

**Law No. 13 of 16 August 2017 which amends several provisions of the Labour Law promulgated by Law No. 14 of 2004 and Law No. 13 of 1990 which promulgates the Civil and Commercial Proceedings Law**

We, Tamim bin Hamad Al Thani, Emir of the State of Qatar,

After perusal of the Constitution, and

Law No. 13 of 1990 which promulgates the Civil and Commercial Proceedings Law and amendments made thereto,

The Labour Law promulgated by Law No. 14 of 2004, and its amending laws,

The Proposal of the Minister of Administrative Development, Labour and Social Affairs,

The draft Law submitted by the Council of Ministers, and

After having taken the opinion of the Shoura Council (Consultative Assembly),

We have decreed the following law:

**Article 1**

Article 2 of the abovementioned Law No. 14 of 2004 shall be replaced by the following:

“The Minister of Administrative Development, Labour and Social Affairs, in coordination with the competent authorities, shall issue the necessary decisions for the implementation of the provisions of the attached Law, and pending the issuing of such decisions, they shall continue to be applied, provided they do not conflict with its provisions... “

**Article 2**

This article shall be replaced by articles 1 (1, 2 & 21) and 64 of the abovementioned Labour Law, by the following:

**Article (1, 2 & 21)**

1. Ministry: It is the Ministry of Administrative Development, Labour and Social Affairs;
2. Minister: He is the Minister of Administrative Development, Labour and Social Affairs;
3. Competent medical body: It is the body which is identified by the Ministry of Public Health.

## **Article 64**

“Before his/her appeal against the penalty imposed on him/her before the workers’ dispute settlement committee, a worker shall appeal to his/her employer against the penalty inflicted on him/her within seven days of his/her cognizance of such a penalty. The appeal shall be concluded within seven days as of the day on which it was submitted. The appeal is considered to have been rejected if the period has expired, if there is no decision which has been handed down.

In the event of a rejected appeal or if it has not been decided within the above period, a worker may appeal to the Department against the penalty inflicted on him/her within seven days as of the date of rejection.

The Department shall decide on a worker's appeal within seven days as of the date of the submission of the appeal. The Department's decision shall be final. The appeal is considered to have been rejected if the period has expired, in the absence of a decision thereon.

As an exception therefrom, a worker may appeal against the penalty of dismissal from work before the workers’ dispute settlement committee.

If the above committee is convinced that a worker’s dismissal was arbitrary or in violation of the provisions of this law, it shall either annul the dismissal penalty, and reinstate the worker in his/her work and pay his/her entitlements during the period for which he/she was not allowed to work, in order to implement such a penalty or pay a worker an adequate compensation therefor. An estimation of the compensation shall include the wage, and other benefits denied to the worker, as a result of this dismissal”.

## **Article 3**

A new chapter shall be added to the abovementioned Labour Law, under the name of “Chapter eleven bis “Settlement of individual workers’ disputes” whose provisions shall read as follows:

### **Article 115 bis**

“If a dispute arises between a worker and an employer related to the application of the provisions of this law or the labour contract, each party shall refer the dispute to the Labour Relations Department or to the Human Resources Department at the Ministry, as the case may be, to settle the dispute amicably.

The competent department shall take the necessary measures to settle the dispute amicably within a maximum period of seven days as of the day on which it was referred. The outcome of the settlement shall be referred to both parties within seven consecutive days. If both parties accept it, this agreement shall be drafted in a report signed by both, and certified by the competent department. It shall have executory force.

If the dispute is not settled within the period mentioned in the previous paragraph, or if either party to the dispute refuses the settlement of the competent department, or that the period has

expired, without either party having expressed its view on acceptance or rejection, the competent department shall be required to refer the dispute within three consecutive days to the workers' dispute settlement committee. A memorandum which includes a summary of the dispute, the arguments of both parties, pertinent documents and the observations of the competent department shall be attached to this referral. The secretariat of the workers' dispute settlement committee, shall fix a session for the examination of the dispute within a maximum of seven days as of the date of referral. Both the worker and the employer shall be notified of the date of the session at least three days before its convening.

The submission of the dispute settlement request to the competent department shall put a halt to the legally prescribed period set down for dropping the action for such rights, until the deadlines indicated in this article have passed.”

#### **Article 115 bis/1**

One or more “workers' dispute settlement committee” shall be set up at the Ministry. It will be headed by a first instance court judge, selected by the Supreme Council of the Judiciary, and two members nominated by the Minister, provided that one of them is experienced in accountancy.

The composition of the committee, its rules, and procedures which are to be followed, the mechanism for the implementation of its decisions, and the allowances of its members shall be determined by virtue of a decision by the Council of Ministers.

The Minister shall issue a decision which determines the headquarters of the committee.

One or more of the Ministry's employees shall be responsible for the committee's secretariat. The Minister shall issue a decision which shall determine their secondment, competence, and bonuses.

#### **Article 115 bis/2**

“The committee shall be competent, on its own, to take a final decision on all individual disputes resulting from the application of the provisions of this law or a labour contract.

The committee shall decide on the dispute which is before it within three weeks as of the date on which the first session for its examination was held.

The committee's members shall be independent, and their decisions shall be final other than by law. No person or body may interfere in the disputes which are examined by the committee.”

#### **Article 115 bis/3**

“The committee's secretariat shall notify both parties to the dispute of the procedures and its decisions at their address, or workplace by registered mail, or by any other means with an acknowledgment receipt.

The notification shall have legal consequences as of the date on which it was notified or handed to concerned parties.”

#### **Article 115 bis/4**

“The committee’s decision on the dispute shall specify the reasons therefor, and shall include the names of the committee’s President and its members, date and place of its issue, names of litigants, their capacities, presence or absence, a comprehensive exposé of the events of the dispute, claims of the litigants and their rebuttal. It shall be signed by the President and the Secretary. It will have executory force as specified in article 362 of the above mentioned Civil and Commercial Proceedings Law, The draft decision shall include the reasons for the dispute, signed by the committee’s President and its members when pronouncing the decision; otherwise, it shall be null and void.

The provisions of the above mentioned Civil and Commercial Proceedings Law shall apply to the procedures before the workers’ dispute settlement committee, and the decisions issued, unless there is another specific text in that law.”

#### **Article 115 bis/5**

“The committee’s decisions which are issued shall have executory force.”

#### **Article 115 bis/6**

“Concerned parties shall have the right to appeal against the decision issued by the workers’ dispute settlement committee before the competent circuit at the Appellate Court within fifteen days as of the day on which the committee’s decision was rendered if it was in the presence of the parties, or on the day which follows the announcement of the decision if it was in the absence of the parties. The appeal shall not result in stopping the implementation of the decision unless the competent circuit decides otherwise.

The competent circuit at the Appellate Court shall examine the appeal without delay, and shall decide thereon within thirty days as of the date of the first session held before it.

The competent circuit at the Appellate Court is the only body which can stop the implementation of the committee’s decisions.”

#### **Article 115 bis/7**

“The lawsuits which are the competence of the workers’ dispute settlement committee before the courts shall not be accepted before a final decision has been handed down by this committee.

The courts shall continue to decide on the lawsuits which were referred to them before the date of the law’s entry into force. They shall examine the lawsuits which are referred after the law’s entry into force, until the committee starts its specific mandate which is specified therein.”

### **Article 4**

Article 6 of the abovementioned Law No. 13 of 1990 and article 126/7 of the abovementioned Labour Law shall be revoked as well as any judgment which violates the provisions of this law.

**Article 5**

All competent bodies, each within its mandate, shall put to effect this law which shall be published in the Official Gazette.

**Sheikh Tamim bin Hamad Al Thani**

**Emir of the State of Qatar**

**Issued at the Emir's Diwan on 16 August 2017**