

# LEXIS MIDDLE EAST HR ALERT

ليكسيس الشرق الأوسط لشؤون الموظفين

[www.lexis.ae/hr](http://www.lexis.ae/hr)

January 2026

## TRENSETTER MENTAL HEALTH

### ABSENCE

Employers' and employees' rights and obligations

### PROFILE HOSPITALITY

Arjenney Cakar of SLVJ Group Dubai

### POLICY POINTERS

Anti-bullying policies

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

# WAGING WAR ON WPS COMPLIANCE

Changes to UAE and Saudi Wage Protection





# Unleash your full potential with the new Lexis® Middle East HR

Work faster and more effectively with the new  
Lexis® Middle East HR platform.

A complete up-to-date set of employment and health and safety legislation in English and Arabic, Regulations, Questions & Answers, Guidance Notes, Policies, Contract and Letter Templates plus news and articles designed specifically for HR professionals supporting employees from across the Middle East and Turkey.

For more information, contact our team by email:  
[contact.mena@lexisnexis.fr](mailto:contact.mena@lexisnexis.fr)



The Lexis Middle East Law Alert magazine is produced by the Lexis Middle East Law online legal and business research service. To find out if you qualify to be added to our regular circulation go to: [www.lexismiddleeast.com](http://www.lexismiddleeast.com)

Follow us on Twitter:  
<https://twitter.com/lexismiddleeast>

**ADVISORY BOARD**

Madelein Du Plessis  
Matt Yore  
Luke Tapp  
Sarah Malik  
Shiraz Sethi  
Thenji Moyo

**EDITORIAL**

**Editor**  
Claire Melvin  
+44 (0) 20 7347 3521  
[claire.melvin@lexisnexis.co.uk](mailto:claire.melvin@lexisnexis.co.uk)

**SUBSCRIBE**

To join our free controlled circulation contact Tanya Jain  
[tanya.jain@lexisnexis.com](mailto:tanya.jain@lexisnexis.com)

**MIDDLE EAST REGIONAL SALES**

Abbey Bergin  
[abbey.bergin@lexisnexis.com](mailto:abbey.bergin@lexisnexis.com)  
+97145601200

**PRODUCTION**

Senior Designer  
Jack Witherden

**ENQUIRIES**

**UK**  
Lexis House, 30 Farringdon Street,  
London EC4A 4HH  
Tel: +44 (0)20 8686 9141 or  
Fax: +44 (0)208 2121988

**France**  
LexisNexis SA,  
141 Rue de Javel,  
75015, Paris  
France  
Tel: +33 (0)1 45 58 90 43

This product comes from sustainable forest sources.

Reproduction, copying or extracting by any means of the whole or part of this publication must not be undertaken without the written permission of the publishers.

This publication is intended to be a general guide and cannot be a substitute for professional advice. Neither the authors nor the publisher accept any responsibility for loss occasioned to any person acting or refraining from acting as a result of material contained in this publication.

© 2026 Reed Elsevier.



Madelein Du Plessis  
RELX Middle East



Matt Yore  
Jameson Legal



Luke Tapp  
Pinsent Masons



Sarah Malik  
SOL International



Shiraz Sethi  
Dentons



Thenji Moyo  
Gateley UK LLP

# WAGE PROTECTION

The Lexis Middle East Online editorial team add new GCC cases on a daily basis onto the Lexis Middle East Law online site - a significant number of which involve employees who have not been paid in full or in part, both on termination and while still employed. In some of these disputes employees it is shocking to see employees have even been unpaid for several months or even several years in some cases. Employees who have not been paid will often resign without notice and file cases with the courts or labour regulators such as the Ministry of Human Resources and Emiratisation (MOHRE) where this is the first stage in the litigation process. However, these are not the only ways in which the prompt, full, accurate payment of employees' wages are tackled. In 2009, the UAE set up a wage protection system (WPS) to help with this problem. A similar system was rolled out in Saudi Arabia in 2013, and WPSs have also been set up in Qatar, Oman, Kuwait and Bahrain. In this issue we review recent changes to the UAE and Saudi systems. A mix of changes in technology and a growing desire by authorities in the GCC to increase employee protection have been driving changes to these systems since they were first launched. In both these jurisdictions automated review systems are now in place, and the chances of the authorities quickly becoming aware of non-payments or under payments have significantly increased. Individual employees still have the rights to take action in these cases, but it is also important to note, as we explain here that when it comes to the non or underpayment of wages, and breaches of the requirements under these systems, the authorities are taking a pro-active approach to compliance. Vain hopes that late payment, non-payment or under payment of wages will be overlooked by the authorities are not enough. Employers need to ensure instead they actively review payroll governance, contract management, and reporting processes.

Claire Melvin - Editor

# CONTENTS

<b>FEATURE: WAGING WAR ON WPS COMPLIANCE</b>	p3
Changes to the UAE and Saudi wage protection systems	
<b>TREND SETTER</b>	p5
<b>Dentons &gt; Law</b>	
Mental health absence in Saudi	
<b>NEWS ROUND-UP</b>	p6
including DIFC Court Practice Direction on employment disputes	
<b>IMMIGRATION FOCUS</b>	p8
including lessons from the UAE's approach in 2025 to Emiratisation	
<b>LAW CHANGES</b>	p12
including the impact of Qatar Law No. 22/2025 on disabilities	
<b>CASE FOCUS</b>	p14
including a QFC case on costs of litigants in person	
<b>HR PROFILE</b>	p16
<b>Arjenney Cakar &gt; SLVJ Group Dubai</b>	
A Human Resources Manager's views on how work on pre-opening projects helps with skills development	
<b>MOVES AND CHANGES</b>	p18
Round-up of the big moves across the region	
<b>CONTRACT WATCH</b>	p20
Anti-bullying policies	

# WAGING WAR ON WPS COMPLIANCE

Technological change and a growing desire to improve employee protection have led to wage protection system (WPS) changes in the UAE and Saudi. Natalie Jones of Mischon de Reya LLP explains employers' obligations following the most recent reforms.

**“T**he wage protection systems (WPSs) in the UAE and Saudi Arabia were originally introduced in 2009 and 2013 respectively,” states Natalie Jones. “The fundamentals of both these regimes remain the same but there have been some recent changes to the WPS in both these jurisdictions.”

“As of December 2025 the processes involved in both registration and payment of salaries through the WPS in the UAE became simpler after digital applications and smart solutions were implemented. As a result, various stages of the WPS process are now fully integrated with the UAE Central Bank and accredited financial institutions, allowing salary payments in the UAE to be tracked in real time and with greater precision against registered employment contracts. The enhanced system automatically notifies UAE labour authorities when

wages are processed, enabling immediate verification that proper full payment has been made without any unauthorised deductions. Although this is only to the extent that registered contracts, against which any discrepancies are identified, accurately reflect each employee’s salary.”



**Natalie Jones**  
Partner  
Mischon de Reya  
LLP

“Meanwhile in Saudi Arabia, the WPS has been expanded to include mandatory electronic salary payments to domestic workers, which completes the phased expansion of the WPS’s coverage there. From 1 January 2026, domestic workers should also receive their salary payments via WPS.”

“The changes to these systems reflect the wider digital transformation and a shift in focus over the past ten to 15 years towards greater protection of employee rights in both jurisdictions,” Jones continues. “The result is that UAE and Saudi employers and their payroll processes are now under



© Getty images

greater scrutiny than ever before and there is very little tolerance of non-compliance when it comes to payments owed to employees.”

### SCOPE

“In the UAE all employers who fall within the jurisdiction of the Ministry of Human Resources and Emiratisation (MOHRE), the Jebel Ali Free Zone Authority and Dubai Multi Commodities Centre must register with and pay wages using the WPS,” Jones explains. “This includes all employers, irrespective of their sector and headcount, although employees engaged by companies established in other free zones (e.g. the DIFC and ADGM) and domestic workers in the UAE are excluded from WPS requirements.”

“Similarly, in Saudi employees who work in the private sector under the Ministry of Human Resources and Social Development (MHRSD)’s remit must be paid through the WPS system there,” Jones adds. “Those payments are checked against contracts filed with

## RELEVANT LEGISLATION

### Article 2 of Ministerial Resolution No. 788/2009

All institutions mentioned in Article (1) of this Decree must, as of 1 September 2009, start transferring all its workers’ wages to the banks and financial institutions working in the UAE via the Wages Protection System (WPS). The payment process should be made by the deadlines specified in Article (3) of this Decree.

(Source: Lexis Middle East Law)

QIWA. Unlike in the UAE, in Saudi mandatory electronic payment of domestic workers is now required. Once employers and their employees are registered with the WPS, it is important employers ensure accurate salary payments are made. Any change to salary, allowances, or working arrangements (which impact salary) must be updated in official systems before payroll is processed. Although, in practice in the UAE it has been uncommon for employers to update

**THE WPS**

**What is it?**

The WPS is an electronic salary monitoring system in which employers are required to submit detailed payroll information on all employees when they start employment. They must make salary payments through authorised electronic channels. Salary payments through the WPS are monitored and cross checked against detailed payroll data employers are required to submit and official employment contracts filed with the authorities.

**Employers' obligations**

Employers are expected to take a proactive approach on sharing information which impacts salary payments with the authorities.

the contracts which are filed with the authorities, unless there have been very significant changes and those changes are potentially detrimental to the employee, it has been more common, for employers when employees have received annual salary increases, to wait until the residence visa (if applicable) and work permit renewal time to update employment contracts. Work permits tend to be issued for two years which has inevitably meant in the past many registered employment contracts may have been inaccurate for at least part of that period."

**NON-COMPLIANCE**

"In theory, these systems and processes allow the authorities to identify discrepancies in payments and take enforcement action against employers where required," Jones states. "The WPS also dissuades employers from making unlawful or unjustified deductions from wages."

"In both the UAE and Saudi, failing to comply with WPS obligations is considered to be a serious regulatory

breach," states Jones. "In the UAE enforcement is overseen by the MOHRE and in Saudi by the Ministry of Human Resources and Social Development (MHRSD). Non-compliance can arise in a number of ways, and not just as a result of non-payment of wages. These can include deliberate non-registration with the system, providing inaccurate data or paying lower salary amounts even if this has been agreed with employees (e.g. because of unpaid leave) without having appropriately advised the authorities."

"It is important to note WPS compliance is generally determined in relation to each establishment, rather than at an individual employee level," Jones explains. "This means that a breach related to one employee could impact a whole organisation, but in practice small breaches when making payments to registered individuals, can often be overlooked, particularly if 80% of the establishment's total salary amount has been paid."

"In the UAE, MOHRE follows a graduated escalation model when identifying and responding to non-compliance. Employers tend to be given a short grace period of 15 calendar days following the expected salary payment date to process wages," Jones adds.

"If payment is not made, a delay is flagged on the system and if the non-payment continues for 17 calendar days, the establishment's ability to obtain or renew work permits will be suspended. After a further

28 calendar days, legal action can be initiated against the employing organisation by MOHRE in conjunction with the public prosecutor. Administrative fines can be levied by the authorities and there may also be increased workplace inspections."

"Similar sanctions apply in Saudi," Jones adds. "Wage files are reviewed on a monthly basis and payment delays or discrepancies are identified. Initially automated alerts are sent to the employer. Employers may then be fined for ongoing breaches and have services suspended or restricted which can impact their ability to carry on its business. More broadly, in both these jurisdictions, non-compliance in the form of failure to pay salaries in full and on time without justification, is also likely to lead to personnel management issues, the inability to hire and ultimately reputational damage. It is important to note these WPSs have not removed or mitigated against the risk of traditional outcomes when employees are not paid or are under paid. Employees still have the right to file complaints and claims with the relevant authorities and the local courts if they do not receive their full employment contract entitlements, and these claims are treated seriously as remuneration is a key term of an employment contract. In certain circumstances, failure to pay salary properly can even enable an employee to leave their employment without providing notice."

**JUSTIFICATIONS FOR BREACH**

"Where there are breaches of the WPS system the authorities take into account of exceptional circumstances which might have led to non-compliance, which might include for example, documented disputes or verifiable banking failures," Jones states.

"However, even where a failure can be justified, there is no guarantee the justification will prevent enforcement action and/or penalties being issued so employers must take a pro-active approach to sharing information with the WPS and the relevant authorities where possible, especially if the employer can predict a technical breach might occur, e.g. if there has been an approved period of unpaid leave the authorities should be notified."

"Repeated reliance on administrative errors or attempting to justify foreseeable breaches is unlikely to prevent penalties."

"As the UAE and Saudi Arabia are now using automated WPS systems, breaches of salary payment obligations are unlikely to be overlooked, and it is more important that ever before employers ensure timely and accurate payment of salaries across their businesses," Jones adds. "This starts with accurate documents being filed with the authorities and ongoing monitoring of changes at an individual employee level. It is also vital legal and HR teams regularly review payroll governance, contract management, and reporting processes to ensure ongoing compliance and mitigate regulatory risk."

## Mental health absence

With growing awareness of absences linked to mental health conditions, Fatima Al-Sabahi of Dentons looks at Saudi employers' and employees' rights and obligations.

The Mental Health Care Law (Saudi Arabia Cabinet Decision No. 366/1435) has redefined mental disorder as a 'disturbance in an individual's thought, mood, awareness, memory, or other intellectual faculties, in whole or in part'. Mental health problems are now recognised as a form of 'sickness' just like any other physical illness. So what are employees' rights and employers' obligations in such circumstances to support the growing number of employees with mental health conditions?

Under Saudi Arabia Cabinet Decision No. 219/1426 (the Labour Law) private sector employers in Saudi Arabia must provide their employees with preventive and curative health care in line with Article 144 of Saudi Arabia Cabinet Decision No. 219/1426. As such, they provide health insurance for employees and their dependents, as required under the Cooperative Health Insurance Law (Saudi Arabia Cabinet Decision No. 71/1420). Subject to Article 7 of Saudi Arabia Cabinet Decision No. 71/1420 health insurance policies must cover basic health services, including medical examination, laboratory tests and dental treatment, but this law also allows employers to offer a broader range of benefits, and in practice, many multinational companies and Saudi employers go beyond the basic requirements by also offering supplemental health benefits that further support mental wellness. The Council of Health Insurance has issued the Basic Health Insurance Policy which came into force on 1 October 2022, and expanded the concept of 'health' by expressly recognising mental health as a core factor of overall well-being, thereby including psychological health more clearly within its remit.

It is also important to note that Saudi Arabia Cabinet Decision No. 219/1426 (the Saudi Labour Law) makes no distinction between mental and physical health in terms of insurance and both are considered vital, and employers are responsible for providing their employees with 'preventative and curative health care', which covers both areas. Employers in Saudi Arabia owe a general duty of care to provide a safe and healthy work environment. While the Saudi Arabia Cabinet Decision No. 219/1426 does not specifically mention an employee's mental health, employers

remain responsible for preventing harm and occupational diseases, which include those arising from stress or other factors. An employer's liability may be triggered where mental harm is a result of unlawful and harmful workplace conduct. Article 5 of Saudi Arabia Cabinet Decision No. 488/1439 (the Anti-Harassment Law) makes public and private entities responsible for putting in place preventative measures to address harassment in the workplace. According to the Ministry of Human Resources and Social Development Decision No. 20912/1441, these measures should target behavioural violations and associated psychological and social risks. Employers should establish proper channels for complaints, communicate policies and disciplinary measures clearly. The Saudi Public Health Authority has also released a Guide to Mental Health in Workplace, highlighting the correlation between work and mental health. This emphasises that employers and employees should recognise early signs of stress or burnout, and should mitigate these risks. Article 117 of Saudi Arabia Cabinet Decision No. 219/1426 entitles employees to sick leave of up to 120 days based on a medical report. It does not distinguish between sick leave for a physical or mental illness, leaving it to the discretion of the medical practitioner to determine an employee's entitlement to sick leave. Saudi Arabia Cabinet Decision No. 366/1435 aims to regulate mental health services and safeguard the dignity and maintain the rights of patients. It ensures access to appropriate medical treatment and adequate confidential, high quality care across Saudi. In practice, this means an employee with a formally recognised mental health condition such as depression can gain access to a sick leave permit on the same conditions as would be available for a physical condition. If an individual has a medical certificate from a doctor or a mental health facility, their employer cannot refuse those documents when considering the employee's sick leave entitlement.

Shiraz Sethi (Regional Employment Partner) and Jumanah Jan (Associate), Dentons also contributed to this article.

# NEWS ROUND-UP

COVERING RECENT KEY DEVELOPMENTS – REGION-WIDE

UAE

## STREAMLINED RESIDENCY

 The UAE's Federal Authority for Identity, Citizenship, Customs and Port Security (ICP) has launched 15 initiatives under its Zero Bureaucracy programme to simplify residency and related services. Key measures include removing redundant steps in residency issuing, integrating biometric verification for faster identity checks, and expanding self-service channels for visa renewals. They plan to consolidate multiple forms into single digital applications, reducing administrative burdens for residents and businesses. The changes are expected to significantly improve turnaround times.

SHARJAH

## FIRE EXTINGUISHERS

 Sharjah Civil Defence has issued a directive reminding businesses and property owners of routine fire extinguisher maintenance, stressing failure to comply can result in financial penalties and potential legal action. Extinguishers must be inspected and serviced by certified technicians according to the manufacturer's guidelines and Civil Defence regulations. Property owners are advised to keep maintenance records and ensure accessibility of extinguishers in high-risk areas.

DIFC

## EMPLOYMENT DISPUTES

 The DIFC Courts have introduced a Practice Direction No. 1/2025 Access to Justice in Employment Disputes which came into effect on 9 October 2025. As a result in all DIFC employment disputes, each party must bear their own legal costs. An adverse costs order may be issued if the court feels the party's conduct has been unreasonable, vexatious, they have acted in bad faith, or in the interest

of justice. Adverse costs orders have to be proportionate and accompanied by reasons. A reduction or waiver in the filing fees for any employment claim is potentially available based on financial means, complexity and merits of the claim, and the interests of justice. Parties have to put forward an application for a reduction or waiver which is decided on at the Registrar's discretion. Instalment payments may be offered if there is evidence of financial hardship. The registrar can also impose a maximum on the filing fee.

SAUDI ARABIA

## REST DAYS AND HOURS

 Saudi authorities are now enforcing labour laws on working hours and rest periods more strictly. Workers are entitled to a minimum 30-minute break after every five consecutive hours of work for rest, prayer, or meals. It has been emphasised employers must provide workers with a weekly rest day lasting a full 24 hours, typically scheduled for Fridays. Employers can assign alternative rest days, but must first notify the Labour Office of these arrangements. Employers are explicitly prohibited from offering money in lieu of the mandatory weekly rest day.

QATAR

## ALLOWANCE RULES

 Qatar Cabinet Decision No. 25/2025 has been issued providing new regulations for work nature allowances in government entities. Specify detailed allowance rates apply for different employment categories. Leadership positions in primary sectors are eligible for up to 50% of basic salary as a work nature allowance. Secondary sector leadership roles receive up to 45% of the basic salary. There are also specific allowance rates for specialist positions. Veterinary medicine roles

will receive the highest rate of 50%, and most technical positions have been given a 35% rate. There are additional allowance provisions for specific job functions, such as field inspectors and supervisors who will receive an extra 10% allowance. Cybersecurity and AI specialists will qualify for a 40% additional allowance, and nuclear engineering positions will be eligible for up to a 50% allowance.

OMAN

## LAY-OFF RULES

 The Omani Minister of Labour has confirmed companies may not dismiss Omani employees without obtaining prior Ministry of Labour approval following concerns over recent terminations in the telecommunications sector. The formal requests to the Ministry must provide details of the company's economic and operational conditions for assessment. Employers proceeding with dismissals without notification and approval will face legal action. The minister's comments follow on from a query raised by a Shura Council member, on reports of Omani staff at a telecommunications company who had been abruptly dismissed, with their biometric access system data disabled on the same day.

## DRAINS AND DITCHES

 The Omani Ministry of Labour has issued detailed workplace safety requirements focusing on drainage and floor ditches. Specific measures employers must implement at work sites have been detailed based on Article 15 of Oman Ministerial Decision No. 286/2008 (the Occupational Safety and Health regulations). All drainage and floor ditches must be equipped with metre-high safety rails and clear warning signs. Ditch edges must also maintain a maximum slope of 30 degrees.

GCC

## REMOTE WORKING

 The Organisation for Economic Co-operation and Development (OECD) has published an update to its commentary on the Model Tax Convention on permanent establishment and remote work. An increasing number of employees are working remotely on their own initiative, which has created uncertainty about potential tax risks where they are working remotely outside the country where their employer is based. The OECD guidance states remote work from another country will usually not lead to unexpected tax consequences for their employer. According to the guidance if an employee works from home or another non-company location for less than 50% of their total working time over a 12-month period, it would generally not be considered to create a permanent establishment for the company. Exceeding the 50% threshold would not automatically result in a permanent establishment. The activities at the relevant location must be of a commercial nature. However, if the 50% threshold is exceeded careful analysis of the circumstances will be needed. The guidance gives a number of specific examples including different types of properties, different durations and different work types with details of what the approach would be in each. All six GCC states are part of the OECD's Inclusive Framework on Base Erosion and Profit Shifting (BEPS) and have cooperated with the organisation on different initiatives in the past. However, this does not automatically mean this approach will be taken there. National law and practice may differ from the OECD's guidance.

KUWAIT

## GRIEVANCES

 There is a new formal procedure for expatriates in Kuwait to lodge complaints on healthcare in line with Kuwait Law No. 1/1999 Health Insurance for Aliens and the Imposition of Charges in Return for Medical Services. The Health Minister has

established a committee to adjudicate healthcare-related grievances filed by expatriates and visitors. Complaints can be filed electronically.

## ACCIDENT REPORTING

 More stringent procedures on the reporting and handling of aircraft accidents and incidents have been put in place at Kuwait International Airport. Kuwait's Public Authority for Civil Aviation (PACA) has issued a circular requiring all airport-affiliated entities to report any aircraft accident or incident directly to the Aircraft Accidents and Incidents Investigation Office (AICIO). The AICIO, operates under the authority of PACA's Director General, and is the sole body authorised to manage and control accident scenes. Under the updated protocol, no one can move, remove, or tamper with any part of an aircraft involved in an incident—nor any related equipment, documents, or evidence without express approval from the AICIO-designated investigator. Once the investigator presents official identification, all relevant documentation must be provided immediately to support the investigation.

BAHRAIN

## ID PHOTOGRAPHING

 Bahrain's Personal Data Protection Authority (PDPA) has prohibited delivery staff from photographing their customers' ID documents on their personal mobile phones. Circular No. 1/2025 affects all couriers and delivery drivers in Bahrain who must visually verify IDs without capturing or storing images on personal devices. Companies which need to retain ID records must ensure their staff either use corporate devices directly connected to secure central databases or have a dedicated system which will ensure the immediate data transfer without any local storage.

## IN BRIEF

**Kuwait:** Kuwait Ministerial Decision No. 373/2025 has implemented a Principles and Ethical Conduct document for public and private healthcare employees...

**Dubai:** The Knowledge and Human Development Authority (KHDA) has introduced new hazard identification, infection control and health and safety standards staff in nurseries and early years centres must follow...

**Kuwait:** Kuwait's Ministry of Health has revoked the licenses and closed 15 private pharmacies for a range of violations including the failure to meet occupational safety standards...

**UAE:** The minimum monthly wage for Emirati nationals in the private sector has risen from 5,000 to 6,000 AED from 1 January 2026...

**Dubai:** The Dubai Immigration authorities have been implementing stricter verification procedures for freelance visa applications but have confirmed the Green Residency programme is still active...

**Oman:** The amnesty period allowing employers and non-Omani workers to regularise their status and benefit from financial exemptions finished at the end of December 2025...

**Kuwait:** A new civil ID card with an electronic chip for non-Kuwaitis has been authorised. Those owning property in Kuwait will receive cards valid for 10 years and foreign investors covered by Kuwait Law No. 16/2013 will receive cards valid for 15 years...

**Oman:** Workers in 40 specific roles, including crane operators and welders have until 1 June 2026 to obtain mandatory professional practice licenses...

**Kuwait:** The Kuwaiti Fire Force has warned failures to renew fire licences on time, may trigger financial penalties or even an administrative closure of the establishment...

**Bahrain:** A service on the Bahraini National Employment Platform will allow complaints and enquiries to be made about vacancies, interviews, attendance dates, training and unemployment insurance...

**UAE:** The Ministry of Human Resources and Emiratisation (MoHRE) has reaffirmed private-sector employees regardless of religion will have a two hours a day off during Ramadan...

# IMMIGRATION FOCUS

## RECENT GCC IMMIGRATION AND VISA CHANGES

Sponsored by

**VIALTO**  
PARTNERS

### SAUDI ARABIA

#### WAGE CLAUSES AND CONTRACT RECORDING

 As part of labour market reforms in Saudi Arabia, all employment contracts must now be recorded on both the Qiwa portal (under the Ministry of Human Resources and Social Development (MHRSD) and the Najiz platform (under the Ministry of Justice)). Previously, employment contracts in Saudi Arabia were only recorded on Qiwa. In addition, MHRSD, and the MoJ, have also implemented a new wage clause as an executive instrument in certified employment contracts. The aim has been to enhance worker protection, promote contractual transparency, and facilitate swifter resolution of wage-related disputes via digital integration between the Qiwa, Mudad, and Najiz platforms. The wage clause change took place with immediate effect. It is important to note that wage clauses included in certified employment contracts are legally enforceable in Saudi Arabia. In addition, both employers and employees can now submit execution requests which are related to wage payment violations directly through the Najiz platform. It should also be noted supporting documentation is no longer required, as all required verification takes place automatically via the Mudad platform. There have also been a number of other changes. For example, new employment Qiwa contracts must also include additional details, such as the registered national address for both the company and a foreign national employee; the type of employment contract (i.e. if it is fixed-term or non-fixed-term); and the exact salary payment due date, as well as other key information. In line with these changes, stricter wage payment enforcement rules have been introduced to safeguard employees who do not receive their

salaries on time. As a result, employers should check that all employment contracts are properly documented and authenticated through the Qiwa platform; employment terms are accurately recorded; and wage payments are made promptly in line with the contract. Failure to comply can result in enforcement actions or penalties under the new regulations. Employment contracts must be certified through the Qiwa platform; and issued with an execution number from the MoJ's Certification Centre. Employees are able to file an electronic execution request if they do not receive their full wages within 30 days of the due date; or they receive partial payments after 90 days. After the submission has been made the employer has five days from notification to respond or contest it. The roll out of these changes is happening in three phases. The first phase which began on 6 October 2025 applied to new or updated contracts. The second phase which begins on 6 March 2026 will apply to renewed fixed-term contracts. The last phase begins on 6 August 2026 and applies to non-fixed term contracts. The Ministry has published detailed guidance to help employers and employees better understand eligibility and the new procedural requirements. Saudi employers should be reviewing their contract management and payroll processes to ensure they align with this change.

### UAE

#### FOUR NEW VISIT VISA TYPES

 The UAE Federal Authority for Identity, Citizenship, Customs and Port Security (ICP) has introduced four new visit visa categories to align with the UAE's broader economic, cultural, and tourism objectives. These include a Specialist Visa for professionals and researchers in artificial intelligence and advanced technology, an Entertainment Visa for artists and production staff who are participating in licensed cultural events, an Event Visa for attendees and



organisers of conferences and exhibitions, and a Cruise and Yacht Tourism Visa which allows multiple entries for visitors arriving by cruise ships or by private marine vessels.

## SIMPLIFIED RESIDENCE RENEWALS

 The Federal Authority for Identity, Citizenship, Customs and Port Security (ICP) has announced updates to the UAE's residency framework, including a renewable one-year humanitarian residence permit for individuals from countries affected by war or natural disasters, simplified residency renewals for widows and divorcees of UAE residents, and revised family sponsorship thresholds, requiring a minimum salary of AED 4,000 per month, or AED 3,000 per month plus accommodation. The changes reflect the UAE's efforts to streamline residency pathways while balancing social protection with regulatory clarity.

## WORK IN THE UAE PLATFORM

 The UAE Government has launched a unified online platform called 'Work in UAE' to manage the issue, renewal and cancellation of domestic worker visas. The platform integrates Emirates ID registration, medical testing and fee payments into a single process, streamlining procedures and strengthening regulatory compliance. It is also expected to improve coordination between government entities and support greater compliance with Federal Decree-Law No. 9/2022, which governs the employment of domestic workers.

## GOLDEN VISA CHANGES

Those seeking a Golden Visa under the 'Highly Skilled Professional' category including, but not only doctors, senior executives, engineers, and software/artificial intelligence professionals must now meet stricter salary and employment history requirements. They must demonstrate they have a

basic salary of AED 30,000 per month, excluding all allowances such as housing and transportation. In addition, they must have evidence that a basic salary of at least AED 30,000 per month has been paid for the previous two years, supported by MOHRE-issued employment contracts and company payslips, and must have continuous employment of more than two years with the current employer at the time of application. Previously, applications under this category were approved based on a net monthly salary of AED 30,000, and allowances could also be included in order to meet the threshold. In Dubai, senior executives, including positions such as CEO, General Director, Executive Director, President, are now eligible to apply for a UAE Golden Visa under the Highly Skilled Professional category. They must earn a minimum basic salary of AED 30,000 per month, excluding allowances, and have completed at least two years of employment with their current employer. Previously, senior executives had to earn more than AED 50,000 per month to qualify for a Golden Visa in Dubai.

## EMIRATISATION CONFIRMATIONS

 The UAE Ministry of Human Resources and Emiratization (MOHRE) has reiterated that private-sector employers must have met their 2025 Emiratization targets by 31 December 2025, ahead of the start of penalty enforcement which started on 1 January 2026. Under the current requirements, companies employing 50 or more staff must have a minimum 2% annual increase in Emirati representation in skilled roles, reaching 8% by the end of 2025 and 10% by the end of 2026. Organisations with 20 to 49 employees who operate in designated high-growth sectors were required to employ at least one Emirati national by the end of 2025, and also retain any Emiratis that they had hired prior to 1 January 2025. It should also be noted that from 1 January 2026, financial penalties will apply for any shortfall, and MOHRE are intensifying their monitoring efforts.

# EMIRATISATION COMPLIANCE



Anir Chatterji of Vialto & Partners and Gordon Barr of Al Tamimi & Company look back at their experiences of Emiratisation in 2025, and provide advice and predictions to those looking to comply with the programme in 2026.

**“F**rom an immigration and workplace mobility perspective, we have found the main challenges when dealing with Emiratisation in 2025 have been less about understanding the quotas, and more about how Emiratisation obligations interact with areas such as visa strategy, headcount planning and operational flexibility,” states Anir Chatterji of Vialto & Partners. “We have found employers have increasingly had to reassess their reliance on expatriate skilled roles, particularly where Emiratisation targets have applied. This has then affected their decisions around new work permits, renewals and internal transfers, especially where headcount growth has triggered higher Emiratisation thresholds.”

“We have found in 2025 there have been challenges for employers when it comes to predicting the Emiratisation percentage required each year to support effective workforce planning,” states Gordon Barr of Al Tamimi & Company. “In practice, the method used by the Ministry of Human Resources & Emiratisation (MOHRE) to calculate the applicable Emiratisation percentage has differed from the method prescribed in the Emiratisation regulations,” Barr explains. “This has meant it has been prudent for employers to rely primarily on the Tawteen report generated

through the Ministry of Human Resources and Emiratisation (MOHRE) when planning for the year ahead.”

“Another complex area has been the definition of skilled roles,” Chatterji continues. “Employers have sometimes encountered discrepancies between job titles approved for immigration purposes and how MOHRE has classified those roles for Emiratisation reporting. This created uncertainty on whether certain positions were supporting or diluting compliance.”

“Meanwhile from a practical perspective the short grace periods following resignations of Emiratis employees can be challenging,” Chatterji states. “When a counted Emirati employee has resigned, employers have not only been faced with employment law pressures, there has also been immigration-related urgency to recruit and onboard a replacement swiftly to avoid fines.”

“Employers have a short grace period to backfill a role before monthly contributions begin to accrue,” Barr adds. “This grace period may also shorten with repeated cancellations based on the practices adopted by MOHRE.”

“There is one other potential challenge it is important employers are aware of,” Barr continues. “Emiratisation is assessed at the establishment level, which can create challenges for corporate groups because surpluses in one

licensed entity cannot be used to offset deficits in another. Another potential issue is that those who exceed Emiratisation targets are not rewarded or recognised for this. For example, a company may have already exceeded the thresholds set out in the Emiratisation regulations, but would still face penalties if they failed to meet the mandatory 2% annual increase.”

**FINES**

“For private-sector employers on the UAE mainland with 50 or more employees, the core obligation remains a 2% annual increase in Emiratisation in skilled roles, delivered as a 1% increase in the first half of the calendar year and 1% in the second half,” Barr states. “Shortfalls for 2025 attracted a fine of AED 9,000 per month per missing UAE national, which annualises to AED 108,000. Smaller companies employing 20 to 49 workers in 14 designated sectors were also subject to fixed hiring minimum rather than percentage increases. Those establishments had to hire one Emirati by the end of 2024 and one more by the end of 2025. Failure to meet those milestones led to lump-sum fines of AED 96,000 and AED 108,000 respectively, imposed on first of January of the relevant deadline.

“However, it is also important to note that statutory fines for Emiratisation shortfalls, are not the only potential impact of non-compliance as there can also be broader immigration and cost implications of non-compliance,” states Chatterji. “Where Emiratisation targets are not being met, employers may be placed in a less favourable MOHRE classification, which can result in higher government and immigration-related fees across a range of Ministry services, including increased costs for work permit applications, renewals and amendments, as well as other routine transactions. Although, non-compliance does not automatically prevent expatriate work permits being issued, sustained shortfalls may lead to greater scrutiny of visa applications and workforce structures, so Emiratisation compliance is increasingly impacting overall immigration costs and budgeting, rather than just being limited to fines alone.”

**CHANGE IN 2025**

“Emiratisation has become a core factor influencing immigration strategy for many mainland UAE companies, with recruitment, visa sponsorship and internal mobility decisions all now needing to be assessed through an Emiratisation lens.”

“This is a marked shift away from reactive compliance towards more integrated workforce planning.”

“It is also worth noting that although the Emiratisation rules have remained consistent in 2025, with no significant changes to report, certain sector-specific Emiratisation requirements have been announced by different authorities in specific Emirates, such as the Department of Culture and Tourism which have had to be considered for a compliance perspective in relevant sectors,” Barr adds.

**DEVELOPMENTS IN 2026**

“Looking ahead to 2026, employers should expect there to be greater integration between immigration oversight and Emiratisation compliance, even in the absence of headline regulatory changes,” Chatterji states. “Employers should also be prepared for increased scrutiny of role classifications and workforce structures which are used to meet Emiratisation targets.”

“In practical terms, Emiratisation should now be treated as a workforce mobility and cost-planning issue, embedded into recruitment pipelines, visa forecasting and organisational planning, rather than addressed solely as an HR or compliance exercise.”

“Emiratisation targets for the private sector have increased in 2026, with UAE mainland companies employing 50 or more workers required to demonstrate sustained year-on-year growth in the employment of UAE nationals in skilled roles,” Chatterji adds.

“The framework remains aligned to the government’s strategic objective of achieving a 10% Emiratisation rate by the end of 2026, delivered through incremental annual increases.”

“At the time of writing, no formal announcements had been made on whether Emiratisation targets will increase beyond

the 10% threshold post-2026, creating a degree of uncertainty for longer-term workforce planning and reinforcing the need for employers to build Emiratisation into their broader talent strategies rather than treating it as a short-term compliance exercise.”

“I would currently expect the policy direction for companies with more than 50 employees to remain stable in 2026,” Barr states.

“There are currently no longer any Emiratisation requirements for smaller companies with 20 to 49 employees but it should be noted that this position may change going forward with further requirements likely to be imposed in due course. The Emiratisation regulations have largely achieved their objective which was to reduce unemployment among UAE nationals.”

“Given the success of this programme, it remains likely Emiratisation obligations will be extended in future years.”

Noor Jamaluddin of Al Tamimi & Company contributed to this article.



**Anir Chatterji**  
Partner  
Vialto Partners



**Gordon Barr**  
Al Tamimi & Company

# LAW CHANGES

## NEW AND PROPOSED MENA LAWS

### QATAR DISABILITY LAW CHANGE

Sarit Thomas and Emma Higham of Clyde & Co look at the new compliance requirements public and private sector employers in Qatar will face as a result of Qatar Law No. 22/2025.

**Q**atar Law No. 22/2025 On Persons with Disabilities came into force on 6 October 2025 and repealed and replaced Qatar Law No. 2/2004. Its executive regulations are expected within six months of it coming into force. This new law aims to modernise and align Qatar's legal framework in this area with the UN Convention on the Rights of Persons with Disabilities (CRPD) and the Qatar Vision 2030's objectives. It is designed to safeguard the rights of those with disabilities and ensure their full participation in social and economic life. As a result, it will mean there will be new compliance requirements for employers in both the public and private sector in Qatar and a strong expectation of inclusive hiring, workplace accessibility, and equal opportunity there. At its core, the law prohibits discrimination on the basis of disability and requires employers to ensure equal opportunity in recruitment, career development, and retention. Employers are expected to make 'reasonable accommodation' and appropriate modifications so that disability does not become a barrier to employment. This will mean adjusting recruitment procedures, modifying job requirements, or adapting workplace environments to meet the needs of employees or candidates with disabilities. In addition, Qatar Law No. 22/2025 has established a framework for employment quotas for people with disabilities in both government and private entities, which is to be further regulated by the Council of Ministers. Therefore, Qatari employers can expect to see future regulations specifying minimum hiring or retention percentages and will need to begin preparing internal strategies to meet these targets as part of their workforce planning. Another central feature of Qatar Law No. 22/2025 is its emphasis on accessibility and inclusion.

### BAHRAIN - RECRUITMENT

 Bahrain's Shura Council has rejected proposed amendments to Article 11 of Bahrain Decree-Law No. 48/2010 (the Civil Service Law). The proposals were aimed at tightening recruitment rules for non-Bahraini employees. They would have required expatriates to have at least a master's degree, possess a minimum of 10 years' professional experience, and accept two-year renewable contracts in order to be recruited.

### UAE - PUBLIC SECTOR

 A new law Abu Dhabi No. 8/2025 on Human Resources will apply to over 25,000 government employees in Abu Dhabi. The law took effect on 1 January 2026 and has embedded merit-based hiring and promotion in the public sector. Under this law, career advancement and recruitment are now tied to capabilities and results rather than tenure or seniority. High performers may benefit from accelerated promotions and performance-based allowances. It also introduces flexible working and enhanced leave provisions, including compressed schedules, remote working options, entrepreneurship leave for those pursuing business ventures and public roles, as well as improved parental leave with extended maternity and doubled paternity entitlements. In addition, it requires reduced probation periods for outstanding graduates, ongoing learning and development programmes, and inclusive workplace adjustments for disabled people.

Employers will have to ensure that physical workplaces, digital systems, and communication methods are accessible to all. This might involve providing ramps, accessible rest-rooms, and adaptive workstations, but it is also important to note it extends to digital accessibility, and ensuring online portals, HR systems, and internal communications can also be used by employees who rely on assistive technologies such as screen readers or captioning tools. The law envisions workplaces where employees with disabilities can fully participate in day-to-day operations and experience career progression. This means employers need to establish internal procedures which can handle accommodation requests, have designated HR focal

points for inclusion, and have ensured decision-makers understand these new obligations.

In addition, Qatar Law No. 22/2025 grants broad employment and civil rights protections to people with disabilities, shielding them from unfair dismissal, exclusion, or exploitation. Employers who fail to comply with these provisions may face severe penalties, including fines of up to 500,000 Riyals and imprisonment for up to six months in serious cases. This highlights the need for employers having proactive compliance and robust internal governance systems in place. Employers should start by reviewing recruitment policies to ensure inclusive language and accessibility throughout the hiring process. Job advertisements should not

## OMAN - TRAINING



There has been an amendment to Oman Ministerial Decision No. 70/2025 which was issued in April 2025 and covers the training of trainee lawyers and employees who are authorised to attend and plead on behalf of the state administrative apparatus units and other public juristic entities. The amending law Oman Ministerial Decision No. 195/2025 was issued at the end of December 2025. Article 7 of Oman Ministerial Decision No. 70/2025 now states a trainee lawyer shall pass the training programme within a period of no less than six months from the date they joined the programme. If the remaining period for the trainee lawyer to be registered in the Roll of Lawyers as admitted before the courts of first instance, or their equivalent, is less than 12 months from the date the law came into force, then the duration of the training programme is reduced to no less than 30 days and no more than 90 days.

## KUWAIT - HEALTH INSURANCE



The implementing regulations (Kuwait Ministerial Decision No. 306/2025) for Kuwait Law No. 1/1999 on health insurance for foreigners have been issued. As part of the rollout of the new regulations an electronic system is being rolled out which will allow health insurance fees to be paid entirely online. The digital system also incorporates new verification measures for categories of individuals who are exempt from health insurance fees. The system will automatically confirm exemption eligibility through inter-agency coordination.

exclude candidates with disabilities, and the assessment processes should be flexible to allow for accommodations such as extended time or alternative testing formats. A comprehensive accessibility audit, covering of both physical and digital workplaces should be conducted to identify potential barriers. Based on these findings, employers can develop an accommodation policy, allocate a budget for accessibility improvements, and train HR and management teams on inclusive practices. It is also important to review existing HR documentation, including employment contracts, codes of conduct, and grievance procedures, in order to align them with the law's anti-discrimination requirements. Organisations should establish

confidential reporting mechanisms employees can use to raise disability-related concerns without fear of retaliation.

Encouraging open dialogue about accommodation needs and ensuring requests are handled respectfully and promptly helps build trust and engagement across the workforce.

Employers should also integrate disability inclusion into their diversity, equity, and inclusion (DEI) strategies.

This includes setting internal targets, monitoring progress, and reporting outcomes in annual HR or sustainability reports.

Visible endorsement from senior management of inclusive employment practices is also essential.

## SAUDI ARABIA- RISK



Saudi Arabia Ministerial Decision No. 64762/1447 has been issued regulating high risk professions. The regulations provide a comprehensive licensing and accreditation framework for individuals and organisations involved in occupational health and safety. There are two qualification pathways - a professional and a practitioner track - for individuals working in hazardous occupations. There are also detailed requirements for licensing establishments that provide occupational safety and health services, including consulting firms, training centres, and e-learning providers.



# CASE FOCUS

**Case No** .... Zia Ur Rehman v Forvis Mazars LLC [2025] QIC (C) 8 issued on 19 October 2025

**Jurisdiction** .... QICDRC

**Court** .... Court of First Instance

**Recommended by** .... Muna Al-Kaabi, Case Progression Officer, QICDRC

## WHAT IS IT ABOUT?

The Claimant/Applicant in this case was a former employee of the Respondent who had sought a declaration that the choice of law clause in their employment contract was invalid. They had argued that the applicable law should have been the QFC Employment Regulations.

There had been parallel proceedings initiated in the Labour Disputes Settlement Committee in onshore Qatar by their employer seeking damages for a breach of the non-compete clause in the contract. The employer's claim had been dismissed due to a lack of jurisdiction, and they had brought their claim before the First Instance Circuit by way of counterclaim. The First Instance Circuit had then found that the choice of law clause was invalid as it conflicted with the QFC Employment Regulations. The Court also dismissed the counterclaim due to lack of evidence establishing any loss suffered (see [2025] QIC (F) 9). The Employer's application for permission to appeal had later been refused and it has been found to be without merit (see [2025] QIC (A) 7).

Following these case decisions, the former employee had sought to recover their costs before the Labour Disputes Settlement Committee, the First Instance Circuit, and the Appellate Division. The former employee had taken steps to recover from their employer QAR 210 for translation costs, QAR 11,995 for their

expenses before the Committee, and QAR 45,000 which had been calculated by reference to the time the former employee had estimated would have been his market salary for the time he had personally spent on the case. The former employee had been a litigant in person who had represented himself rather than having a lawyer represent him.

## WHAT WAS DECIDED?

The cost claim for the employee's expenses before the Labour Dispute Settlement Committee and the estimated costs of the time they had spent on the case, were rejected by the QICDRC Registrar. He noted that he had no jurisdiction to award costs which were associated with the proceedings before the Labour Disputes Settlement Committee in Qatar - and were not before the QICDRC Courts. In addition, the former employee's claims for the personal time he had spent on the case were deemed to be unsubstantiated.

In the QICDRC a litigant-in-person's hourly rate is capped at QAR 100. Therefore, the amount claimed equated to 450 hours, which was 'grossly disproportionate on any measure'.

The former employee had provided no record of the actual hours he had spent on specific tasks, and in the absence of evidence of this, person costs were not allowed.

However, the Registrar did award him QAR 210 for translation costs. This had not been compulsory but was a reasonable expense nonetheless.

## WHY WAS THIS IMPORTANT?

It is not uncommon for former employees in employment disputes to act as litigants in person. In line with earlier guidance provided in the Aegis Services LLC v EMobility Certification Services and Others

[2024] QIC (C) 2 case, on the importance of complying with procedural requirements, a number of points were made.

A litigant in person is entitled to recover reasonable costs but only where this is properly evidenced and proportionate.

General assertions and unsubstantiated amounts of time spent will not be deemed sufficient evidence of a cost claim by a litigant in person, even where these are made within the QAR 100 hourly cap for claims of this type.

The expectation would be that a list of specific tasks related to the case be listed with exact times for each provided. The former employee had also made the claim based on his estimate of what would have been his market salary.

That will not be the relevant hourly rate, particularly if the employee is well paid, as the QAR 100 hourly cap is quite modest.

Finally, this was a case which had spanned onshore and offshore courts and tribunals. It was important to note the Register could only consider costs which related to their own Courts.

**Case No ....** DCFI Case No. 309/2025 issued on 9 July 2025

**Jurisdiction ....** Dubai

**Court ....** Dubai Court of First Instance

**Recommended by....** Mahmoud Abuwaseel of Wasel & Wasel.

### WHAT IS IT ABOUT?

This case began as a labour dispute which had been initiated by an employee who was seeking unpaid salary and benefits.

The employer had then responded with a counterclaim, seeking AED 10,000 from the employee. This was the same amount as a fine which had been imposed on them by the UAE Federal Tax Authority (FTA) for late corporate tax registration.

The employee worked in the accounts department. The employer had argued that it was the employee's omission which had directly caused the company to suffer this financial penalty.

The employer's argument relied on tortious liability (harmful acts) under the UAE Civil Transactions Law (Federal Law No. 5/1985).

### WHAT WAS DECIDED?

In making its decision the Court applied the principles of civil liability which are found in Article 282 of Federal Law No. 5/1985 (the Civil Transactions Law). This provision required the employer to prove three elements - fault (a breach of duty), damage (an actual loss), and causation.

However, the Court ultimately rejected the employer's counter-claim due to their failure to provide suitable evidence in two areas. Firstly, they had failed to prove fault and causation. The employer

had not proven the penalty was 'solely attributable' to the employee. General employment in the accounts department was insufficient grounds for liability to the failure of the company's tax registration to have happened on time.

The employer had also failed to demonstrate that the specific tax registration duty had been formally delegated to this particular employee or that other factors, such as management oversight or systemic failures, were contributing causes.

The second issue was a failure to prove damage. The employer had also failed to submit the official FTA penalty assessment or any proof of their payment of the fine.

Without evidence that the loss had actually been incurred, the claim was unsubstantiated.

### WHY IS THIS IMPORTANT?

This case confirms that shifting regulatory liability to an employee in the UAE is not a simple matter of set-off. It is also necessary for there to be conclusive evidence of the employee's exclusive fault.

Exclusive delegation of the employee is key to this. In this context proof of exclusive delegation will be harder to prove if the employee has a generic job title like 'Accountant'.

However, if they were the only person in the team with a more specific job title such as 'VAT Accountant', and a VAT penalty had been issued it will be easier to prove exclusive delegation.

Having job descriptions which explicitly delineate responsibility for specific statutory deadlines and filings, and having these duties acknowledged in writing also makes it easier.

Internal controls and the 'Four-Eyes' (maker-checker) principle where one person drafts a submission and another approves it, not only is a prudent measure but can also be relevant in the context of proving employee responsibility, as this case decision emphasised control.

This segregation of duties not only prevents errors but also demonstrates that the company has exercised due care.

Where this is the case, if a penalty arises despite these controls due to a clear breach of procedure, the employer will be in a stronger position to prove the employee's negligence.

DFI Case No. 309/2025 serves as a definitive signal to UAE employers. They cannot assume any financial liability for tax penalties will be easily recovered from an employee.

The Court will demand proof of sole and direct fault. That is a standard that ambiguous internal hierarchies (with generic job titles and without specific job descriptions) will fail to meet. Instead the best corporate strategy is proactive mitigation. Employers must establish robust, defensible, and auditable tax governance frameworks to prevent penalties from being imposed on them in the first place.

# HR PROFILE

## HUMAN RESOURCES MANAGER – HOSPITALITY



### Under starter's orders

Arjenney Cakar, Human Resources Manager at SLVJ Group Dubai explains how past work on a range of pre-opening projects gave her the skills to support her company's ongoing development.

#### BACKGROUND

I have a degree in Business Administration with a major in Human Resource Development Management and have worked for over nine years in Human Resources, primarily within the hospitality-F&B industry. I moved to Dubai in 2019 and since then have worked on seven restaurant pre-opening projects in four years. The most recent pre-opening project was in 2023, and I am still working with that same organisation - SLVJ Group Dubai supporting their growth and ongoing operations. Working on these various pre-opening projects has had the greatest impact on my career. It has strengthened my ability to build solid HR foundations from the ground up while operating under tight timelines and in a high-pressure environment. It has also enhanced my resilience, adaptability, and decision-making skills, and has exposed me to various management styles and culturally diverse teams. It is these experiences which are continuing to influence how I approach people management and strategic HR initiatives.

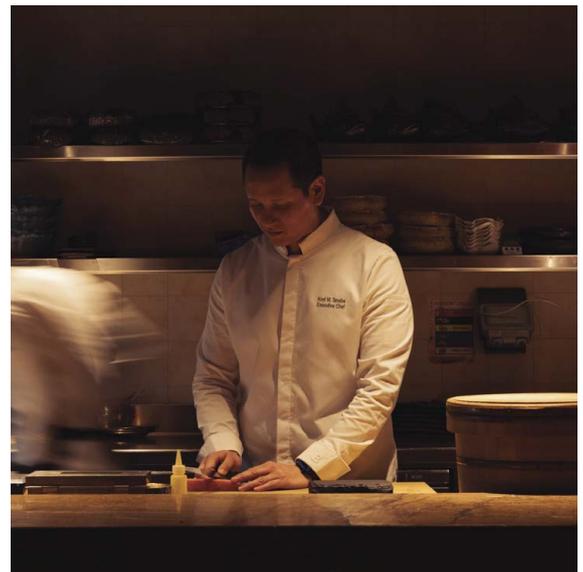
#### YOUR COMPANY

I am employed by SLVJ Group Dubai, which is a hospitality group operating within the UAE. It focuses on luxury dining concepts, delivering high-end culinary experiences and maintaining exceptional service standards. Our brands are shaped by a clear philosophy of balance and duality and create destinations where daytime transitions seamlessly into a high-energy night-time experience.

I am particularly proud of my involvement in the SLVJ Group Dubai project. I joined the group in its pre-opening phase, when it still operated with only one brand.

Through periods of change and growth, I have supported the development of HR processes, team building, and operational alignment.

The group has expanded and now has three distinct brands, each offering guests different luxury dining experiences. Being part of this development, working closely with leadership, supporting our teams, and contributing to the organisation's sustainable growth has been challenging and rewarding. Seeing our people grow and contribute to the business's long-term success reinforces my commitment to people-focused and strategic HR practices.



© SLVJ Group Dubai

Our operations are primarily based in Dubai, and have a strong focus on brand excellence, guest experience, and talent development. I manage the Human Resources department, lead HR professionals, oversee the full remit of HR operations and collaborate closely with all departments.

My responsibilities include recruitment, employee relations, improving workplace culture and balance, compensation and benefits, performance management, training and development, labour and legal compliance, and HR administration. I work closely with senior leadership to ensure our HR strategies align with the operational goals and business objectives, because our people are the heart of our energy and the foundation behind every guest experience we deliver.

Seeing our people grow and contributing to the long-term success of the business has reinforced my commitment to people-focused and strategic HR practices. In the UAE, changes to UAE labour laws and employment regulations have a significant impact on our HR operations, particularly in areas such as employment contracts, employee benefits, compliance, and workplace policies.

Maintaining compliance requires ongoing monitoring, regular policy reviews, and close collaboration with management to ensure both leaders and employees are informed and aligned with the new legal requirements.

**PRACTITIONER PERSPECTIVE**



**Jenika Pankhania**  
Associate  
Clyde & Co

Jenika Pankhania of Clyde & Co explains changes to the ADGM data protection regulations.

On 9 September 2025, the ADGM Registration Authority amended the existing ADGM Data Protection Regulations 2021 and introduced newly enacted Data Protection Regulations (Substantial Public Interest Conditions) Rules 2025.

These changes followed on from an earlier consultation paper which had highlighted two gaps under the substantial public interest grounds in this area. One of the key changes provided greater clarity on when and how Special Categories of Personal Data can be processed under public interest grounds - particularly in the insurance and education sectors. Special categories of personal data is personal data that reveals sensitive information about an individual, e.g. about their health, biometric data – where used for identification, sex life or orientation, criminal convictions, racial or ethnic origin, political opinions, religious or philosophical beliefs. The condition related to insurance is now met if the processing is necessary for an insurance purpose, involves Special Categories of Personal Data and is necessary for reasons of substantial public interest. With substantial public interest, the processing is not carried out for the purposes of measures or decisions with respect to the data subject, and the data subject does not have and is not expected to acquire rights against, or obligations in relation to, a person who is an insured person under an insurance contract to which the insurance purpose above relates, or other rights or obligations in connection with that contract. However, the processing will not meet this condition (in addition to meeting the other requirements as set out above), if the controller cannot reasonably be expected to obtain the consent of the data subject; and the controller

is not aware of the data subject withholding consent. This does not include a data subject merely failing to respond to a request for consent. Another change has brought clarity to the meaning of ‘Insurance contract’ which means a contract of general insurance, long-term insurance, or re-insurance. This is similar to insurance purposes which means advising on, arranging, underwriting or administering an insurance contract; administering a claim under an insurance contract; or exercising a right, or complying with an obligation, arising in connection with an insurance contract, including a right or obligation arising under an enactment or rule of law.

There is also now greater clarity on permitting the processing of Special Categories of Personal Data without consent in specific cases, especially around safeguarding children or individuals at risk.

This includes if the processing is necessary in order to protect an individual from neglect or physical, mental or emotional harm, or protect an individual’s physical, mental or emotional well-being. It also applies where an individual is under 18 or aged 18 or over and at risk, and the processing is carried out without the consent of the data subject and is necessary for reasons of substantial public interest.

There is also now a clearer framework on when an individual over 18 may be considered to be at risk and entitled to additional protection. This may be the case if the controller has reasonable cause to suspect that the individual has need for care and support, is experiencing, or at risk of, neglect or physical, mental or emotional harm and as a result of those needs, is unable to protect themselves against the neglect or harm or the risk of it.

Olivia Darlington of Clyde & Co also contributed to this article.

**TRENDS**

The F&B industry is highly competitive and fast-paced, with increasing pressure to attract, retain, and engage talent. Employee expectations have evolved, and there is now greater emphasis on workplace culture, job stability, growth opportunities, and well-being.

These trends mean we have to be continually looking at how to strengthen our employer value proposition, enhance employee engagement initiatives, and create a positive and supportive work environment.

Seasonality is one of the main challenges in the F&B industry, as it directly affects manpower planning and cost management.

During low seasons, it is essential to manage resources efficiently without compromising service

quality or employee morale. As a result, we focus on proactive workforce planning through effective leave management, careful budgeting, and cross-training employees.

This allows us to control costs while securing our employees’ jobs and maintaining operational stability.

We place strong value on our people, particularly during challenging periods, and prioritise sustainable solutions that support both our business and employees through open and transparent communication.

In a business built on a day-to-night rhythm, workforce planning must protect service standards at both ends of the experience, providing refined daytime delivery and dynamic late-night energy without compromising employee well-being.

# MOVES AND CHANGES

A ROUND-UP OF BUSINESS NEWS, APPOINTMENTS AND PROMOTIONS

## A FOCUS ON HEALTH AND WELL-BEING

Abhishek M Sharma has been appointed Head of Human Resources at Burjeel Holdings, a MENA healthcare group. In his new role he will focus on the company's human resources strategy, transformation and capability development, across their network of hospitals and healthcare services. Sharma previously was Head of HR Transformation at Burjeel Holdings, and led on strategic initiatives in a range of areas including HR shared services, HR automation and human resource management system (HRMS) implementation. He has also been the Group Head - HR Operations, Shared Services and Transformation at the Indian Multinational Adani Enterprises and Head of Human Resources (Shared Services) at Aster DM Healthcare, where he developed the first large scale HR centres in India to support the GCC market.

## A TALENT FOR BANKING

Mohammed Alkalthami has been appointed VP and Head of Talent Acquisition at Riyadh Bank in order to support the bank's plans for national and regional expansion. In his new role Alkalthami will lead on the group-wide talent acquisition strategy, work on enhancing hiring governance and drive enterprise recruitment. He previously worked with the Royal Commission for AIUAs, which has been established to preserve and develop the historic al-Uas site, where he used hiring analytics to guide strategic decision-making. He has also spent time with National Medical Care and Pie- Saudia.

## HIGH FLYERS

Jeddah Airports and Riyadh Airports have made two important HR appointments. Sami Alotaibi has been promoted to Chief Human Capital Officer at Riyadh Airports after a 13 year career in Human Capital, which included time spent as Senior Director of Talent Development and Succession Planning. He has also worked at MEDGulf Saudi Arabia and led knowledge transfer programmes at the National Information Centre - Saudi Arabia. Meanwhile over at Jeddah Airports Morhaf Alsamman has become the Vice President of Human Capital. Alsamman has over 15 years'

experience of HR leadership in top-tier Saudi companies. He was previously Chief Human Resources Officer at Savola Group, where he worked on a number of employee engagement and operational efficiency initiatives. He has particular experience of developing workforce strategy, organisational design and talent development.

## MENA FOCUS AT MACE

Mace, the global consultancy and construction experts have appointed Emily Andersen as Associate Director of Talent Acquisition for Middle East and Africa. Andersen has worked at Mace for over five years and has spent time as Associate Director - Talent Acquisition - MEA and Senior Recruitment Manager.

## A CAPITAL APPOINTMENT FOR PWC

Anas Alajlan has become the Head of Human Capital - KSA at PWC. Alajlan has over a decade's experience of working in Saudi and multinational organisations during which time he has

developed expertise in human capital management, talent acquisition and HR business partnering. In his new role he will be responsible for people strategy, organisational development and leadership capability for PWC's Saudi Arabian operations. As part of this he will focus on strengthening employee engagement, driving workforce transformation and aligning PWC's human capital initiatives with the firm's broader business objectives across Saudi Arabia.

## EXPERIENCE TO AID PERFORMANCE

Hend Mohamed Mahmood who has over 30 years of experience in human capital and organisational transformation has become the Group Chief Human Resources Officer at the National Bank of Bahrain. She previously worked as the Chief People Officer at Bahrain Development Bank, and has experience of working in both Bahrain's financial services sector and in government-linked entities. She oversaw the shift at Bahrain Airport Company to modern workforce systems and capability building. Her focus will be to strengthen a high performance, people first culture and to advance long-term workforce development across the group. She previously held senior HR roles at Tharawat Investment and Eskan Bank.

## OTHER CHANGES

### Mohamed Yousuf Naghi Motors:

Mohamed Yousuf Naghi Motors has appointed Talal Alamri as their Human Resources Director.

**Majid Al Futtaim:** Fadi Haddad is now Director - People & Organisation and Sustainability - EA at Majid Al Futtaim.

**Yamama Cement:** Yamama Cement have appointed Amer Alamer as Executive Vice President of Human Resources.

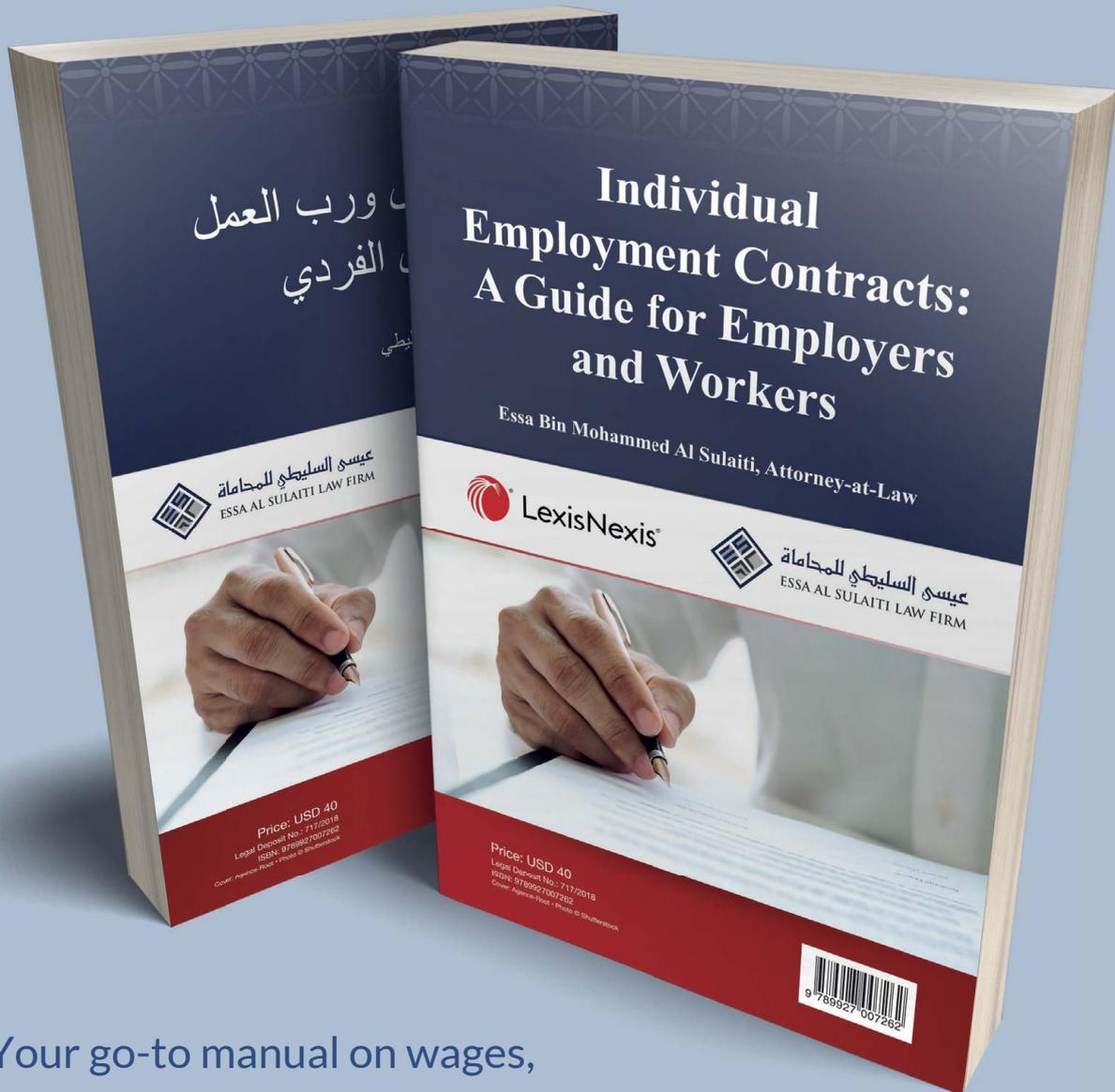
## SEND US YOUR NEWS

If you have news of an appointment or promotion within the legal or financial professions you would like to see reported in Lexis Middle East Law, please send details to: [claire.melvin@lexisnexis.co.uk](mailto:claire.melvin@lexisnexis.co.uk)



# INDIVIDUAL EMPLOYMENT CONTRACTS: A GUIDE FOR EMPLOYERS AND WORKERS

BY ESSA BIN MOHAMMED AL SULAITI



- Your go-to manual on wages, end-of-service payment entitlements, employee leave, termination, and much more
- A must-have reference for Employment Law lawyers and in-house counsel in Qatar

AVAILABLE NOW ON:  
[WWW.LEXIS.AE](http://WWW.LEXIS.AE)

## Anti-bullying policy



**W**orkplace bullying is increasingly recognised as a serious occupational and regulatory risk. In the UAE bullying is regulated through a combination of criminal and employment legislation, along with sector-specific codes of conduct.

### LEGAL APPROACH

In the UAE, 'bullying' does not appear as a standalone offence in the criminal statutes. Conduct commonly characterised as bullying is addressed through a series of conduct-based criminal offences under Federal Decree-Law No. 31/2021 on Crimes and Penalties. Derogatory name-calling or verbal abuse affecting a person's honour or dignity may constitute the offence of insult. Publicly disseminated false statements intended to cause reputational harm may amount to defamation. Physical aggression is regulated under assault-related provisions, and sexually motivated verbal or physical conduct falls squarely within the criminalised sexual harassment offences. Federal Decree-Law No. 34/2021 on Combating Rumours and Cybercrime, criminalises harassment committed via electronic means, including cyber harassment, online

threats and misuse of social media or messaging platforms. Criminal liability under these statutes is personal and arises independently of any internal disciplinary process. The most explicit recognition of bullying as a workplace concern is found in UAE employment legislation. Article 14 of Federal Decree-Law No. 33/2021 expressly prohibits sexual harassment, bullying, and any form of verbal, physical or psychological violence against a worker by an employer, superior, colleague or person who works with an employee. While the law does not mandate a standalone anti-bullying policy, it clearly imposes a duty on employers to provide a safe and appropriate working environment. Article 59 of DIFC Law No. 2/2019 imposes a clear statutory duty on DIFC employers to provide and maintain a workplace that is free from discrimination, harassment and victimisation, creating an expectation that employers there adopt preventative measures, including creating policies, training and effective complaint-handling mechanisms. Article 54 of the ADGM Employment Regulations also requires employers to ensure employees are not subjected to discrimination, harassment or victimisation. There are also a number of sector specific provisions including those in Cabinet Decision No. 79/2023 (Code of Ethics and Professional Conduct for Federal Government Employees) and Article 4(4) of Federal Decree-Law No. 9/2022 on domestic workers. Federal Decree-Law No. 2/2015 on Combating Discrimination and Hatred also criminalises discrimination based on religion, creed, doctrine, sect, caste, race, colour or ethnic origin. A legally sound policy should extend

beyond employee-to-employee interactions and must include harassment by third parties, such as customers, suppliers or contractors. This is consistent with Article 14 of Federal Decree-Law No. 33/2021, which refers to conduct by 'those working with' the employee. Employers are expected to take reasonable steps to protect employees once they are aware, or ought reasonably to be aware, of such conduct. From a best-practice and compliance perspective, anti-bullying policies should focus on prevention, protection and response. Key elements include a broad, inclusive definition of bullying and harassment, covering conduct that creates an intimidating, hostile, degrading, humiliating or offensive working environment; accessible, clearly defined reporting channels, with escalation options; confidentiality and data protection safeguards; interim protections pending investigation; prompt, impartial and well-documented investigations; express anti-retaliation protections for complainants and witnesses; proportionate disciplinary sanctions; and regular training and awareness work. Policies should explain what employees can expect after making a complaint, applicable timelines, investigation procedures and that certain types of conduct may be a criminal offence.

Employees should be informed of their right to approach the authorities and required cooperation with lawful investigations. Policies should encourage reporting, but should also explain malicious or knowingly false complaints may result in disciplinary or legal consequences.

---

 Contributor  
Mary Rintu Raju  
Kaden Boriss



## Expand your knowledge and improve your skills.

With LexisNexis drawing on 200 years of heritage as a trusted legal publishing brand, we've built up a strong and close relationship with the legal community. We understand the everyday needs and challenges faced by lawyers. Through a network of training centres and 40 offices worldwide, LexisNexis trains thousands of professionals from junior to top executives and government officials.

In the Middle East, our training programme delivers a cost effective solution tailored to the specific needs of the legal community in the region, delivered by leading experts who are practicing professionals; ensuring they are fully conversant with the latest issues and legislation as well as the implications on business and practice.

View our Middle East training programme at:  
[lexis.ae/training-events](https://www.lexis.ae/training-events)



# Lexis Middle East

Trusted Legal Intelligence  
for the Region

Comprehensive coverage across key legal topics:  
Employment Law | Health & Safety Law | Immigration Law

- Employment Contracts
- Health & Safety Risks & Reporting
- Workstation Checklists
- Hiring Foreign Employees & Corporate Immigration
- Localisation
- Termination
- Good Practice in Recruitment
- Working Time
- Whistleblowing
- Post-Termination Covenants & Confidentiality Clauses
- Pay & Benefits
- Hybrid Working
- Part-Time & Temporary Workers
- Leave Policies
- Maternity & Parental Leave
- Sickness Management
- Discrimination
- Pensions & End of Service Gratuities
- Disciplinary Procedures



Discover how Lexis Middle East  
empowers you.

Explore the platform today! Scan the QR Code.

