewards, as well as broader transformation and project management areas across functions.

He has deep expertise in organisation design and workforce shaping, ensuring clients have the right mix of skills for future business scenarios.

#### TRENDS

The current trends that impact his work include the changing nature of consulting, as the clients now expect you to deliver outcomes as opposed to just advisory. Business Consultants are now required not just to deliver but also articulate and monitor sustainable and tangible value. The pace of technological advancement has created challenges for clients in adopting it at scale.

The incoming workforce generation has different priorities and aspirations – that is something companies are dealing with as well.

Emiratization is the legislation that has required most creative solutions for clients.

This is a national initiative in the UAE that is aimed at increasing the participation of UAE nationals in the private sector workforce. Companies in the UAE must meet specific Emiratization quotas, and the targets

## PRACTITIONER PERSPECTIVE



**Henrietta Baker**  
Partner  
Dentons

Henrietta Baker and Kahroba Kojouri of Dentons discuss proposed amendments to the Saudi Personal Data Protection Law Implementing Regulations (Saudi Arabia Administrative Decision No. 1516/1445).

When adopting new technology to support the HR function, data protection legislation often has to be considered. The Saudi Authority for Data and Artificial Intelligence (SDAIA) is currently consulting on changes to the Personal

Data Protection Law Implementing Regulations (Saudi Arabia Administrative Decision No. 1516/1445). The consultation is currently scheduled to end on 27 May 2025.

The proposals that are being consulted on cover a number of areas. While some of the proposed changes like those around obtaining consent before sending advertising or awareness materials and the processing of personal data for direct marketing purposes are less likely to be relevant in the employee context, there are others which will be relevant.

For example, the proposed amendments stress the importance of drafting privacy policies so that they are easy to understand and use straightforward language which will cater to varying levels of understanding of the relevant individuals. In particular, the language of the privacy policy should match the language typically used in the provision of the services or products to individuals. So taken in an employment context you should make sure the language used for these policies matches your workforce demographics. This proposed amendment is particularly useful as it addresses the ambiguity around whether privacy policies have to be translated into different languages in Saudi Arabia.

There are a number of proposed changes which impact the role of the appointed Data Protection Officer (DPO). For example, they offer more clarity on the DPO's responsibilities and should help organisations to better understand the scope of a DPO's duties in monitoring compliance with the Saudi data protection regime. In addition, organisations would have to input their DPO's contact details into the National Data Governance Platform, which is an electronic platform which comes under the remit of SDAIA which aims to provide support services and tools for the enforcement of the Personal Data Protection Law (Saudi Arabia Cabinet Decision No. 98/1443) and its Implementing Regulations (Saudi Arabia Administrative Decision No. 1516/1445).

Other key proposed changes include the requirement that the National Data Governance Platform contain a separate register for each controller where the controller's records of processing activities (ROPA) must be recorded. Currently, organisations only need to provide their ROPA to SDAIA on request. It has also been proposed that requests from SDAIA must be responded to by controllers within 10 business days. Finally, it is proposed that the previous 90-day time limit for submitting complaints will be removed which would allow data subjects to file complaints at any time. Whilst some of these proposals are intended to clarify the existing provisions in Saudi Arabia Administrative Decision No. 1516/1445, others where implemented will raise a number of new important considerations for employers.

**Kahroba Kojouri, Associate at Dentons also co-authored this article.**

extend to various sectors, including healthcare, real estate, finance and insurance and information and communication.

Non-compliance can result in fines for companies. Clients seek HR-led solutions to achieve these targets as HR lifecycle and employee engagement have a profound impact on employer brand and employee retention.

Another piece of legislation that has impacted on Nishanth's role was the introduction of Corporate Tax for UAE businesses which has had a direct impact on how their finance teams are structured and skilled.

### CHALLENGES

The main challenges that he feels the industry is facing are the changing macroeconomic shifts, geopolitics and technology as these all lead to vulnerabilities within businesses, his clients and his own teams.

He believes 'we all need to be ready and to be comfortable with ambiguity. It is a big challenge, but to overcome it we must upgrade ourselves - we upskill

which we can then pass on to our clients and to our teams'.

### PROUD MOMENTS

When asked what he has been most proud of in his career to date, Nishanth says he recently had the experience of working for a government client in the Middle East where he was required to transform their governance and advise them on having a standard way of working.

This was very well received by the client.

Another proud moment was when he helped a large global retailer implement best in class HR technology and they were able to monitor the value in real terms.

He had also led the design of a transformation value monitoring hub for a leading global bank. In addition, in his role as the HR lead for India's largest consumer healthcare deal, during the acquisition he handled the HR changes which he feels has been one of his great achievements to date.

# MOVES AND CHANGES

A ROUND-UP OF BUSINESS NEWS, APPOINTMENTS AND PROMOTIONS

## FLYING HIGH

Mohamed Mazen Matar has been appointed the Group Chief People Officer at Gulf Air Group having previously worked at the National Bank of Bahrain (NBB) as Group Head of Human Capital. Matar holds Chief Human Resources Officer (CHRO) certification from Wharton School at University of Pennsylvania and has also completed executive leadership education programmes at Harvard Business School. He has over 16 years experience of working and specialises in human resources digital transformation, building corporate cultures, strategic planning and developing performance management. In his new role he will support the next phase of Gulf Air's development.

## TRADING PLACES

Kudotrade, a leading global Contract For Difference (CFD) broker which is known for its trading platform, has appointed Catharine Ioannou as their Global Head of Human Resources. Catharine has worked in the past in the financial sector and will play a key role in driving Kudotrade's global talent strategy, fostering a dynamic workplace culture, and supporting their plans for expansion. Her past experience includes talent acquisition, employee development, and building inclusive corporate cultures that empower individuals and teams to thrive. She plans to lead people-centric initiatives which will reinforce a high-performance culture.

## A PUBLIC - PRIVATE APPROACH

Abdullah Almurbati has been appointed Chief Human Resources Officer at Miahona. Miahona is a pioneering PPP developer and operator which provides sustainable water and wastewater solutions to municipal and industrial utilities across Saudi Arabia. Almurbati has over 15 years experience of HR leadership. He led a major HR transformation as Head of HR & Admin at SAICO Insurance, where he spearheaded performance and reward systems aligned to IPO readiness and strategic KPIs. He also worked as the Country HR Manager at Olayan Saudi Holding Company, and in senior HR roles at Maalem Financing Company and Jaddarah Workforce Services.

## FROM STEEL TO CERAMICS

RAK Ceramics has appointed Jasem Alkhateri as their new Chief Human Resources Officer. Jasem previously worked as the Group Chief People Officer at Emirates Steel Arkan where he played a critical role in their HR Operations. Jasem has particular expertise in workforce strategy, operational efficiency and aims to shape RAK Ceramic's people development initiatives. It is hoped he will help to strengthen RAK Ceramics' talent and workforce management strategy as the company continue their global expansion. He has also been Human Resources Director at the Abu Dhabi Department of Economic Development and spent 12 years at Etisalat as the Director of Sales Planning & Forecasting, and Sector Manager for Utilities, Shipping and Oil.

## HEADING FOR SAUDI

Dr Sairah Narmah-Alqasim has become the head of the employment practice at Pinsent Masons's newly launched office in Riyadh. Sairah trained at Pinsent



Masons over a decade ago but more recently worked at Dentons where she held a number of roles including leading their Saudi Arabian employment practice. In her new position she will advise global and regional corporate clients on their HR and employment law issues. In the past, she has held prominent dual roles as both senior in-house counsel and Vice Dean of the College of Law at the University of Business & Technology, and was senior in-house counsel and Head of the Law Department at Dar Al-Hekma University. Her client base has included private and listed companies, ultra-high net worth individuals, family offices and sovereign wealth funds.

## FOOD FOR THOUGHT

Mahitab Saleh has been appointed as Head of People and Culture for Edita Food Industries, a leading baked food products company based in Cairo. Edita employs over 4,500 staff who work in their four factories. In her new role, Mahitab will lead the people strategy for their expansive trade sector, focus on organisational development, performance culture and talent enhancement initiatives. She previously worked as a Strategic HR Transformation Consultant supporting organisations with their talent solutions and HR strategy. In addition, she has also been the Regional Human Resources Senior Manager - MENAT for Agthia Group and has spent time with a number of other businesses including the Kuwait Food Company (Americana Group), the Savola Group, Royal Bank of Scotland and Scimitar Production (Egypt).

## OTHER CHANGES

**Kalamcx:** Ismael Garcia has been appointed Head of Global Talent Acquisition at Kalamcx in Egypt. He will be responsible for building scalable sourcing frameworks, enhancing recruitment technologies and creating a best-in-class global hiring experience. Kalamcx provides services on a range of areas including translation services, technical support and payroll processing.

## SEND US YOUR NEWS

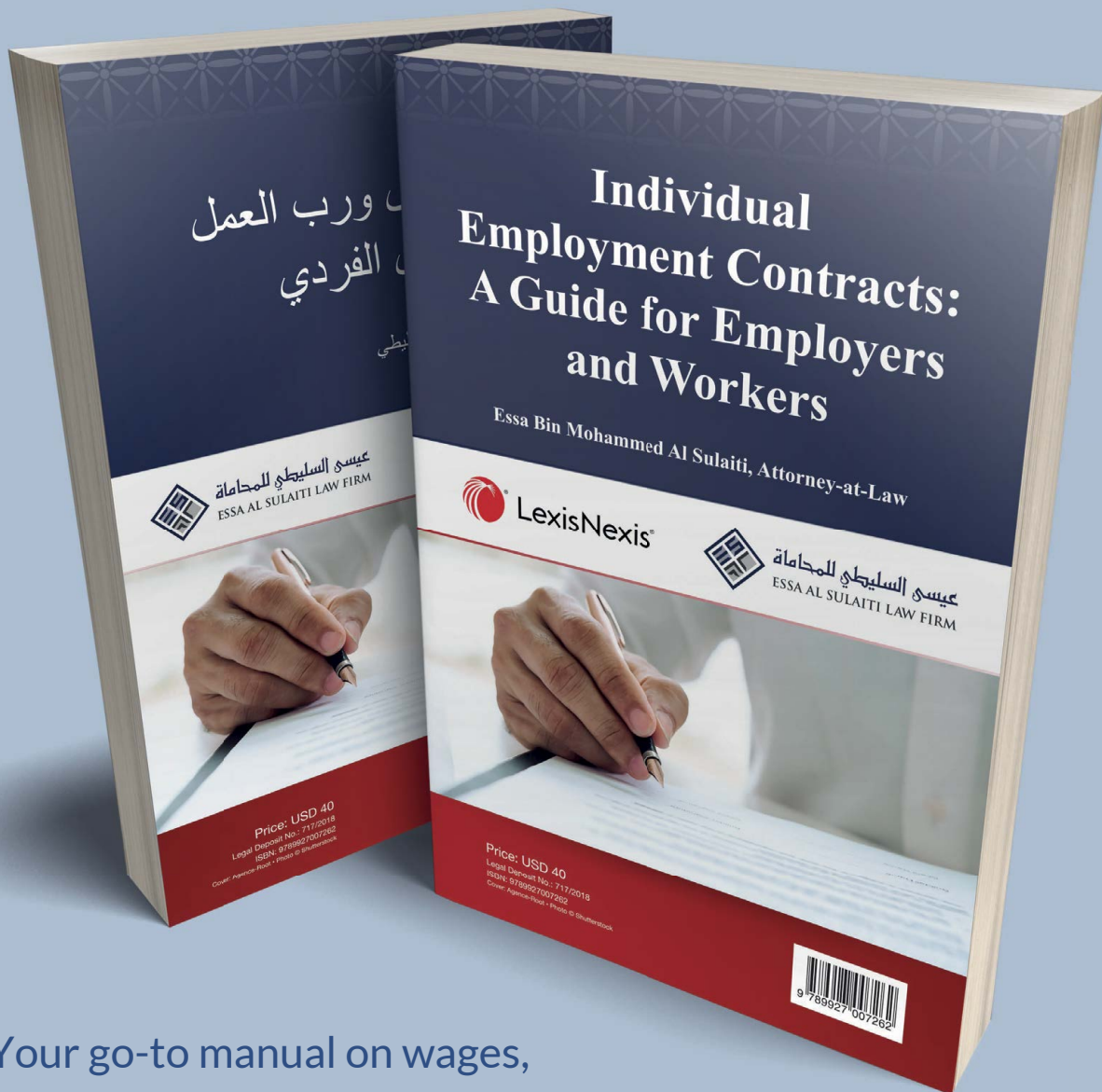
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# INDIVIDUAL EMPLOYMENT CONTRACTS: A GUIDE FOR EMPLOYERS AND WORKERS

BY ESSA BIN MOHAMMED AL SULAITI



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## Working hours



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**K**uwait Administrative Decision No. 1734/2024 On the Determination of the Working Hours of Stores was issued at the end of last year and regulates working hours in a number of specific types of establishment in Kuwait.

### WORKING HOURS

This Decision imposes a 6:00 am to 12:00 am limit on operating hours in health institutes and beauty salons which offer massage services, and is a significant development in the alignment of business operations with labour protections and public interest in the country. It effectively prevents these types of establishments from operating overnight. Previous regulations of this type such as Kuwait Administrative Decision No. 3212/2022 Determining the Working Hours of the Commercial Stores Located in Private Residential Areas restricted late-night business in residential areas. Kuwait Administrative Decision No. 1734/2024 now extends similar limits to massage-related businesses regardless of their location. The stated reason for this change is that it is being made in the public interest, as a result of concerns about public order, including issues with noise disturbance, and potential misuse of certain businesses late at

night. The change is also designed to support labour welfare by discouraging the sort of excessive or irregular shifts that may be the result of 24-hour operations. The aim is also to create uniformity in business hours across sectors and zones, which should make the regulations clearer and enforcement easier.

Under Article 3 of Kuwait Administrative Decision No. 1734/2024, the penalties for a failure to comply with these requirements follow those in Kuwait Ministerial Decision No. 435/2022 (General Stores Regulation). These include fines, warnings, and potential administrative closure for establishments which operate outside the permitted hours. In addition, where there are severe or repeat cases, the municipal authorities or the courts may order licenses to be revoked. Enforcement is expected to be stringent, and there will be municipal inspections supported by local law enforcement, especially during late hours.

### WHO IS IMPACTED?

Kuwait Administrative Decision No. 1734/2024 directly impacts gyms and health clubs, salons for both men and women which offer massage services. A whole range of employees in these establishments including trainers, therapists, receptionists and support staff will also be impacted. However, it is important to note that this Administrative Decision has impacted specific types of business operations rather than directly amending Kuwaiti labour law but it will indirectly shape employee working patterns.

### OTHER PROVISIONS

Working time in Kuwait is primarily governed by Kuwait Law No. 6/2010 On Labour in the Private Sector,

which remains applicable. Under this law, employees can work a maximum of eight hours per day or 48 hours per week. They should also have a one hour break after five hours of working, and at least one rest day a week. Overtime is also limited and must also be paid at a premium rate. These rules also apply equally to employees in stores and salons. The new operating hour restrictions support these limits by curbing opportunities for excessively long or late shifts. While Kuwait's general private sector follows the limits in Kuwait Law No. 6/2010, store-specific rules like those in Kuwait Administrative Decision No. 1734/2024 then introduce an extra regulatory layer, which also needs to be considered by capping the possible business hours employees in these sectors might potentially be able to work. There are a number of other sectors where different working time rules apply in Kuwait. For example, construction workers and other who work outside are protected in June to August by a midday work ban because of heat risks. Under Kuwait Law No. 68/2015 domestic workers can legally work up to 12 hours a day, including periods of rest, but their formal protections are less detailed than those provided under Kuwait Law No. 6/2010. The healthcare and hospitality sectors can also legally assign night shifts under licensed exceptions. In addition, Kuwait Law No. 6/2010 restricts women from working certain night-time hours unless they are exempt, as is the case, for example, in the healthcare sector.

In addition, those who are 15–18 years, can also have reduced daily working hours, prohibited night work, and restrictions on hazardous duties.

### Contributor



Bader Al-Qellaish  
Founder | Managing Partner  
Wefaq Law Firm





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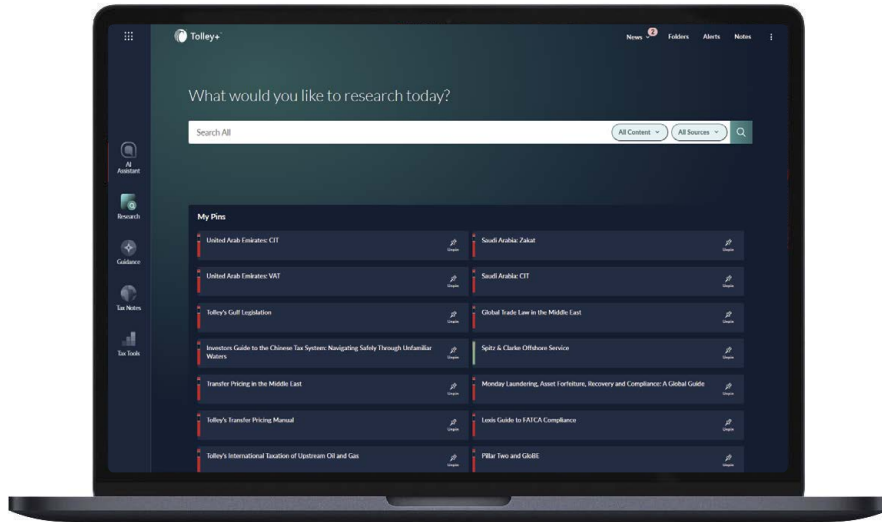


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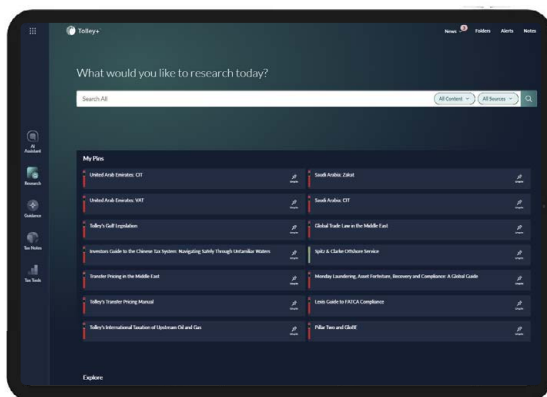
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