DUBAI CHAMBER
غــرفـــة دبـــي

E-Guide for Employers and Employees

Government Policy Measures during Coronavirus Pandemic

April 2020

Economic Research Department

Dubai Chamber of Commerce and Industry

Introduction

The Ministry of Human Resources and Emiratisation (MoHRE) has announced the "national program to support the stability of the labour market in the private sector". The objective is to ensure the continuity of the business activities in the light of the government strict preventive and precautionary health measures to control and contain the spread of the coronavirus pandemic.

The programme includes a number of policy measures to support the employers and the employees in the private sector in order to mitigate the adverse impact and repercussions, of those preventive and precautionary measures, on the business sector. It also includes a number of precautionary measures to protect the employees in the private sector from the infection with the coronavirus in a manner that ensures the continuity of the business activities in the private sector.

Please remember that all those government policy measures are temporal, due to the current Coronavirus pandemic situation, and will be discontinued when the government authorities announce their expiration in due time.

This e-guide is prepared by Dubai Chamber of Commerce and Industry (DCCI), with the support of Clyde & Co Dubai, to help the continuity of the business activities in Dubai economy and to inform both the employers and employees of their duties and rights under the current Coronavirus pandemic situation.

For further and more recently updated information, please consult the UAE Ministry of Human Resources and Emiratisation webpage at the following link:

https://www.mohre.gov.ae/en/media-center/corona-virus-covid19-procedures.aspx

You can also call the MoHRE Call Center Toll Free number 80060

For Employers

What did the MoHRE do to help employers?

The Ministry of Human Resources and Emiratisation (MoHRE) has announced the "national program to support the stability of the labour market in the private sector". The objective is to ensure the continuity of the business activities in the light of the government strict preventive and precautionary health measures to control and contain the spread of the coronavirus pandemic.

The MoHRE has announced the lifting of all restrictions applied to all establishments registered with the Ministry, enabling them to get new internal work permits and renew work permits for registered employees on the targeted facilities within the framework of support packages provided to the employers.

What measures the employer should take to avoid layoffs of employees?

The MoHRE has issued Resolution No. 279 of 2020 concerning the employment stability in private sector establishments. The resolution encourages employers to implement a range of measures to mitigate the financial impact of COVID-19 in an effort to avoid the need for layoffs and mutually agree the following measures gradually and in turn with their non-UAE national employees:

(a) Remote working.

(b) Paid leave.

(c) Unpaid leave.

(d) Temporary reduction of salary.

(e) Permanent reduction of salary.

Consistent with the normal contractual principles, the MoHRE resolution requires that, in all cases, the employee's consent to the arrangement must be obtained. For this purpose, the MoHRE has issued a template addendum.

What can the employer do with the surplus labour?

The resolution also provides that employers who have a "surplus" of non-national employees can register them in MoHRE's 'Virtual Labour Market System' on the website careers.mohre.gov.ae to enable such employees to work for other employers. However, the current employer will remain the primary employer and be liable for the employee's minimum entitlements (excluding the salary) under the law (i.e. medical insurance and accommodation, etc.).

Can the employer renew the expired work permits?

The MoHRE has allowed the establishments to renew work permits without requiring them to renew the expired permits for over 6 months, as well as allowing them to issue new internal

work permits on professions of the third skill level without applying the "scientific certificate" requirement.

The MoHRE has allowed the establishments to take advantage of the internal permit services to meet their job needs at present through "a transfer permit, a temporary work permit, and a work permit for some time".

Is the medical examination required for renewal of work permit and residence visa?

The MoHRE, the Ministry of Health and Prevention, and the Federal Authority for Identity and Citizenship have announced the exemption of employees with expired work permits from carrying out the medical examination. Work permits and residences will be issued and renewed automatically for facilities employees and domestic employees, within the framework of precautionary measures.

Can the employer return the bank guarantee?

The MoHRE has allowed the establishments to return the bank guarantee immediately upon renewing the work permit and insurance for the employee with an exemption from the waiting period associated with the wage protection system as well as getting new work permits despite expired previous work permits that need to be settled by paying their due fines.

How much workforce should be physically present at the work place?

The Ministry of Human Resources and Emiratisation issued Decree No. 281 of 2020 mandating employers falling under its jurisdiction to permit a maximum of 30% of its workforce to physically work from the employer's premises and the remaining workforce to work remotely. Employers with employees still working at their premises will need to ensure strict observance with health and safety precautions, such as keeping sufficient distance between customers, as well as disinfecting equipment and utilities.

The Dubai Department of Economic Development (DED) has mandated private sector companies to implement working from home for its workforce. The DIFC Authority and the Jebel Ali Free Zone Authority have all mandated remote working systems in line with DED's mandate.

What should the employer do when an employee is suspected of having COVID-19?

Employers should require employees who suspect they have COVID-19 to contact the Dubai Health Authority on 800DHA (800342) to book an appointment to get tested.

If an employee tests positive for COVID-19, any time off work will be considered as sick leave within the meaning of the UAE Labour Law. The minimum entitlement under the UAE Labour Law is 15 days on full pay, 30 days on half pay and 45 days with no pay. Where an employer has enhanced such minimum (either through the employment contract or through company policies), the enhanced entitlements will apply.

Can the employer transport employees into Dubai from other Emirates?

The Dubai Municipality issued a statement on 15 April 2020 prohibiting the transport of labour employees outside of Dubai or into Dubai from other Emirates.

Can the employer travel into or outside of UAE?

Currently an entry ban has been imposed on all travellers with the exception of UAE nationals and diplomats, and transit through all airports in the UAE has been suspended. All inbound and outbound passenger flights (including transit flights) to and from all airports in the UAE have been suspended, except repatriation flights operated by the UAE national carriers.

Can the employer move freely within the Emirate of Dubai?

Dubai government is currently operating a limited curfew from 10 pm to 6 am. During this time, individuals are not permitted to leave their homes, except to purchase necessities such as food and medicine or obtaining medical assistance. Anyone wishing to leave their home between 10 pm and 6 am is required to apply for a permit online at this link https://dxbpermit.gov.ae. Exceptions apply to exempt sectors, who do not require a permit to travel to work. For those exempt sectors, please check the following link:

https://dxbpermit.gov.ae./assets/exempted-en.jpeg

How can the employer maintain productive workforce during remote working?

Working from home has become the norm for the vast majority of businesses, and whilst such arrangement affords many benefits, it can also present its own set of challenges and problems if it is not managed well. The following are some tips for maintaining an effective and productive workforce during this period of remote working:

Technology: ensure your employees have been set up with the correct equipment required to undertake their work and ensure that everyone is equipped to use video conferencing software and any other tools required. Employee should also have access to tech support to ensure business continuity and productivity.

Set clear expectations: ensure employees understand what is expected from them in terms of productivity, structure and communication.

Policies: have in place and share with your employees your remote working policy and remind your employees of their continued obligations towards IT, confidentiality, intellectual property and looking after your equipment.

Stay in touch: it is important to stay in touch with your employees regularly to ensure work productivity is maintained and to ensure that employees continue to feel integrated. Scheduling regular phone/video calls is a great way to do this.

For Employees

What can the employer do for me under the current circumstances?

The MoHRE has issued Resolution No. 279 of 2020 concerning the employment stability in private sector establishments. The resolution requires employers to implement a range of sequential measures in order to avoid the need for layoffs and mutually agree the following measures gradually and in turn with their non-UAE national employees:

(a) Remote working.

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(d) Temporary reduction of salary.

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Consistent with the normal contractual principles, the MoHRE resolution requires that, in all cases, the employee's consent to the arrangement must be obtained. For this purpose, the MoHRE has issued a template addendum.

Can the employee return to his home country temporarily?

The MoHRE has announced a procedure to enable foreign employees to temporarily leave the UAE whilst on unpaid leave to return to their home country. The following conditions apply:

(a)   MoHRE standard form addendum must be executed between the parties.
(b)   A round trip ticket must be booked for the employee by the employer.
(c)   The contractual relationship between the employer and the employee must continue.
(d)   The leave ends upon the employee's return to work.
(e)   The employee's work permit and residence visa will be renewed automatically if they expire whilst the employee is on unpaid leave, even if still outside the country.
(f)   Employees benefiting from the initiative can contact the National Call Center via email ask_us@171.ae from outside the country.

Can the employee get a new work permit?

The MoHRE has lifted all the restrictions on employees that caused the refusal of granting them new work permits, except for two cases where it is proven that the employee violated cancelling the work contract and in case of recording a complaint of leaving work against the employee.

The MoHRE has allowed the employees who meet the conditions for getting a "transfer work permit" to register in the "virtual labor market" on the website careers.mohre.gov.ae and to search for job opportunities available in the market. However, the current employer will remain the primary employer and be liable for the employee's minimum entitlements (excluding the salary) under the law (i.e. medical insurance and accommodation, etc.).

Is the employee required to carry out the medical examination to renew the residence?

The MOHRE, the Ministry of Health and Prevention, and the Federal Authority for Identity and Citizenship have announced the exemption of employees with expired work permits from carrying out the medical examination. Work permits and residences will be issued and renewed automatically for facilities employees and domestic employees, within the framework of precautionary measures.

Can the employee travel into or outside of UAE?

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What the employee should do when having the symptoms of Coronavirus infection?

If you have symptoms of the coronavirus infection, contact Dubai Health Authority on 800DHA (800342) to book an appointment to be tested. Other than going out to get tested, remain at home and avoid contact with others.

The Dubai Health Authority has advised that in the event you test positive, isolate yourself at home and avoid interact with others. A Dubai Health Authority representative will contact you to explain the next steps.

Please follow the recommended guidelines with respect to the frequent hand washing, sanitising, wearing facemasks and gloves in order to reduce spread of infection. This will help protect you and the people you live with.

Can the employee get sick leave when get infected with COVID-19?

If an employee tests positive for COVID-19, any time off work will be considered as sick leave. The minimum sick leave entitlement under the UAE Labour Law is 15 days on full pay, 30 days on half pay and 45 days with no pay.

How can the employee overcome the challenges of working remotely from home?

Working from home has become the norm for the vast majority of employees, and whilst such arrangement affords many benefits, it can present its own set of challenges. The following are some tips you can follow:

Build Work Space: designate an area of your home, specifically for getting your work done.

Technology: ensure you have the correct equipment. Having a router and good internet connection is key to avoiding challenging IT issues. A good headset will also be useful when making calls, especially if other people live with you.

Time management: review priorities and set goals at the start of each day, together with time limits for each task and try to develop a daily routine. It is important to manage time effectively.

Limit distractions: when working from home, it is easy to get distracted by home comforts, kids and pets. You need to focus on keeping a balance.

Take care: take reasonable care of yourself and other people who may be affected by the work you are doing.

Obligations: understand your obligations towards your employer, including adhering to any working from home policies and confidentiality policies.

Cooperation: cooperate with your employer and follow their instructions.

Stay social: working from home can be very isolating. Schedule phone/video calls with your team mates/clients, and have remote breaks with teammates to help continue to feel integrated.

Do not sit for prolonged periods: research suggests that exercise increases your energy, which is important for your productivity. As such, try to sit less, take time away from the screen and move around. Try to step outside into the garden, balcony or open some windows to let in fresh air and sunlight in.

Respecting your own time: working from home can creep into personal life, it is important to set your work hours where possible. Be strict about creating a division and switching off to allow time to relax mentally.