

# LEXIS MIDDLE EAST HR ALERT

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March 2026

## TRENDSETTER TRAINING SUPPORT

Protecting an employer's investment

## PROFILE LEGAL

Natalie Jones of Mishcon de Reya

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



# THE RIGHT TIME

UAE time limits for claiming employment dues



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# HEALTH AND SAFETY

Despite all the work being done on economic diversification, the energy and petrochemicals sector still remains the backbone of the GCC economy. However, we are also now seeing an increased focus on a range of sectors including real estate, construction, manufacturing, transportation and pharmaceuticals in the GCC. What both the energy and petrochemicals sector and a number of these newer industries share is the higher health and safety risks employees in these sectors can face compared those working in traditional office based workplaces.

This may explain why legislators across the GCC have recently appeared to put legislative change on health and safety on the agenda.

Oman has issued new regulations on workplace injuries and occupational diseases. There has also been a change to the implementing regulations on the Chemical Management Law in Saudi Arabia.

As a result, in this issue we have an article on Saudi Arabia Ministerial Decision No. 64762/1447 On the approval of Regulations governing work in high-risk professions which has made significant changes on a range of areas including the training and qualification pathways for those who work in high risk professions, and the qualifications and licensing needed by those who offer health and safety training, consultancy and e-learning services. This new regime will see many employers having to invest in worker training and qualifications. However, health and safety requirements are not the only reason GCC employers are having to invest in training. Localisation policies and GCC states' strategic plans are also leading to an increasing focus on employee training. Where substantial sums are invested it can lead to increased concerns that employers may not benefit from these investments if an employee leaves soon after qualification, so in this issue we also look at the best legal strategy to mitigate these risks.

Claire Melvin - Editor

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# THE RIGHT TIME

Asim Ahmed and Ahmed Labib of BSA LAW explain how changes in the law combined with recent judicial rulings have altered when an employee's right to claim their labour dues lapses in the UAE,



**“F**ederal Decree-Law No. 9/2024 brought in a number of changes to the time frame in which employees must claim their entitlements or they will lapse under the UAE Labour Law (Federal Decree-Law No. 33/2021),” states Asim Ahmed. “It also covers the date from which this period is calculated.”

“Previously, employees had one year starting from the date the employee became entitled to the claimed right (even if the employment relationship was still ongoing at the time of the entitlement) to claim their right. This meant if one year had elapsed from the date the labour right accrued and the employee had not filed a claim their right would have lapsed,” Ahmed Labib continues.



**Asim Ahmed**  
Partner  
BSA LAW

“This could have created problems for employees who may have been concerned about the potential impact of filing a complaint while still in employment in case it led to either termination or less favourable treatment by their employer.”

“However, with effect from 1 September 2024, this period was extended to two years from the date of termination of the employment relationship, rather than the date of their entitlement to the claimed right,” Ahmed states.

“It means employees are now free to claim their rights without feeling pressure or fearing repercussions.”

“This new provision applies to all establishments in the private sector within the



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UAE, except for particular free zones that have their own labour laws, or to Federal or local government entity employees, members of the armed forces, the police, and domestic workers,” Ahmed adds.

### DIRECTORS

“In this context it is important to note that the position may be different for those who are directors, states Ahmed.

“Directors are generally not subject to Federal Decree-Law No. 33/2021 as they typically perform their management duties independently, without subordination or supervision from anyone else,” Labib adds.

“However, if a director is subordinate to someone within the



**Ahmed Labib**  
Associate  
BSA LAW

### RELEVANT LEGISLATION

#### Article 54(9) of Federal Decree-Law No. 33/2021

The lawsuit related to any right stipulated in the provisions of this Decree-Law shall not be heard after the lapse of two years from the date of termination of the employment relationship.

(Source: Lexis Middle East Law)

company (e.g. a board of directors or a chief executive officer), then Federal Decree-Law No. 33/2021 may apply to them.”

“In such cases, the nature of the director’s relationship with the company, rather than their title, will determine whether they are treated as an employee and subject to Federal Decree-Law No. 33/2021 provisions, including to these applicable time limits for claiming their dues.”

## LABOUR DISPUTES

### Individual or Collective

Under Federal Law No. 33/2021 labour disputes are either categorised as ‘individual’ or ‘collective’.

### Stages

Labour disputes must first be referred to the Ministry of Human Resources and Emiratisation (MOHRE) for mediation, and only unresolved cases are escalated to the Labour Courts for adjudication.

### Individual Labour Disputes

These involve any conflict between an employer and a single employee on a matter addressed by Federal Decree-Law No. 33/2021 and Cabinet Decision No. 1/2022.

### Collective Labour Disputes

These involve any conflict between an employer and two or more employees, involving issues that concern the collective interests of all employees or a group of them.

### Monetary claims

These are claims that can be valued in monetary terms include, claims for wages, end-of-service benefits, annual leave, and other requests with a specific financial value. This also includes claims by the employer against the employee, e.g. for losses caused by the employee’s negligence.

### Non-monetary claims

These are claims that cannot be valued in money terms, e.g. a worker’s request for the return of their passport or for a certificate of experience after completing their employment.

## ABU DHABI COURT OF CASSATION

“However, on 18 December 2025, the General Assembly of the Abu Dhabi Court of Cassation, issued a significant judgment which affirmed that labour rights which

had arisen prior to the amendment coming in force on 1 September 2024 were also subject to a limitation period of two years instead of the previous one-year period,” Labib states. “Although this only applies if the original one-year limitation period under the previous law had not already lapsed by the date the new amendment came into force.”

“However, in such cases, the commencement date for calculating the limitation period remains the date on which the claimed right became due, as was the case under the previous provision which was the date the right arose, and not the date of the termination of the employment relationship.”

“The ruling is significant because it protects workers’ rights during the transition to the new two-year limitation period by ensuring pre-September 2024 claims are not unfairly barred, if the original one-year period has not already expired,” states Ahmed. “It has brought judicial clarity by clearly distinguishing how limitation periods apply to claims arising before and after the amendment, ensuring consistency and legal certainty.”

“The Court has struck a fair balance between the old and new legal frameworks, by avoiding disruptive retroactive effects while still allowing employees to benefit from the extended timeframe.”

## POSITION IN THE OTHER EMIRATES

“It is important to note however that this judgment was issued by the General Assembly of the Abu Dhabi Court of Cassation,” states Ahmed. “Therefore, it is binding only on the courts of Abu Dhabi and not on the courts of the other Emirates. However, this does not prevent other courts from adopting the same approach to this issue, which they may do.”

## FREEZONE AND DIFC POSITIONS

“Freezones such as the DIFC typically operate under their own employment legislation,” Labib explains. “For example, the DIFC has its own Employment Law, DIFC Law No. 2/2019 and its amendments. Under Article 10 of DIFC Law No. 2/2019, and subject to Article 20(2) and 61(2) of DIFC Law No. 2/2019, a Court will not consider a claim under this Law unless it is presented to the Court either during Employee’s employment with an Employer or not later than six months after the relevant Employee’s Termination Date, although there are some limited exceptions available in certain circumstances.”

“The provisions under Article 20(2) and 61(2) of DIFC Law No. 2/2019 establish clear limitation periods for employment-related claims, which emphasise timeliness while allowing limited judicial discretion,” Ahmed explains.

“Claims relating to unlawful deductions, non-payment of remuneration, or improper payments must generally be filed within six months from the relevant payment date or the last event in a series. In addition, these claims cannot extend to periods more than two years before filing, subject to specific exceptions for entitlements such as maternity and paternity pay, sick pay, and gratuity or core benefits. Similarly, claims under Part 9 which covers non-discrimination must be brought within six months from the later of the law’s commencement or the relevant act or omission, although courts may extend this period where justified.”

“So the time limits available under the DIFC regime are shorter in duration and more nuanced, with multiple starting points depending on the claim type, while the amendments to the Federal Labour Law provides a longer, clearer, and termination-based limitation period which is applicable to employment claims generally.”

## COMPARISON WITH THE OTHER GCC STATES

“Across the GCC the prevailing approach to these time limits is to impose a one-year statutory limitation period for employees to bring employment-related claims,” Labib states.

“Typically, in the other GCC states this time limit is also calculated from the date of termination of the employment relationship. Although in Kuwait it will be calculated either from the date the employment contract ends or violation occurs. Against this backdrop, the UAE’s evolving approach and two year limitation period reflects a more progressive and forward-looking stance.

“The authorities have revisited and extended the limitation periods.”

“It shows they are aiming to enhance access to justice for employees while still maintaining legal certainty for employers,” Ahmed states. “The aim is to provide for a balanced, resilient labour framework which aligns with international best practice.”

## Training Support

With UAE government initiatives helping to encourage employer investment in training, Hashem Alahdal of BSA LAW looks at the best way to protect that investment.

A number of UAE government initiatives, including the national UAE 2031 strategic plan which focuses on the country's development and Emiratisation, have helped push investment in employee qualifications and training higher up the agenda. However, along with this can come concerns about what should happen if an employee resigns shortly after completing their qualification or training, as employers want a meaningful return on a genuine investment. UAE law does not give employers a general power to stop resignation, but it does give them tools to manage the risk of lost training investment. Workers may end the relationship with notice for a legitimate reason, within the statutory notice parameters. When the contract ends, they may also move to another employer subject to Cabinet Decision No. 1/2022's conditions and procedures. Trying to block a move will rarely be an effective option.

Non-compete clauses can be included in employment contracts. However, they must be necessary to protect legitimate interests, tailored in time, place and scope, and capped at two years. Cabinet Decision No. 1/2022 also added guardrails, including a burden of proving actual damages and cases where the restriction should not apply. Non-compete clauses should only be used where justified, and not as a substitute for cost recovery if the main issue is return on investment for funding training or qualifications. What can work is putting a sponsorship agreement in place. This should define the training, list the reimbursable cost categories, set clear trigger events, and apply a pro-rata schedule. The cleanest clauses reimburse only provable external spend provider invoices, mandatory exam fees, and mandatory materials. Travel and accommodation should only be included if expressly agreed in advance, and vague 'administration' uplifts should be avoided. Even if repayment is owed, wage deductions have limits. The UAE Labour Law (Federal Decree-Law No. 33/2021) permits deductions only in defined cases and caps total deductions and withholdings at 50% of the wage. In practice, many employers implement an exit settlement or a written repayment plan rather than using unilateral payroll deductions.

Federal Decree-Law No. 33/2021 does not

set a single repayment window for training costs. Reasonableness is usually a proportional question based on cost, duration, the employee's seniority, and how portable the benefit is. Funding for a two-day course will rarely justify a long tail, but a multi-module diploma funded externally might do.

A declining pro-rata model over 6–24 months is safest, as it will show fairness, reduces disputes, and aligns with the broader civil-law concept that agreed compensation should reflect actual harm, not act as an excessive penalty. For example, if AED 36,000 was paid for an external course over 12 months and an employee resigned three months after completing it, repayment of 75% (AED 27,000) might be reasonable.

Attempts at strict enforcement where the resignation results from a health issue, accident, or post-maternity circumstances may backfire. Federal Decree-Law No. 33/2021 has detailed sick-leave entitlements and restricts termination for medical unfitness before an employee has exhausted their legally entitled leave, voiding agreements to the contrary. Termination or notice because of pregnancy, maternity leave, or maternity-related absence is also prohibited. Therefore, it is best practice to pause the pro-rata clock during protected leave and build in a documented waiver discretion for medically supported hardship. Employers may wish to include repayment clauses if employees fail to complete or pass a programme. In such cases, repayment will be more defensible if there has been voluntary withdrawal without reasonable cause or unjustified non-attendance. It would be harder to justify if the failure was employer-linked e.g. if exam leave was refused, workload made attendance unrealistic, or payments were delayed. Failure events should be defined precisely, and blanket repayment in every outcome should be avoided. There is no single uniform clawback rule across all government initiatives, including Emiratisation training. Terms can be prescriptive and may restrict passing costs to employees. Programme documents should align with the employee agreement, consent should be documented, and the employer's position should be consistent and non-discriminatory.




**Hashem Alahdal**  
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# NEWS ROUND-UP


COVERING RECENT KEY DEVELOPMENTS – REGION-WIDE

UAE

## MANDATORY WORK PERMITS

 The Ministry of Human Resources and Emiratisation (MOHRE) has confirmed that all private-sector employment in the UAE must be covered by an official work permit, and has warned employers against recruiting or engaging workers without prior authorisation. There are 12 types of work permit which are recognised, each tailored to a specific employment arrangement. These include permits for recruiting workers from outside the country, transferring employees between employers, hiring residents under family sponsorship, and engaging staff on a temporary, part-time, or project-based basis. In addition, there are special permits which cover students, juveniles, trainees and private tutors.

## EMERGENCY RETURNS

 The UAE has accelerated their consular response by rolling out a fully digital system that issues emergency return papers within 30 minutes following an increase in overseas passport-loss cases. The new digital system allows UAE missions to process these return documents in just 30 minutes, significantly reducing delays for citizens needing urgent travel back to the UAE.


SAUDI ARABIA

## VISA OVERSTAYERS

 Saudi Arabia's Public Security has warned that failing to report visit-visa overstayers could lead to fines of up to SR50,000, imprisonment and, deportation for non-Saudi sponsors. Saudi officials have stressed that citizens and residents are legally obliged to notify the authorities when a visitor remains in Saudi Arabia after their visa expires. Sponsors must also confirm the visitor's departure once the visa period

ends. Non-Saudi residents who fail to do this may face deportation, in addition to relevant financial and criminal penalties. The General Directorate of Passports has reiterated that breaches of residency, labour and border-security laws can trigger imprisonment, fines and deportation, and has noted that these penalties apply to both overstayers and those who facilitate violations. The authorities have urged the public not to transport, employ, shelter or conceal violators, or assist them in obtaining work, housing or transportation. It was also stressed that reports, would be treated confidentially, and informants would face no legal liability.

## TERMINATION SERVICE


 A new Musaned 'work interruption' service has been launched in Saudi and will allow employers to legally terminate contracts when domestic workers are absent. The Saudi Ministry of Human Resources and Social Development (SMHRSD) has introduced the service through Musaned (which is the national unified recruitment platform) as part of efforts to improve contractual relationships and enhance transparency in the domestic-labour sector. The system covers two core procedures - one for contract termination due to work interruption and the other for labour mobility. Under the new framework workers whose contracts are terminated within the first two years of arrival must complete final-exit procedures within 60 days, and a failure to do so constitutes a violation of law. Workers who have been residing in Saudi Arabia for more than two years must either transfer to a new employer or obtain a final exit visa within the same 60-day window. Non-compliance with these requirements is treated as an absence from work and a breach of regulations.

OMAN

## NEW DIGITAL SERVICES

 A number of new digital services have been added to the Omani Government platform including those involving the Ministry of Labour. New services now available on the government platform include the registration of job-seekers in the Manpower Registry. It is also possible to have good-conduct and non-conviction certificates issued via this route.

## LABOUR FINE WAIVER

 Omani authorities have waived approximately OMR100 million in accumulated labour fines incurred in 2025. This is part of a broader initiative intended to improve compliance with the updated labour law (Oman Sultani Decree No. 53/2023), address violations, and support firms and workers in regularising their legal status. The amnesty has provided companies and employees with a defined period in which to settle breaches without incurring financial penalties. This will allow them to correct their position on the hiring and sponsorship rules. It is hoped it will reduce irregular employment, and encouraging greater adherence to labour regulations in Oman.


KUWAIT

## NEW FREELANCE VISA


 Kuwait plans to launch a new freelance residency visa which will allow skilled foreign workers to operate independently there under a regulated framework. The new visa will cost between KD 750 and KD 1,000 annually and aims to help dismantle illegal visa-trading networks. Applicants will be expected to submit passport details, professional credentials and related documents through the Ministry of Interior's

official channels once the application mechanism is announced. The full eligibility criteria, documentation requirements and family-sponsorship rules will be clarified in forthcoming regulations.

## SPONSORSHIP BY WOMEN

 Authorities in Kuwait have reiterated that expatriate women cannot sponsor their husbands on dependent visas, despite recent inquiries which were prompted by changes on new residency rules. It is not permitted to convert a husband's visit visa into a dependent residency under the current regulations. Female expatriates working under Article 18 of Kuwait Decree-Law No. 114/2024 or similar visas cannot sponsor their husbands, as sponsorship remains limited to the household's 'head of family', which is typically the husband. Expatriate women may sponsor children only in specific cases, e.g. if they are widowed or divorced.

## DISPUTE RESOLUTION

 Kuwait's Public Authority for Manpower has introduced a revised mechanism for receiving and processing labour complaints, particularly those filed against small and medium-sized enterprises. This is a move away from the previous practice of centralising labour complaints at a single location in Mubarak Al-Kabeer. As a result, labour complaints have been distributed across labour relations departments in the governorates, with cases scheduled on an appointment basis. Complaints are now allocated according to their nature and place of registration. This has reduced the backlog and improved the organisation of case management.

### BAHRAIN


## JOB ADVERTISEMENTS

 Bahrain's Ministry of Labour has confirmed private-sector employers must wait 21 days after they have advertised vacancies locally before

they can request approval to hire an expatriate worker. Bahrain has introduced a rule which requires companies to advertise any private-sector vacancy on the National Employment Platform for at least seven days and then allow a full 21-day period for Bahraini applicants to apply before the employer can seek approval to recruit foreign workers.

### TURKEY

## MINIMUM WAGE

 From 1 January 2026 the minimum wage in Turkey has increased to TRY 33,030 per month. The new rate will apply from 1 January 2026 to 31 December 2026. The minimum wage applies to all employees, regardless of their age, industry and experience. The only exception is employees who work in underground coal and lignite mines, where the minimum wage must equal at least twice the regular rate.


### EGYPT

## LABOUR LAW CHANGES

 A number of supplementary decrees have been issued to implement the Egyptian Labour Law (Egypt Law No. 14/2025). These include Egypt Decree No. 267/2025 on internships, Egypt Decree No. 272/2025 on recruitment domestically and from abroad, and Egypt Decree No. 270/2025 which covers reporting obligations to the labour directorate. There are also decrees on working hours, overtime, and on inspections. In addition, Egypt Decree No. 299/2025 allows employers or employees to request an amicable settlement within 10 days of a dispute.

### LEBANON

## UAE E-VISAS

 The UAE plans to open its first overseas e-visa hub in Beirut. The centre will be a full-service e-visa hub, allowing applicants to complete all stages of the UAE visa process locally rather than having to travel to the UAE or relying solely on remote submissions.

## IN BRIEF

**UAE:** The Ministry of Human Resources and Emiratisation (MoHRE) issued a consultation on the policy framework governing the new end-of-service savings scheme which ended on 28 February 2026...

**Kuwait:** The Kuwait Ministry of Health has updated its rules on overtime for 1 April 2026 until 31 March 2027, outlining the criteria for renewing evening-shift overtime assignments for hospitals, specialised centres, primary-care facilities, and administrative units. Each department was required to file its renewal list through the Enjaz application no later than 1 March 2026...

**Oman:** The coming into force date of Oman Ministerial Decision No. 602/2025 On Issuing the Regulation Governing Work Permits and Work Practice Permits was changed to 15 February 2026 as a result of Oman Ministerial Decision No. 44/2026...

**Kuwait:** Four new digital certificates have been launched on the Sahel app covering previous nationality, previous name, previous address, and an English "To Whom It May Concern" certificate, which are often required for employment, and immigration...

**Saudi Arabia:** Saudi Arabia Administrative Decision No. 46-32-5/1446 on the responsibilities and duties of fire safety, prevention and protection officers at governmental and private entities has been issued...

**Kuwait:** All employees in the public and private sector have been called on to update their academic-degree information through the Sahel app...

**Oman:** Fines have been introduced for employers who fail to report work related injuries within the required time limits, along with a stricter approach on compliance...

**Bahrain:** Bahrain's Shura Council has announced plans to discuss reforms to Bahrain Law No. 74/2006 on the Care, Rehabilitation, and Employment of Persons with Disabilities following calls to improve accessibility, inclusion, and equal participation in public life...

Applicants will be able to submit documents, provide biometric data, and attend required interviews in a single visit. Passports will be returned by courier and visas issued, streamlining procedures that previously required many appointments or post-arrival formalities. Most tourist, study, medical, and work visas will be processed within 48 to 72 hours.

# IMMIGRATION FOCUS

## RECENT GCC IMMIGRATION AND VISA CHANGES

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### SAUDI ARABIA

#### SAUDISATION CHANGES



Saudi authorities have announced increased

Saudisation requirements for certain private-sector roles, along with phased implementation timelines which will run through 2026.

In the engineering sector private-sector companies which employ five or more accredited engineers across 46 engineering professions will be required to increase Saudisation levels to 30% (from the current 25%) by 30 June 2026. Affected roles include, but are not limited to oil and gas engineers; mechanical engineers; chemical engineers; electrical engineers; and civil engineers.

There will also be changes in the procurement profession, as private-sector companies employing three or more employees across 12 procurement professions will have to achieve a 70% Saudisation rate (up from the current 50% level) by 31 May 2026. This rate will apply to all procurement roles, e.g. procurement managers; contract managers; logistics managers; and market research specialists.

The sports and fitness sector will also face changes. By 18 November 2026, men's and women's sports centres and gyms which employ four or more staff must ensure at least 15% of the key sports and fitness roles are filled by Saudi nationals. The affected roles include coaches; trainers; supervisors; as well as other professional sports and fitness positions. Companies providing shared accommodation for 20 or more individuals—including residential complexes, mobile cabins, and residential buildings are also required to comply with new Saudisation requirements. The housing supervisor role must be 100% Saudised from 1

February 2026. In addition, a minimum salary of SAR 5,000 will be required for compliance purposes.

Employers in the impacted sectors will need to take a proactive approach to workforce planning. Early role mapping, headcount analysis, and local talent development strategies will be critical if they are to meeting the new thresholds and minimise operational disruption and compliance risks.

### BAHRAIN

#### CONTRIBUTIONS INCREASE



With effect from 1 January 2026, the employer

contribution rate for Bahraini employees will increase by 1% as part of the 2022 social insurance reform. As a result, the combined employer and employee contribution will reach 22% of pensionable salary, although the employee contribution remains at 8%. This follows the government's policy of annual 1% increases through 2028. In the case of Bahraini nationals working abroad, the employer contribution will be capped at the local rate applicable in the country of employment. However, where the local rate is lower than the Bahraini rate, the employee will have to cover the shortfall in order to reach the 22%.

#### WAGE PROTECTION SYSTEM



The Bahrain Labour Market Regulatory Authority (LMRA)

has extended the deadline for enhanced Wage Protection System (WPS) filings to the end of Q1 2026, allowing employers additional time to open WPS-compliant bank accounts and prepare filings. Employers were required to appoint a Wages Responsible Person (WRP) by 1 February 2026 in order to manage wage file preparation, submission, and overall WPS compliance. In addition, employers should confirm that their banking partners are WPS-registered,



as any payments made outside WPS will be considered as being non-compliant. The first WPS filing under the extended timeline should have occurred by the end of Q1 2026. Failure to comply may result in restricted access to LMRA portal services, payroll delays, penalties, and reputational risk with the regulators.

**QATAR**

**NEW SELF-SPONSORED VISA**



Qatar has introduced a new 10-year residency programme for executives and entrepreneurs which is a significant change from traditional sponsorship models there.

Following an initial announcement in 2024, Qatar has introduced a new renewable 10-year residence permit designed for high-level corporate leaders and innovative business founders. The new residence permit which is similar to the Golden Visa in the UAE and Premium Residency in Saudi Arabia, allows eligible foreign nationals to live and work in Qatar with self-sponsored status. It removes the need for a traditional local employer sponsor. It will be a key pillar of the Qatar National Vision 2030, and aims to help foster a knowledge-based economy in Qatar and position the country as a leading regional hub for investment and innovation. Residency is split into two distinct categories, each with its own set of high-tier requirements:

The Executive Category is aimed at high-level corporate leaders (such as Chairmen, CEOs, CFOs, CTOs, and COOs) who have a valid residency in Qatar. They must be sponsored by a registered employer. These individuals must have salaries of QAR 50,000+ in the case of (C-Suite individuals) or QAR 80,000+ (in the case of Executive Directors). They must also have at least five years of experience in senior executive management. Their organisation must be a listed company, recognised management or legal consultancy, bank or financial institution licensed by the Qatar Central Bank, or an insurance company licensed by the Qatar Central Bank or the Qatar Financial Markets Authority. Proof of

a valid employment contract is also required. The key advantages here are professional stability and long-term residency.

The Entrepreneur category is aimed at Innovative founders and business owners. They must have an official nomination or endorsement from an approved incubator (e.g. the Qatar Fintech Hub (QFTH), Qatar Business Incubator Centre (QBIC), Qatar Science and Technology Park (QSTP), Scale 7 or Qatar Development Bank (QDB). They must have a QAR 36,500 minimum balance maintained over the last three months and a proven track record in launching or expanding a business. They also need a business model or investment plan with specific amounts. This status provides access to Qatar’s Startup Qatar ecosystem and funding. The new programme offers stability and lifestyle benefits which were previously unavailable to most expatriates: The self-sponsorship option provides full professional independence, and will allow executives to change roles and entrepreneurs to scale businesses without this being sponsorship-related.

At the time of writing it was not clear whether separate work authorisation will be required if someone is on a 10-year residency but further updates will be provided once this is known. Those with the self-sponsored visas will also be able to sponsor their spouses, children, parents, and domestic support.

There are also a number of economic advantages available to these individuals. For example, the scheme grants eligibility for asset ownership and access to a merchant network offering discounts of up to 60% across various sectors. In addition, entrepreneurs will gain preferential access to Qatar’s growing \$3 billion venture capital ecosystem and government-backed accelerators. Those looking to use this route should have a detailed audit of their professional background and business objectives undertaken to ensure they align with the benchmarks. There are a number of complex administrative requirements, required before submitting the application including the international attestation of educational credentials, financial verification, and obtaining security clearances.

# Your bridge to global growth

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# PRE-PLANNING FOR HAJJ SEASON

Adel Moumen of Vialto Partners Middle East looks at two concurrent developments which are impacting short term business travel to Saudi.

**T**wo concurrent developments in Saudi Arabia are materially impacting short-term business travel there at present. These are the seasonal visa controls around the annual Hajj period combined with a noticeable increase in Business Visit Visa (BVV) rejections. As a result, those who rely on frequent business travel to Saudi Arabia or temporary project deployment there should reassess visa strategy and travel planning.

## ANNUAL HAJJ APPROACH

Each year, the Saudi authorities implement enhanced immigration controls in order to manage travel volumes and prevent misuse of non-pilgrimage visa categories during Hajj. These heightened controls typically apply for six to eight weeks before the Hajj, during the Hajj itself which this year will be 20-30 May 2026, and for a short period immediately following Hajj. In recent Hajj seasons the Saudi authorities have temporarily paused or restricted the issuance of Business Visit Visas (BVV), Temporary Work Visas (TWV), Family Visit Visas (FVV) and Tourist Visas (including e-visas). In addition in previous years short term visa issue has either been suspended or limited for nationals of Morocco, Algeria, Tunisia, Libya, Nigeria, Ethiopia, Sudan, Egypt, Iraq, Jordan, Lebanon, India, Pakistan, and Indonesia.

## BUSINESS VISIT VISA (BVV) REJECTIONS

In parallel, we have also noted a sharp increase in Business Visit Visa (BVV) refusal rates in Saudi Arabia, even outside the peak Hajj restrictions. Key trends being noted have included higher rejection rates at certain consular posts, e.g. Dubai and Mumbai. There have also been greater numbers of refusals in cases where the documentation was complete and compliant. In addition, we have noted increased scrutiny of applications by repeat or frequent business travellers. These changes suggest there is now closer alignment between visa type and the actual on-the-ground activity, with authorities applying a narrower interpretation of what constitutes permissible 'business visit' activity. There has also been consular guidance directing applicants to apply instead for a Temporary Work Visa.



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## NEXT STEPS?

Organisations sending employees to Saudi Arabia for short-term assignments or on frequent business travel should anticipate an elevated immigration risk. It is important to take into account that visa availability and processing timelines may be affected around the Hajj period.

In addition, frequent BVV use may potentially trigger additional scrutiny. Repeated short-duration entries into the country could also be viewed as de facto work activity. Incorrect visa selection will significantly increase refusal or entry risk.

In addition, last-minute travel during the Hajj season will carry with it heightened uncertainty. Without proactive visa planning companies could face project delays, entry refusals, business disruption and increased compliance exposure. Early review and planning are becoming critical as enforcement practices evolve.

Strategic visa planning for frequent travellers should include evaluation of alternative immigration pathways, including Temporary Work Visas. Contingency workforce planning can also minimise disruption. It is also important to have real-time advisory support and awareness of the latest Saudi visa trends.

The restrictions for restricted nationalities will operate until around 15 June 2026



**Adel Moumen**  
Senior Manager,  
Vialto Partners  
Middle East

# LAW CHANGES

## NEW AND PROPOSED MENA LAWS

### HEALTH AND SAFETY

Dr Sairah Narmah-Alqasim of Pinsent Masons looks at Saudi Arabia Ministerial Decision No. 64762/1447 which has been designed to create a single national system for key health and safety areas.

**S**audi Arabia Ministerial Decision No. 64762/1447 On the approval of regulations governing work in high-risk professions has been issued in order to reduce serious safety risks and create one national system for job classification, worker licensing, the licensing of Occupational Health and Safety (OHS) providers, and medical fitness exams. In addition, there will be mandatory reporting of accidents, injuries, and diseases via the national electronic platform. There will also be mandatory investigation and documentation in such cases with corrective action required as per the National Policy. Incidents that may affect health will also trigger medical re-evaluation.

This new law comes into force on 3 July 2026. Penalties for failing to comply with it could include fines, suspensions, closures, and possibly even criminal liability. There will be a new national classification system for high risk jobs using criteria such as the job's nature, exposures, duration, stats, and public/environmental impact. Those who work in these professions will be licensed and will have to have been trained at accredited centres, have medical fitness examinations and have obtained a 'High Risk Profession Permit' from the Council's platform. There will be two qualification pathways for these types of workers. Those who work in 'hazardous professions' where there are inherent risks (e.g. involving heavy machinery, toxic substances, and heights) will need to have periodic medicals, follow preventive procedures, and have special training. While those who work in 'restricted professions' with wider societal impact will face mandatory licensing, will need specific certification, and must meet higher medical standards. This will not only apply to new recruits.



### UAE - SELF EMPLOYMENT LEAVE



Cabinet Decision No. 12/2023 On the Leave for Self-Employment for the Employees of the Federal Government has been amended by Cabinet Decision No. 13/2026. As a result Article 5 of Cabinet Decision No. 12/2023 which covers the leave term and financial allocations has been amended. The leave can only be granted once to an employee throughout their Federal Government service and they receive 50 per cent of their total salary during this time. Job-related allowances and benefits are not paid during the leave, except the children's allowance which is paid in line with the approved regulations throughout the leave period. In certain circumstances the head of the government entity can extend the leave by a further year and the Federal Entity may use the remaining portion of the financial allocation approved for the leave during the two-year period. Special authorisation from the Council of Ministers is needed before granting leave to employees who work as an Undersecretary, Director-General, Assistant Undersecretary, Executive Director, or in their equivalent roles.

Existing workers must meet these new requirements too, and will have to pass exams, and obtain licenses. Failing which their employers will either have to reassign or retrain them. A medical fitness regime is also being introduced which will be linked to the Occupational Fitness and Non Communicable Diseases Regulations. There will be colour coded levels and periodic checks. Employers will only be allowed to use licensed workers and will have to stop unqualified individuals working. There will also be stricter obligations to report accidents immediately, alert occupational

physicians when necessary and provide protective equipment. In addition, under Saudi Arabia Ministerial Decision No. 64762/1447 workers will also now have clearer duties which include following safety rules, using PPE, undertaking all the necessary health and safety training, and obtaining required licenses, as well as reporting potential hazards, and cooperating with health and safety assessments. OHS service providers which include OHS consultants, training centres, e-learning providers, and accredited medical facilities will now need a licence from the competent

## BAHRAIN - FREELANCE



Bahrain's Parliament has unanimously approved amendments which will extend mandatory social-insurance coverage to freelancers and self-employed workers. There will be changes to Article 2 of Bahrain Decree-Law No. 24/1976. These will expand compulsory coverage beyond traditional employment contracts to include self-employed individuals and members of the liberal professions. The categories eligible for enrolment will be designated by a Ministerial Decision and will require approval by the Social Insurance Organisation's board.

## QATAR - RECRUITMENT



Qatar Decree No. 3/2026 On the Ratification of an Agreement Between the Government of the State of Qatar and the Government of the State of Palestine Concerning the Regulation of the Employment of Workers from the State of Palestine in the State of Qatar has been issued. This law regulates the recruitment of workers from Palestine in order to work in Qatar, their entry into the state and their employment.

## SAUDI - HEALTH AND SAFETY



Saudi Arabia Ministerial Decision No. 3090/1447 has approved the addition of two new paragraphs to the first and second lists found in the Chemicals Management Law Implementing Regulations. These regulations cover the import, handling and disposal of chemicals. The Chemicals Management Law was issued by Saudi Arabia Royal Decree No. M38/1427.

## OMAN - WORK INJURY



Oman Decision No. 1/2026 issuing the regulation on occupational injuries and diseases has been issued. These regulations expand social insurance cover and clarify employers' obligations under Oman's social protection framework. Coverage is mandatory for all Omani workers, regardless of their form of employment, including workers employed under permanent, temporary, training, and part-time contracts, as well as for retired employees who continue to work.

authority, (e.g. the Ministry of Health for medical facilities), accreditation from the National Council for Occupational Safety and Health, to comply with the Saudi Standards, Metrological and Quality Organisation (SASO) technical standards and employ qualified occupational health professionals. Those performing high risk tasks (which includes in house OHS roles) will have to meet the training and licensing requirements. Employers who use unlicensed providers will be breaching Saudi Arabia Ministerial Decision No. 64762/1447 and may face penalties. As a result of this change

Saudi employers should take steps now to identify all high risk roles in their workforce so they can make sure they have completed accredited training and obtained a license. They should register the company and their workers on the council's platform. Internal policies on areas including health and safety reporting, prevention and compliance should also be updated. They should also make sure they are only using licensed OHS, training and medical providers. In addition, they should be carrying out medical fitness exams under the Occupational Fitness Regulations, and be

keeping full records of risk assessments, accidents, training, and compliance actions.

Sadia Farooq and Turki Bin Ghaith of Pinsent Masons also contributed to this article.



# CASE FOCUS

**Case No** .... Vianney Stephane Marie Nicolas  
Mathonnet v Modus Operations LLC ADGM Case No  
011/2025, [2025] ADGMCFI 0005 issued on 27 March  
2025

**Jurisdiction** .... ADGM

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

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

## WHAT IS IT ABOUT?

The court jointly considered two identical applications by an Employer filed on 10 February 2025, opposed by the Employee in this case and another Employee (Andre Junior Ayotte in ADGM Case No. 12/2025) in identical terms, for a stay of the claims made by those Employees for unpaid salaries and other employment rights under agreements dated 15 August 2022 as amended, both entitled an 'Executive Services Agreement' (ESAs), pending arbitration under clause 17 of the ESAs. This provided any dispute relating to the ESAs should be referred to arbitration. The court examined the ESAs and found a persuasive argument they were employment agreements; a fact which would later need to be proved by evidence. It examined the ADGM laws governing employment agreements. Article 13(6) of Abu Dhabi Law No. 4/2013 stated the ADGM courts had sole jurisdiction over civil or commercial cases and disputes involving the ADGM or any of the ADGM's authorities or establishments, law suits and civil or commercial disputes arising out of, or relating to, a contract or transaction conducted in whole or in part in the ADGM or involving an incident that occurred there. However Article 13 (7) of Abu Dhabi Law No. 4/2013 stated despite this, parties may agree in their commercial contracts and transactions to the jurisdiction of any court other than the ADGM Court of First Instance or agree to refer their disputes to arbitration. The Court examined the ADGM Employment Regulations 2019

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which deal with Employee rights including on salary and end of service gratuity which were being claimed in these cases; as well as the Employment Regulations 2019 (Compensation Awards and Limits) Rules 2019 which had been made under the previous s61 of the Employment Regulations. The Claimants stated there was a provision in Rules 2, 3 and 9(3), (5) of the Compensation Rules that an Employee 'may apply to the Court' in respect of matters arising under the Employment Regulations'.

## WHAT WAS DECIDED?

The Court ruled Abu Dhabi Law No. 4/2013 made it clear that parties may agree to refer disputes to arbitration. Article 17 of the ESAs mentioned arbitration as a mode of dispute resolution and there was nothing in the ADGM Employment Regulations or its rules that specifically excluded arbitration although the words 'may refer to court' were used. The stay was granted on the claims filed before the Court. There could be a reference to the use of arbitration as a means of settling a dispute over an employment agreement in the ADGM. Where this was the case there was nothing in the ADGM Employment Regulations or its rules which specifically excluded that option.

**Case No** .... Giulio Mendes Marcucci v Sheffield Energy LLC, [2025] QIC (F) 72 issued 27 December 2025

**Jurisdiction** .... QFC

**Court** .... QFC Civil and Commercial Court First Instance Circuit

**Recommended by** .... Muna Nasser AlKaabi, Case Progression Officer, QICDRC

## WHAT IS IT ABOUT?

A Business Development Manager was employed under an employment contract dated 19 February 2024 by their Employer. The contract was amended by an addendum in May 2025, promoting him to

Regional Manager - Middle East and France on a six-month trial basis. The addendum allowed the Employer to redesignate the Employee to a suitable or alternative position and adjust his salary if he was found to be unsuitable for the new position either during or at the end of his trial period. The Employer decided during the trial period, that the Employee was not performing adequately in his new role and exercised their contractual discretion to redesignate him to the role of Senior Business Development Manager - Middle East. This role was one grade higher than his previous position as Business Development Manager and also paid 5% more than his original remuneration. However, the Employer rejected the redesignation and the associated KPIs, asserting that they amounted to a demotion and constructive dismissal. Shortly after and following the Employee's rejection of the redesignation, the Employer terminated his employment on notice. The Employee then initiated proceedings alleging constructive dismissal, breach of Article 8, 18 and 23 of the QFC Employment Regulations (as amended), and non-payment of contractual entitlements, including accrued annual leave entitlement.

**WHAT WAS DECIDED?**

The Court held that by redesignating the Employee during the trial period, the Employer had acted within the terms of the Employment Contract and the addendum. The alternative role he had been offered was suitable as it was senior to his original position and had a higher remuneration. The claims for constructive dismissal and breach of the QFC Employment Regulations (as amended) were dismissed. There was no fundamental breach of contract that amounted to a claim for constructive dismissal. The Court noted that even if aspects of the Employer's conduct were to be criticised, the Employee had not resigned in response to any alleged breach but had instead continued to work and engage with his Employer before his employment was terminated. The Court also rejected the Employee's argument that the entitlements should have been calculated at the Regional Manager's salary. It held instead that the applicable contractual rate for this calculation was that of the redesignated Senior Business Development Manager role which was in force at the date of termination. However, the Claimant had succeeded in part of his claim, namely, for underpayment of accrued holiday. Given the mixed outcome, the Court made no order as to costs. This case provides useful guidance on constructive dismissal in the QFC. For an Employee to establish constructive dismissal, they must demonstrate that they resigned due to a relevant material breach of their employment contract. It is important to note that not every breach of an employment contract will amount to a material breach that permits the employee to resign and claim constructive dismissal.

**Case No ....** DCC Case No. 124, 125/2025 issued on 7 October 2025

**Jurisdiction ....** Dubai

**Court ....** Dubai Court of Cassation

**Recommended by ....** Mohamed Abourassm Sayed

**WHAT IS IT ABOUT?**

An Employee had originally been seconded from a parent company in Japan to work in Dubai. Later they entered into a direct employment contract in Dubai, which stated gratuity for the earlier secondment was deemed covered through contributions made under the Global Employee Benefits Plan (GEBP) or other pension schemes in Japan. The Employee argued there was no evidence he had received gratuity for the secondment period and any waiver of statutory labour rights during employment would be void unless more favourable to him. He contended the gratuity, if payable, should include housing allowance and annual increments in line with company policy. It was maintained by the Employer the secondment period was governed by Japanese pension arrangements, the Employee had already received equivalent benefits, and the Dubai employment contract validly confirmed settlement of that period.

**WHAT WAS DECIDED?**

The Dubai Court of Cassation upheld the award of gratuity for the secondment period, calculated on the basic salary only. The case file contained no conclusive evidence the Employee had actually received end-of-service gratuity for the secondment or had validly waived the entitlement in line with UAE law. The Employer's defence was rejected based on a lack of evidence, not on a general finding that overseas pension schemes are unlawful. Gratuity for the relevant period was correctly calculated on the basic salary only, in line with UAE labour law. Housing allowance was excluded because the secondment terms did not provide for its inclusion in the gratuity calculation for that period. The Court did not reject the company policy in general; but found the secondment terms governing the disputed period did not support inclusion of allowances. This case confirms participation in an overseas pension or global benefits scheme does not, in itself, discharge UAE end-of-service gratuity obligations. Employers must prove actual payment or a legally valid waiver compliant with UAE labour law.

There was no evidence the Employee received gratuity or waived it for 1/09/2014 to 1/06/2019. Article 51 of Federal Decree-Law No. 33/2021 applied.

The employer's argument was rejected as there was no proof the GEBP arrangement satisfied UAE legal requirements for gratuity, which showed the importance of having evidence of an overseas scheme's equivalence to the UAE scheme, and evidence of payment under an overseas scheme or agreement to waive the UAE entitlement.

# HR PROFILE

## EMPLOYMENT PARTNER— LEGAL



### A change in approach

Employment Partner Natalie Jones of Mishcon de Reya discusses the impact of employers' increasing willingness to consider litigation.

#### BACKGROUND

I am an England & Wales qualified employment solicitor and practised in the North East of England before relocating to the UAE in 2011. I was the first person in my family to go to university and believe opportunities should never be taken for granted - progress often comes from being willing to take a chance on something new.

It is why I am so invested in supporting trainees and junior lawyers and have taken active roles in relation to trainees in all my previous positions. Early in my career I worked on complex employment disputes and sensitive investigations, often involving significant financial or reputational stakes under the guidance of some of the best employment lawyers in the market. That taught me that employment law rarely sits neatly within legal boundaries. It often involves broad commercial strategy, leadership decisions (on the face of it, unrelated to employment considerations) and human dynamics all at once. My work sits at the intersection between law, business and human behaviour. It is never purely technical and no two situations are quite the same or have the same outcome.

When I first moved to the UAE, I had to 'relearn' what I thought I knew about employment law and how to be a lawyer. I realised I did not need to know everything but had to be curious, ready to learn and to accept perspectives that were different to mine. Many of the issues employers and employees face here are similar to those in other jurisdictions, but they arise within different (and sometimes misaligned) legal frameworks and cultural contexts. Employment law in this region is also becoming more structured and aligned with international standards and as a result, employers are increasingly looking for proactive advice to ensure their policies, governance frameworks and workforce strategies remain compliant.

#### CURRENT ROLE

I am a partner based in Dubai, where I lead Mishcon de Reya's employment practice in the GCC, as part of the firm's wider international employment platform. Mishcon de Reya is a London headquartered firm with offices in the UAE, Singapore and Hong Kong. Our focus is the Innovation Economy, Private Wealth



and Capital, and Real Estate. We officially launched our physical offices in Abu Dhabi and Dubai at the end of 2025 but have been advising clients in the MENA region for over 30 years. My recent move to Mishcon de Reya was an opportunity not only to continue to practise in a dynamic region but also to help build something new, alongside an incredible team of employment lawyers in other jurisdictions. In the Middle East employment frameworks are continuing to evolve and businesses increasingly expect the same level of governance and workplace standards they see in other international markets. My work covers both contentious and advisory matters, mainly in the UAE but on occasion across the broader GCC region. This includes everything from senior executive exits, investigations, discrimination and whistleblowing issues, but can also include workforce restructurings and complex terminations and post-termination issues across all sectors. It often involves cross-border matters, coordinating advice across multiple jurisdictions, alongside colleagues elsewhere in the team. A significant part of my role is building and growing the firm's employment practice in the Middle East to ensure the support we provide is aligned with the firm's market leading reputation. That involves developing the team, strengthening relationships with clients and counterparties and working closely with colleagues across our disputes, innovation, regulatory and corporate teams to provide seamless and forward

**PRACTITIONER PERSPECTIVE**



**Emily Aryeetey**  
Partner  
Stephenson Harwood

Emily Aryeetey of Stephenson Harwood explains how DIFC Practice Direction No. 1/2025 has made employment litigation a more likely option in the DIFC Courts.

On 9 October 2025, the DIFC Courts quietly ushered in a new era for employment disputes with Practice Direction No. 1/2025. This Practice Direction has reshaped the risk landscape and access to justice.

The standard DIFC Court of First Instance filing fee is 5% of the claim value, subject to minimum and maximum caps. The exact fee varies depending on the value of the claim.

However, the Court Registrar now has discretion to waive, reduce, or cap filing fees, depending on the claimant’s financial means, the complexity and merits of the case, and the interests of justice. Instalment payments may also be allowed for claimants demonstrating financial hardship. In the past the cost of bringing a claim often deterred employees, especially those who were unemployed or in lower paid roles from taking a case against well resourced or insurance backed employers. The new regime shows that access to justice should not be based on the ability to pay. The new default rule is that each party bears their own legal costs, which aligns the Court of First Instance’s approach with the DIFC Small Claims Tribunal and is a clear shift away from the traditional ‘loser pays’ principle. Costs now generally lie where they fall, rather than being

automatically imposed on the unsuccessful party. However, this does not leave the door wide open to frivolous litigation, as the Court retains discretion to make an adverse costs order where a party has brought or conducted proceedings unreasonably, acted vexatiously or in bad faith, or where it is otherwise in the interests of justice. Another significant change is that by default, employment cases in the DIFC Courts will now be heard in private, with judgments published in anonymised form unless full publication is warranted in the interests of justice. This should offer welcome protection for employers and employees against reputational harm and unwanted publicity. However, there is a trade-off here as moving hearings behind closed doors could potentially reduce transparency, which is important for keeping court processes fair and clear. The Court may lift confidentiality where necessary for public accountability or to prevent prejudice or abuse, but at present it is unclear what criteria will be used for doing this. There may be an increase in DIFC employment claims as a result of this new practice direction. As a result, HR teams should consider reviewing their internal decision-making processes, ensure documentation is robust, and look to take professional legal advice early, especially when contemplating dismissals or other significant actions. In this new environment, early settlement and mediation seems likely to become an even more attractive and effective way to resolve disputes.

thinking support. The project I am most proud of was a first of its kind - transfer of a significant number of employees between semi-government entities. The matter was extremely sensitive and very complex involving numerous parties, governed by different laws. It also had to be completed within a very strict time frame for regulatory reasons. We were attempting to use arrangements which were not provided for in local law to transfer visas, pension ‘pots’ and official security clearances which required a number of special approvals by various government bodies, most of which were interlinked so the timing and strategy of the approvals was crucial.

One trend we are seeing is the increasing regularity and complexity of senior employment disputes. There are more matters involving deferred compensation, restrictive covenants and board-level issues, sometimes with cross-jurisdictional aspects. More employers are now willing to litigate to protect their interests, particularly in the context of exits and post-termination restrictions. This is leading to a shift in the make up of our work with a tangible move towards contentious rather than advisory work.

One of the latest local changes for me has been DIFC Practice Direction No. 1/2025 Access to Justice in

Employment Disputes . More clients are willing to litigate in the DIFC as they now have fewer worries about costs and confidentiality, although this change may also reflect a general increased willingness to litigate as employers appear to be less willing to accept vexatious complaints and claims.

As mentioned, this can be seen by the amount of my time which is being taken up with contentious issues.

However, one of the challenges of practising employment law here is the relative absence of detailed published case law compared to jurisdictions like the UK.

This means lawyers often have to combine statutory interpretation with practical experience and commercial judgment when advising clients here. Another challenge is navigating culturally sensitive workplace issues within multinational organisations.

Employers can sometimes feel caught between competing expectations or legal frameworks. In those situations, clarity of advice is essential. Clients need clear risk assessment, practical options and a strategy that allows them to move forward with confidence, rather than lengthy legal analysis in those circumstances.

# MOVES AND CHANGES

A ROUND-UP OF BUSINESS NEWS, APPOINTMENTS AND PROMOTIONS

## ENERGY AND INNOVATION

The Abu Dhabi National Oil Company (ADNOC Group) have appointed Maha AlQattan as Acting Group Chief People and Culture Officer in order to help drive a culture of innovation and performance that is not only ready for the future of energy but actively shaping it. Maha has previously held a number of global leadership roles and played a pivotal part in integrating sustainability with people strategy. She has a Masters of Industrial and Labour Relations from Cornell University. She will focus on strengthening the talent ecosystem in order to build an AI-ready workforce able to lead energy transition and work towards embedding AI across the organisation to transform how the Group delivers global value.

## A TALENT FOR BANKING

Riyad Bank have appointed Yazeed Aldurehim as VP – Head of Talent Acquisition. Aldurehim will lead their talent acquisition strategy, driving workforce planning, recruitment excellence and employer branding. Aldurehim has over 10 years' experience in banking recruitment and good knowledge of national employment initiatives in Saudi Arabia. He previously worked at Al Rajhi Bank.

## GOING FOR GROWTH

NEOPAY has appointed Mudita Chauhan as their Chief Human Resources Officer (CHRO). NEOPAY provide innovative and tailor-made payment solutions across a range of different company types, including in the retail, hospitality, government, and real estate sectors. The appointment is part of their agenda to accelerate expansion across the MENA region by focusing on attracting, developing and retaining top talent. Chauhan has over 18 years' experience of working in high-growth organisations as well as extensive cross-sector experience and leadership skills. She has experience of shaping talent strategy, building strong organisational culture, and driving enterprise-wide transformation. In her new role, she will lead NEOPAY's people agenda, focusing on attracting,

developing, and retaining top talent. Before joining NEOPAY, she was the Chief Human Resources Officer at CoinDCX, where she led HR strategy across global markets including in Dubai and Mumbai. She began her career as an HR Business Partner at Bank of America but has also worked as Senior Vice President – Head – Human Resources at EduBridge Learning Pvt Ltd, and Senior General Manager – HR Platform 2.0 at Reliance Industries Limited.

## TOP OF THE WORLD

DP World, the leading Dubai-based global provider of end-to-end logistics and supply chain solutions, has appointed Mark Shafik as Regional HR Director. Shafik will oversee HR strategy and operations aligned with DP World's integrated global supply chain operations. He will focus on talent, organisational development, and culture transformation. This will include partnering with business leaders to strengthen workforce planning and talent strategy. In the past he has held

various HR leadership roles in which he significantly enhanced employee engagement, implemented HR digital services and built strong expertise across talent management. He has also worked previously at Floranow.

## A NEW ENVIRONMENT

Suez which specialises in water management, waste recycling, recovery, and treatment for municipal and industrial clients has appointed Faten Kalloub as Regional HR Director for Middle East & Central Asia. In her new role Kalloub is expected to lead regional HR strategy, talent development, and organisational transformation initiatives across the Middle East and Central Asia area. She has nearly two decades of experience of work in human resources, organisational development, and strategic leadership across the engineering, education, hospitality, real estate, and consulting sectors.

## IN THE DRIVING SEAT

Sameera Sohaili is now Head of HR at the leading automotive manufacturer CHERY UAE. She will lead their human resources function, and focus on strengthening the talent strategy, enhancing employee experience, and supporting the company's growth and transformation agenda. Sameera was previously employed by them as an HR Business partner and has helped to strengthen their people practices there. She has worked in the fashion, property and financial sectors. She has over 20 years' HR experience with companies including Al-Futtaim and Standard Chartered Bank, during which time she worked in HR strategy, talent management, and organisational development.

## OTHER CHANGES

**Vialto Partners:** Adel Moumen has joined immigration specialists Vialto Partners in Dubai as Senior Manager – Global Mobility. In the past he has worked for Deloitte in the UAE and for Mobility.

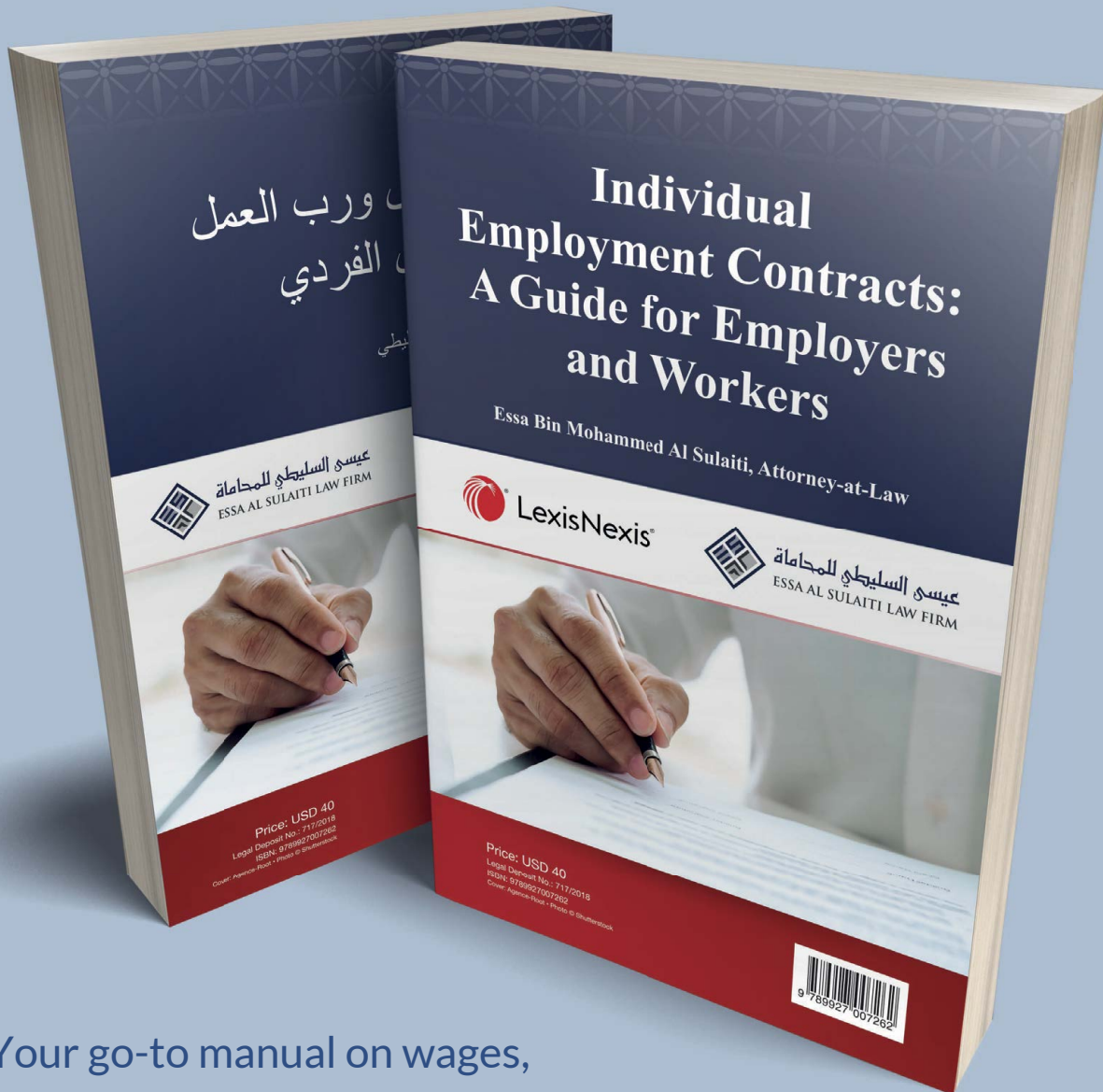
## SEND US YOUR NEWS

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# 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
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## Conflicts of Interest



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**W**hile the UAE Labour Law (Federal Law No. 33/2021) generally addresses employee misconduct and duties in broad terms, it does not expressly regulate conflict of interest through a structured framework. In contrast, Federal Law No. 49/2022 On Human Resources in the Federal Government provides a clear and detailed legal framework which governs conflict of interest in the public sector and may be worth looking at if you are planning to draw up a policy on this area. A conflict of interest arises when an employee's personal interests interfere, or appear to interfere, with the proper performance of their official duties. In the Federal government context, conflict of interest is a statutory legal obligation governed by specific rules designed to safeguard transparency and public confidence. Article 29 of Federal Law No. 49/2023 requires UAE Federal employees, while performing their duties, to avoid any conflict between their private activities and the interests or operations of the government. Importantly, this obligation extends beyond actual conflicts to also include situations that may give rise to suspicion. This recognises that perceived

conflicts can be just as damaging as proven misconduct. Breaching conflict of interest obligations are addressed. Article 35 of the Law provides that violations of employee duties may result in disciplinary action, which can escalate to termination depending on the seriousness of the breach. This underscores that conflict of interest is treated as serious misconduct. Article 29 of Federal Law No. 49/2023 provides practical guidance by identifying prohibited situations. Employees are barred from participating in decisions that affect contractors or suppliers who are relatives up to the fourth degree, whether by blood or marriage, or from taking part in decisions that grant benefits to such relatives. In addition, employees may not participate in any process or official decision that affects a supplier, contractor, or project in which they hold a partnership or any direct or indirect financial interest. This includes situations where the employee may receive a share, percentage, or other material benefit. The law focuses on substance rather than form, ensuring that concealed or indirect interests are captured. Employees must not abuse their position or disclose information obtained through their work to achieve personal objectives or secure preferential treatment. Therefore, access to information and power is treated as a public trust that must be exercised solely in the public interest.

### GIFTS AND BRIBES

Conflict of interest controls are reinforced through strict rules on gifts and bribery in Cabinet Decision No. 48/2023 On the Implementing Regulation of the Law. Employees are generally prohibited from accepting gifts,

except for symbolic promotional items received through authorised organisational units and in the name of the Federal entity in question. Gifts may only be offered or distributed through approved channels. The law also strictly prohibits bribery in all forms, defined broadly to include any money, service, or benefit intended to influence official work. Any suspected bribery must be investigated and, where substantiated or strongly indicated, may result in referral to the competent judicial authorities, without prejudice to internal disciplinary measures.

### ETHICAL STANDARDS

Beyond statutory rules, ethical standards also play a central role in this area. The Code of Professional Conduct and Ethics of Public Service in the Federal Government as regulated by Cabinet Decision No. 79/2023 requires employees to sign an acknowledgment confirming their commitment to avoiding conflicts of interest and to immediately disclose any actual or potential conflict. The emphasis on disclosure helps promote transparency and allows institutions to manage risks at an early stage. Finally, an employee's resignation or termination does not prevent the employer from initiating disciplinary procedures if there has been a violation. Employers may temporarily suspend the payment of labour entitlements pending the conclusion of the investigation and issue of a final decision. However, this does not affect their statutory entitlement to end-of-service benefits and any deduction from their labour entitlements must be made in line with the applicable legal provisions.



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