

Joint Committees in accordance with the provisions of the Labour Code No. 14 of 2004, and
Ministerial Decision No. 21 of 2019 which regulates the conditions and procedures for the
election of workers' representatives to joint committees

Labour Relations Department
2019

A Joint Committee shall examine and discuss the issues related to work at a company:

- 1- Organize work at a company.
- 2- Increase and develop the means of production and improve a company's productivity.
- 3- Prepare and implement workers' training programs.
- 4- Prevent risks and improve compliance with occupational safety and health rules.
- 5- Increase workers' general culture.

UNOFFICIAL TRANSLATION

**The Minister of Administrative Development, Labour and Social Affairs’
Decision No. 21 of 2019
which regulates the conditions and procedures for the election of workers’ representatives
to joint committees**

The Minister of Administrative Development, Labour and Social Affairs,

After perusal of the Labour Law promulgated by Law No. 14 of 2004, and amendments made thereto;

of Emiri Resolution No. 29 of 1996 which relates to the Council of Ministers’ decisions submitted to the Emir for ratification and issuance;

of Emiri Resolution No. 13 of 2019 which relates to the organizational structure of the Ministry of Administrative Development, Labour and Social Affairs;

And the adoption by the Council of Ministers of this draft decision at its 38th regular meeting of 2017 held on 22/11/2017,

Decides hereby the following:

Section (1)

In the application of the provisions of the present Decision, the competent department shall be the Department of Labour Relations at the Ministry of Administrative Development, Labour and Social Affairs.

Section (2)

A person who shall stand for election as a workers’ representative in the Joint Committee shall meet the following conditions:

1. Shall be a worker at the company by virtue of an employment contract with an employer or a third party, which is certified by the competent department.
2. Shall have completed at least one year in service.
3. Shall not hold a senior management position in the company.

4. Shall not have received a final sentence rendered against him/her for an offence prejudicial to honor or integrity, unless he/ she was rehabilitated
5. Shall not have been subject to any of the disciplinary sanctions specified in Section 59 of the aforementioned Labour Law.

Section (3)

To establish a Joint Committee in a company, an employer shall notify the competent department by using Form No. 1 hereto attached and shall attach to the request the notification issued to establish an electoral supervisory committee, in accordance with Form No. 2 which is hereto attached.

An employer may initiate the procedures to establish a Joint Committee only after he/she has been notified thereof by the competent department, within one month as of the date of the request. If such a period has elapsed without receiving a response from the competent department, the employer may initiate the necessary procedures to establish a joint committee.

Section (4)

Individuals who meet the conditions specified in section 2 of this Decision may stand as candidate for the Joint Committee elections. Workers' representatives shall be elected to the Joint Committee in accordance with the following procedures:

1. The competent administrative authority shall determine a day on which elections of workers' representatives to the Joint Committee is held. The notification which is sent to the company shall specify the dates and times for opening and closing the period for the submission of nominations.
2. An employer shall announce the beginning of the period for submitting a nomination to be a member in the Joint Committee in accordance with Form No. 3 hereto attached.
3. An employer shall place a visible advertisement in more than one place in the company. The advertisement shall be in Arabic and in a language understood by workers. A signed copy thereof shall be sent to the competent department.
4. The candidate nomination application shall be submitted in writing to the electoral supervisory committee at least fifteen days before the date of the election.
The nomination application shall be registered in a special register on the basis of the date on which they were received, and a list of the names of candidates shall be released and displayed in a visible manner in more than one place in the company at least seven days before the date of the election.

5. The electoral supervisory committee shall sign the minutes which specify the closing deadline for an application submission on the deadline in accordance with Form No. 4 hereto attached. A copy thereof shall be sent to the competent department.
6. Ballot cards indicating the names of the candidates shall be prepared and deposited with the electoral supervisory committee. The Chairman of the Committee shall hand a ballot card to each worker to be deposited in a sealed ballot box. Workers who cannot read and write may vote orally before the Chairman of the Committee, who will mark their choice on the ballot card.
The candidate who obtains the highest number of votes shall be deemed the winner of the elections, regardless of the number of voters, taking into account the required number of candidates to be elected. Where there is a tie between two or more candidates receiving the same number of votes, the electoral supervisory committee will decide on the result by draw.
7. A representative on behalf of the competent department shall attend Election Day as an observer of the electoral process and shall be handed a copy of the election results document prepared by the supervisory committee.

The competent department shall not adopt the elections results if there are irregularities in the electoral process.

Section (5)

An employer or his designated representative shall notify the competent department of the decision to establish a Joint Committee following the appointment of the employer's representatives to this committee.

An employer may change his representative at any time, provided the competent department is notified of the name of the person who is to replace the person whose representation was rejected.

Section (6)

Membership in the Committee shall be for a term of two calendar years, starting on the day following the approval of the competent department to establish the Committee.

An employer shall take the necessary procedures to establish a new committee at least two months before the expiry of the term of office of the Joint Committee.

Section (7)

The Committee shall meet once a month at the company's headquarters, as well as when the need arises at the request of the Chairman or the majority of its members. The Committee shall hold its meetings during regular working hours, and its meetings shall be valid only in the presence of a majority of its members, including the Chairman or his deputy. The Committee shall issue its decisions and recommendations by majority vote of the members present, and in the case of a draw, the Chairman's side shall prevail.

The Committee shall set up a system for its operation, which shall include the dates of its meetings. At its first meeting, attended by all its members, the Committee shall select its Chairman from among the employers' representatives, and its Deputy Chairman from among the workers' representatives.

The Secretary of the Committee shall be one of its members, chosen by the Chairman. The Secretary shall be responsible for preparing the agendas of its meetings, recording its minutes and noting down the recommendations resulting therefrom.

The company shall assist workers' representatives so as to fulfill their duties in line with this decision without taking any measures which obstruct this action.

Section (8)

The minutes of the Committee's meetings shall be signed by the Chairman and the Secretary of the Committee, and its decisions as well as its recommendations shall be published through appropriate means and in a language understood by the company's workers.

Section 9

All competent bodies, each within its jurisdiction, shall implement this decision, which shall come into effect on the day following the date of its publication in the Official Gazette.

Mr Yousuf Ben Mohamed Al Othman Fakhroo
Minister of Administrative Development, Labour and Social Affairs

Issued on: 16 / 08 / 1440 H

Corresponding to: 21 / 04 / 2019

Form No. 1
Notification to establish a Joint Committee

Mr. / Director of the Department of Labour Relations,
Ministry of Administrative Development, Labour and Social Affairs,

The company, consisting of (---) workers, hereby informs you that it was decided to establish a Joint Committee in accordance with the provisions of the Labour Law promulgated by Law No. 14 of 2004 and its implementing decisions.

The company's information is as follows:

Name of the company:

Registration number of the company in the Commercial Register:

Validity date of registration:

Municipality license number:

Validity:

Current activity:

Name of responsible manager: Date of birth:

Passport number: Personal identification number:

Address: Area:

Street: Building number: P.O. Box:

Phone: Email:

Office name:

With all due respect,

Name:

Signature:

Attachments:

- Copy of passport or ID card of responsible manager
- In the case of a legal person, a copy of the company's contract or of its bylaws and a copy of its commercial registration should be attached.

Form No. 2

Decision to establish an electoral supervisory committee

Based on our will to establish a Joint Committee within the company,
It was decided to establish an electoral supervisory committee to elect workers' representatives,
who shall include the following:

1., Chairman.
2.
3.

Employer or designated representative/.....

Following the entry into force of this decision, the competent administrative department shall publish additional detailed guidelines on its website containing suggestions on the manner of selecting the members of the supervisory committee.

Form No. 3

Declaration: Opening the times for candidate nominations to a Joint Committee

After perusal of the Labour Law promulgated by Law No. 14 of 2004 and its implementing decisions,

The following was decided:

I. To open the times for candidate nominations to the Joint Committee through the election of workers' representatives at an enterprise/ company, to fill (--) workers' seats in the committee.

II. Elections to select the workers' representatives on the Committee shall be held on corresponding to .../.../..., and the voting process shall begin at exactly (hour) and shall end at exactly (hour)

III. Candidate nomination applications shall be submitted to the electoral supervisory committee on the floor at the enterprise/ company site.

IV. The deadline for the receipt of candidate nomination applications to the Committee shall be on which corresponds to .../.../..., at exactly (hour)

Employer or designated representative

Form No. 4

Minutes: The closing times for candidate nominations to the Joint Committee

On which corresponds to .../.../..., at exactly : The electoral supervisory committee at an enterprise/ company, was composed of the following names:

1., Chairman of the Committee.
2.
3.

The Committee had reviewed at the above date the decision of its establishment and the declaration of the responsible manager who announced the opening time for the submission of candidate nominations to the Joint Committee.

At the specified time of closing, the Committee had taken note that (...) workers had competed to fill ...(number) Committee seats. Their names are listed below:

1.
2.
3.

The minutes were finalized at on .../.../..., after the Committee had ascertained that each candidate had met the prescribed conditions.

Chairman of the Electoral Committee

Following the entry into force of this decision, the relevant administrative department will publish additional guidance on its website containing suggestions on the manner of distributing workers' representatives seats for example based on geographical distribution of company branches, gender balance, work shift distribution, and language.