



**UNITED ARAB EMIRATES
MINISTRY OF LABOUR**

LABOUR DISPUTES

Ministerial Resolution No. (307) for 2003 A.D.

On collective labour disputes

Dated 31/5/2003

Minister of Labour and Social Affairs:

- *After reviewing Federal Law No. (1) for 1972 A.D. regarding the ministries competencies and ministers' capacities and the amending laws thereto,
- *Federal Law No. (8) for 1980 in regards to organizing the work relationships and the amending laws thereto,
- *Cabinet of Ministers Resolution No. (11) for 1982 on organizing the procedures for the settlement of collective labour disputes.
- * Ministerial Resolution No. (48/1) for 1980 on forming conciliation committees to settle group disputes.
- *and based on what was proposed by the Undersecretary of the labour sector,
- *and for the public interest.

It was decided:

First article

A collective labour dispute is any dispute between an employer and his workers in relation to a joint interest to all workers or a group thereof at a specific facility, profession, craft, or sector.

Second article

Workers and employees shall resolve their collective disputes through direct negotiations, then mediation, then reconciliation, and finally arbitration in accordance with the procedures stipulated in this resolution.

Third article

The employer must notify the competent labour directorate in writing immediately in case of a labour dispute, at the same day it occurs, if this was not possible, the mentioned directorate must be notified of the dispute on the next working day. Work may not be halted nor the facility closed in violation of the provisions of this article.

Fourth article

If the dispute was not settled through direct negotiations between the two parties within a maximum one week from the date of its arising, either party may seek the mediation of the Director of the competent labour directorate to settle it. The Director of the directorate shall, of his own, call the parties of the dispute to appear before him, and shall take the necessary actions for mediation to resolve the dispute.

Fifth article

If the cause of dispute was the non-payment of due wages to workers or the violation of the employer or workers' duties as imposed by the mentioned Federal Law No. (8) for 1980 or its executive regulations, the Director of the labour directorate must take the necessary legal procedures to guarantee the implementation of the provisions of the law.

Sixth article

Taking into account the provisions of the Fifth Article above, if the dispute was not settled within ten days from its start, the Director of the labour directorate must refer the dispute to the competent reconciliation committee while notifying the two parties in writing.

Seventh article

If the dispute was settled through mediation the Director of the labour directorate must write out a report of three copies containing the issues that were agreed upon to be signed by the Director of the directorate, the workers and the employer. This agreement shall be valid for the duration agreed upon by the two parties, provided that it is not less than two years.

Reconciliation

Eighth Article

The Director of the competent labour directorate must hold a reconciliation committee upon being notified of a labour dispute, to be headed by himself and formed as follows:

- 1- Director of the labour directorate. President
- 2- A member of the Chamber of Commerce in the area or any other
representative selected by the employer
- Parties in the dispute
- 3- A member of the coordination society for member professional societies in the area or any other representative as selected by the workers who are a party in the dispute.
- 4- A legal researcher as a secretary and advisor without having a counted vote.

Ninth article

The employer and the workers who are the parties in the dispute must nominate a representative on their behalf for the membership of the reconciliation committee once the Director of the labour directorates requests it.

Tenth article

The reconciliation committee shall be responsible for the settlement of the group dispute that is referred to it by the Director of the labour directorate, and shall apply the rules and regulations stipulated in Law No. (8) for 1980 and the mentioned Cabinet of Ministers Resolution No. (11) for 1982.

Eleventh Article

The Head of the Committee may invite any of the workers, parties in the dispute, or specialists and discuss with them before the Committee. The Committee may also request to review the papers, documents, records, and other evidence and obligate the holder thereof to submit them, as well as conduct the requested investigation and take the necessary procedures to settle the dispute.

Twelfth Article

The Director of the Labour Relations Department at the Ministry offices in Abu Dhabi and Dubai, each within his scope of work, shall head the reconciliation committee in any of the following cases:

a- If the work headquarters of the disputing parties falls within the jurisdiction of more than one labour directorate.

b- In any other case the competent Undersecretary requests that.

Thirteenth Article

Without prejudice to the mentioned Cabinet of Ministers Resolution No. (11) for 1982 A.D., if the decision by the reconciliation committee did not lead to the resolution of the dispute, anyone may request the referral of the dispute to arbitration within thirty days from the date of its start, and the competent labour directorate may also refer the dispute to arbitration on its own.

Fourteenth Article

It is not permitted to halt work or close down the facility because of a labour dispute before exhausting all means and procedures for the settlement of group disputes as stipulated in this resolution.

Fifteenth Article

If a labour dispute occurs because the employer or the workers violated the terms of the agreement resulting from mediation or reconciliation, the labour directorate must take the necessary legal action to guarantee the implementation of the provisions of the law and its executive regulations

Sixteenth Article

The following shall be considered the cause of and responsible for a group dispute in accordance with the laws in force in the country at the Federal and local levels:

- Anyone who violates an explicit text of the law and its executive regulations if the dispute was caused by that violation.

- Anyone who violates an agreement resulting from mediation or reconciliation.
- Anyone who did not respond to any request or order for attendance issued by the Director of the labour directorate or the reconciliation committee.
- Anyone who does not abide by the decision of the reconciliation committee despite agreeing in writing to accept its decision.
- Anyone who does not abide by the decision of the reconciliation committee once it becomes final even if he did not agree in writing to accept it.
- Anyone who does not abide by the decision of the supreme arbitration committee.
- Anyone who violates the stipulated procedures for the implementation of the decisions of the reconciliation and arbitration committees.

Seventeenth Article

The penalties stipulated in Federal Law No. (8) for 1980, as mentioned and its executive regulations regarding the violations of this decision shall be applied in addition to the penalties stipulated in the federal and local laws in force in the country.

Eighteenth Article

Ministerial Resolution No. (48/1) for 1980, mentioned above, shall be nullified.

Nineteenth Article

This Resolution shall be published in the Official Gazette and shall be put into force thirty days following the date of its publication.

Matar Humaid Al-Tayer

Minister of Labour and Social Affairs