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UAE ENHANCES EMPLOYMENT PROTECTIONS FOR NATIONALS

By Mercer's Stephanie Rosseau and Fiona Webster
28 Feb 2019

Continuing its push to increase the employment of nationals (Emiratisation), the United Arab Emirates (UAE) recently enhanced existing employment protections, including against dismissal. The UAE's policy objective — Vision 2021 — aims to have 50% of the UAE national workforce employed in the private sector by 2021.

PROTECTIONS AGAINST TERMINATION

Nationals must have a work permit and be hired for a minimum two-year employment contract and may only be terminated in limited circumstances. Termination is unlawful if:

- It isn't based on one of the valid reasons listed in the labor relations law.
- A non-national employee is performing the same duties as the national whose service is terminated, or the objective was replacing the employee with a non-national in the same job — unless the reason for the termination is deemed “acceptable” by the Ministry of Human Resources & Emiratisation (MOHRE).
- A national is terminated for reasons completely unrelated to the job, especially for whistleblowing.
- The employer fails to conduct an exit interview or doesn't follow the labor relations rules regarding valid termination.

The MOHRE may set up a mediation meeting to determine whether a termination is justified. Unlawful dismissal may result in the MOHRE referring the dispute to the Labour Court, which could result in reinstatement and/or suspension of new work permits for up to six months. A financial penalty of AED 20,000 per violation can also be imposed in the following circumstances:

- The employer fails to comply with the decree.
- A court rules that the national is “abusively terminated,” and the employer refuses to reinstate.
- The employer fails to pay the required pension contributions.
- The employer is “not earnest regarding Emiratisation,” based on reports from onsite visits.

RELATED RESOURCES

- [Ministerial Decree No. 212 of 2018 \(MOHRE\)](#)

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