



REGULATORY FRAMEWORK GOVERNING MIGRANT WORKERS ¹

Updated December 2023



International
Labour
Organization

PRIVATE SECTOR WORKERS

(other than domestic workers)

DOMESTIC WORKERS

KEY LEGISLATION	Labour Law, Royal Decree No. 53/2023.	Ministerial Regulation No. 189 of 2004 on Labour Rules and Conditions for Domestic Employees; ² Standard employment contract (2011).
RECRUITMENT		
RECRUITMENT FEES	Recruitment agencies are prohibited from charging fees to workers. ³	
PASSPORT CONFISCATION	Employers are prohibited from keeping the worker's passport or identity documents, except with the written permission of the worker. ⁴	
WORKING CONDITIONS		
CONTRACT	The contract must be drafted in Arabic in two original copies, one for each party. ⁵ A contract may be concluded for a specific period (up to 5 years) or be of indefinite duration. ⁶	The employment contract must be written in Arabic, signed by both parties. ⁷
MINIMUM WAGE	Not applicable to migrant workers. ⁸ However, the Labour Law states that a decision shall be issued to determine the minimum wage by the Minister after consultation with the Joint Dialogue Committee and approval by the Council of Ministers.	
WORKING HOURS	<p>The Rule</p> <p>Eight hours a day, up to a maximum of 40 hours per week (not including one hour rest per day). Period of continuous work shall not exceed six hours.⁹</p> <p>Exceptions</p> <p>During the month of Ramadan for Muslim employees, the maximum working hours shall be six hours a day or 30 hours a week.¹⁰</p>	Not specified by law.

1 The information in this factsheet is made available for general information purposes only. The information included does not, and is not intended to, constitute legal advice. No obligations or rights can be derived from the information provided. This factsheet was prepared by the ILO FAIRWAY Project, supported by the Swiss Agency for Development and Cooperation, and is based on publicly available information.

2 However, the 2004 Regulation provides for no penalties; therefore, it effectively serves as guidance rather than offering enforceable labour protections under the law.

3 Ministerial Decision No. 1 of 2011 on Issuing the Regulations for Recruiting Non-Omani Workforce. According to the Labour Law, it is "prohibited to advertise and promote labor and classify it on the basis of creed, color or cost, and advertise it in a way that demeans human dignity" (article 32).

4 Labour Law, article 6.

5 Labour Law, article 33. If the contract is in a language other than Arabic, a copy written in Arabic must be attached and approved by both parties.

If there is no written contract, the worker may prove its existence through all methods of proof (not specified). Separately, the Labour Law contains detailed provisions about employment of migrant workers, including that the Minister will only grant a license to recruit non-Omanis if (among other requirements) if no Omani who has the necessary academic qualifications, experience or technical skills can be found.

6 Labour Law, article 34.

7 If the contract is in a language other than Arabic, a copy must be appended in Arabic.

8 The minimum wage for nationals in the private sector is currently 325 Omani rials (US\$845), comprising 225 rials (US\$585) as the minimum basic salary and 100 rials (US\$260) as a minimum allowance.

9 Labour Law, article 70.

10 Labour Law, article 70.

REST PERIODS	<p>Two consecutive days per week.¹¹</p> <p>A nursing mother is permitted to take a paid nursing break of one hour per day to care for her child on completion of the maternity leave period for a period of one year.¹²</p>	<p>One day per week or compensation in lieu.</p>
OVERTIME	<p>Overtime compensation depends on when overtime work is undertaken:</p> <ul style="list-style-type: none"> • During weekly working days, employees may receive additional time off in lieu of the additional hours worked or receive the following pay: <ul style="list-style-type: none"> - Normal pay plus 25 per cent uplift based on basic salary for daytime work; - Normal pay plus 50 per cent uplift based on basic salary for nighttime work. • During weekly rest days or public holidays, employees may receive a day off in lieu or 100 per cent uplift based on their basic salary. <p>Overall, employees may not work more than 12 hours per day (normal work plus overtime).¹³</p>	<p>Not specified by law.</p>
PAYMENT OF WAGES	<p>Employers have to pay workers at least on a monthly basis through the Wage Protection System to an accredited bank, within seven days from the end of the period when wages become due.</p> <p>Deductions from wages are only permitted in the following instances:</p> <ul style="list-style-type: none"> • penalty following disciplinary procedure subject to a maximum of five days' wages in a month.¹⁴ • in instances where the worker causes loss, damage or destruction of employer tools, machinery or products, subject to a cap of 25 per cent of the monthly wage.¹⁵ • where the employer has loaned money or advanced the employee wages, subject to agreed terms.¹⁶ • payment towards alimony or government debt.¹⁷ <p>If the contract is terminated by the employer, they must pay owed wages immediately. If terminated by the worker, owed wages must be paid within seven days of leaving work.¹⁸</p> <p>The worker is not obliged to buy food or commodities from specific stores or employer products.¹⁹ Workers have priority over any debts owed by the employer except "legally adjudicated alimony".²⁰</p>	<p>Employers are required to pay domestic workers on a monthly basis in Omani rials, within seven days of the end of each month. The domestic worker must be provided a signed receipt when payment is made.</p>

11 Labour Law, article 77.

12 Labour Law, article 76.

13 Labour Law, article 71.

14 Labour Law, article 65.

15 Labour Law, article 68.

16 Labour Law, article 95.

17 Labour Law, article 96.

18 Labour Law, article 91.

19 Labour Law, article 93.

20 Labour Law, article 92.

<p>ANNUAL LEAVE AND SPECIAL LEAVE</p>	<p>Annual leave – 30 days of paid leave upon completion of six months of service.²¹</p> <p>Employer must pay for return air ticket for the worker to spend their leave in their home country.²² Leave can be accumulated, but the worker must take leave at least once every two years for no less than 30 days.²³</p> <p>Subject to mutual agreement, payment in lieu of leave is permitted. Such payments in lieu made during the period of employment are to be paid based on the basic wage. Accumulated unused annual leave upon termination is paid based on the gross wage.²⁴</p> <p>Special leave – Varying number of days are permitted as special (paid) leave for marriage, bereavement, Hajj and study.</p>	<p>Annual leave – 30 days of paid leave every two years, including a round-trip travel ticket to the worker’s country of origin.</p> <p>Emergency leave – Not specified by law.</p>
<p>OSH AND LABOUR ACCOMMODATION</p>	<p>Work under direct sunlight/outdoors is prohibited between 12.30 p.m. and 3.30 p.m. during summer (1 June – 31 August).²⁵</p> <p>An employer who carries on work in certain areas specified by the Minister shall provide the workers with appropriate means of transportation, and shall provide them with adequate housing, meals and drinking water in places they prepare for this purpose.²⁶</p> <p>The employer must provide first aid. If the number of workers in one workplace exceeds 200 workers, the employer must appoint a qualified nurse to provide medical aid, or contract with a specialized institution to provide these services.</p> <p>If the establishment has more than 25 women, the employer must provide a place for women to rest within the premises of the establishment.²⁷</p>	<p>Employers have to provide domestic workers with appropriate room and board, as well as local medical care.</p>
<p>LEGAL ACCESS TO SOCIAL PROTECTION²⁸</p>		
<p>MEDICAL INSURANCE COVERAGE</p>	<p>A Unified Health Insurance Policy in Oman was introduced in Oman in 2019 requiring private medical insurance to be provided to employees.²⁹</p>	<p>A Unified Health Insurance Policy in Oman was introduced in Oman in 2019 requiring private medical insurance to be provided by the employer.³⁰</p>

21 Labour Law, article 78.

22 Labour Law, article 78.

23 Labour Law, article 81.

24 Labour Law, article 81.

25 Ministerial Resolution No. 286/2008, as amended by Ministerial Resolution No. 322/2011, article 16/3-3.

26 Labour Law, article 58.

27 Labour Law, article 60.

28 For further information on migrant workers access to social protection in the Gulf Council Cooperation Countries, please see: ILO (2023). [Review of National Social Protection Legislation and Legal Frameworks for Migrant Workers in the Gulf Countries](#).

29 Resolution No 34 of 2019 on the Issue of Unified Healthcare Insurance Policy. The law is in force, but in practice the system is not mandated. There are plans to implement it in stages starting in 2023.

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	<p>The employer must provide first aid. If the number of workers in one workplace exceeds 200 workers, the employer must appoint a qualified nurse to provide medical aid, or contract with a specialized institution to provide these services.</p> <p>While the Labour Law does not oblige an employer to provide medical insurance to its employees, this is common practice given that the Labour Law states that where an employee is treated in a government or private hospital, the employer shall incur the cost of treatment, medicine and in-patient care at the hospital in accordance with the regulations and financial rules applicable in such hospitals, without prejudice to the provisions of the Social Protection Law.</p>	
<p>SICKNESS LEAVE AND PAY</p>	<p>Sick leave – Workers are entitled to 182 days of sick leave per year (if illness is proven), with payment divided as follows:³¹</p> <ul style="list-style-type: none"> • Day 1–21: 100 per cent of wage; • Day 22–35: 75 per cent of wage; • Day 26–70: 50 per cent of wage; • Day 71–182: 35 per cent of wage. 	<p>Not specified by law.</p>
<p>UNEMPLOYMENT BENEFIT</p>	<p>Not specified by law.</p>	
<p>EMPLOYMENT INJURY BENEFITS</p>	<p>No explicit mention in law of the employer being liable to cover expenses related to a worker suffering a work injury. However, regulations do state that an employee who suffers from an occupational disease is not liable for any expenses in relation to examinations undertaken and will not be deprived of their salary for the dates during which the medical examination is undertaken.³²</p> <p>As per Sultani Decree No. 52/2023, employment injury benefits will be covered under the Social Protection Law within three years of taking effect. This will cover all employed workers in Oman within three years. If the injury prevents the worker from performing their work, their salary will be suspended, and they will instead receive a daily allowance from the Social Protection Fund.</p>	<p>Not specified by law.</p>

³¹ Labour Law, article 82.

³² Ministerial Decision No. 286/2008, as amended, article 22.

<p>OLD-AGE, NATURAL DISABILITY, DEATH AND SURVIVORS' BENEFIT INSURANCE COVERAGE</p>	<p>No old-age, natural disability, death or survivors' benefits are provided for by law. However, there is a statutory benefit of an end-of-service gratuity that is determined as follows:</p> <p>Workers who do not benefit from the Social Protection Law and have not been enrolled into an employer workplace savings scheme that is equal to or exceeds the minimum statutory gratuity payable, may be eligible to receive a gratuity of one month's basic wages for each year of service. This will apply until the savings scheme stipulated under the Social Protection Law comes into force.³³</p>	<p>Not specified by law.</p>
<p>MATERNITY LEAVE AND PROTECTION</p>	<p>Maternity leave – Maternity leave is 98 days with a maximum prenatal period of 14 days and the remainder of the leave to be taken post-delivery. Seven days paternity leave may be taken prior to the baby reaching 98 days. Supporting evidence must be provided.³⁴</p>	<p>Not specified by law.</p>

FREEDOM OF ASSOCIATION

<p>RIGHT TO JOIN TRADE UNIONS</p>	<p>All migrant workers can join an existing trade union, but they cannot form their own trade unions or take up leadership functions in existing trade unions.³⁵</p>
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GRIEVANCES AND DISPUTE RESOLUTION

<p>LODGING COMPLAINTS/ RESOLVING DISPUTES</p>	<p>Conciliation</p> <p>Every employer who employs 50 workers or more shall establish a system for complaints and grievances in the establishment after its approval by the competent authority, provided that it includes the right of the worker to raise their complaint or grievance to the employer or their representative, and the employer must enable the worker to obtain an approved copy of this system.³⁶</p> <p>Workers who allege unfair dismissal have 30 days from the date of dismissal to apply to the Ministry of Labour.³⁷ Arbitrary dismissal includes dismissal after the worker submitted a complaint, made a communication, or filed a lawsuit against the employer, unless the complaint, communication or lawsuit is malicious.³⁸ Workers only have one year from the date of "entitlement" to claim any rights owed.³⁹</p> <p>The Ministry of Labour will attempt to reach an amicable settlement of the dispute. If a settlement is not reached within 30 days, or if one has been reached but one of the parties refuses to implement it, the matter shall be referred to the competent court.⁴⁰ In case of other types of disputes, the worker must first follow the grievance procedures set down by the employer (for example, see above for companies that employ more than 50 workers),⁴¹ but if this is unsuccessful or no procedure is in place, the worker may apply to the Ministry of Labour, which will attempt to reach an amicable settlement.</p> <p>The process to submit a complaint is outlined here: Ministry of Labour, Submission of Labor Complaints. The worker will need to have either their civil ID number, their passport number or their visa number. Both individual and group/collective complaints can be made through the e-service.</p>
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³³ Labour Law, articles 48 and 61.

³⁴ Labour Law, article 84.

³⁵ Labour Law, articles 108–111, and Ministerial Decision No. 500 of 2018 on the Regulation Governing the Formation, Registration and Functioning of Trade Unions and Federations and the General Federation of Oman Trade Unions.

³⁶ Labour Law, article 8.

³⁷ Labour Law, article 10.

³⁸ Labour Law, article 10(3).

³⁹ Labour Law, article 9; and Ministerial Regulation No. 189 of 2004 on Labour Rules and Conditions for Domestic Employees, article 9.

⁴⁰ Labour Law, article 9.

⁴¹ According to the Labour Law, every employer who employs 50 or more workers shall display in a conspicuous place the procedure for complaints and grievances to be approved by the competent directorate (article 54).

	<p>Judicial remedy</p> <p>Only in case of a failure to reach an amicable settlement, can unresolved disputes be brought before the Primary Court.⁴² The Court is required to issue judgement within 30 days of receiving the claim from the Ministry, but may extend the timeframe once by a further 30 days. Verdicts can be challenged at the Appellate Court (the Court of Appeal judgment is final and cannot be appealed).</p> <p>No fees are required to file a case, but fees may required for other court-related processes.</p> <p>A worker that has filed a lawsuit to claim their dues has the right to remain in Oman until their claim is decided, without the employer incurring any financial consequences for this stay.⁴³ In all other cases, the employer must arrange for the worker’s travel (to the country or origin or another country agreed to) within a maximum of 60 days.⁴⁴</p>
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SHELTERS AND PROTECTION SERVICES	There is a government-run women’s shelter for victims of trafficking in Muscat that can lodge up to 50 women and child victims. ⁴⁵
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SPONSORSHIP

SPONSORSHIP AND CHANGING EMPLOYERS	<p>During the probation period (maximum 3 months for workers paid monthly and 2 months otherwise), either party can terminate the employment contract “if it is proven inappropriate to continue working” after 7 days’ notice.⁴⁶</p> <p>A decision by the Minister (not yet announced) shall specify the controls for the transfer of non-Omani workers from one job to another.⁴⁷</p> <p>With permission of employer</p> <p>As a general rule for both Omani and non-Omani workers, the parties can terminate the contract at any time “based on a legitimate reason” (not defined) by written notice 30 days prior to termination for workers on a monthly wage, or 15 days for all other workers.⁴⁸</p> <p>Without permission of employer</p> <p>The worker may leave work without the need to give written notice if the employer:</p> <ul style="list-style-type: none"> • does not pay wages for more than two consecutive months or does not fulfil essential obligations of the work contract; • commits an act against public morals against the worker; • assaults the worker; or • there is a serious danger that threatens the safety or health of the worker, and the employer is aware of this danger but fails to implement prescribed measures.⁴⁹ 	<p>With permission of employer</p> <p>Anytime</p> <p>Without permission of employer</p> <p>According to the Ministerial Decision on domestic work, a worker can only terminate the contract at the end of the contract period (by giving notice one month prior to the contract completion date), or if it is proven that the worker was assaulted by the employer or a member of the employer’s family.⁵⁰</p>
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42 Labour Law, article 9.

43 Labour Law, article 14.

44 Labour Law, article 14.

45 In February 2020, the Government authorized all potential victims to self-report to a shelter and receive protective services. However, it still stipulated that long-term shelter stays must coincide with active trafficking investigations. United States, Department of State, [Trafficking in Persons Report: Oman](#), 2020.

46 Labour Law, article 37.

47 Until 2020, workers who had completed their contracts were not able to move to another employer without the permission of the first employer. This was amended in 2020, with the result that workers may transfer sponsorship without the permission of the first employer after completing a two-year contract. However, it is not clear whether this amendment applies to domestic workers (Decision No. 63/1996 issuing the Executive Regulations of the Law on the Residence of Foreigners, as amended, article 24.

48 Labour Law, article 38.

49 Labour Law, article 41.

50 Ministerial Regulation No. 189 of 2004 on Labour Rules and Conditions for Domestic Employees, article 8.

<p>UNEXPLAINED ABSENCE”/ ABSCONDING</p>	<p>A decision by the Minister will outline the procedures regarding “absconding” (that is, reporting a non-Omani worker for leaving their work without employer permission), and the obligations and penalties incurred by the worker and the employer as a result of violating the law.⁵¹</p>	
<p>TERMINATION</p>	<p>The employer may terminate a worker’s contract without notice and without having to pay end of service gratuity if the worker:</p> <ul style="list-style-type: none"> • commits a mistake resulting in significant loss; • does not observe written instructions on safety despite written notice (risk of serious damage to workplace or other workers); • is absent without acceptable reason for more than 7 consecutive days or 10 separate days in one year (provided that the employer gives written warning after 5 days); or • seriously breaches their obligation to perform work under the contract.⁵² <p>The employer may also terminate the contract if there is an Omani worker available for the job, or (with three months’ notice) in the event of the worker failing to reach the required level of competency after notifying the worker of what is required to reach this level and giving the worker an appropriate period of no less than six months to reach it.⁵³</p>	<p>The employer may terminate the employment contract provided they notify the worker one month prior to the date set for the termination of the contract, or pay the worker’s wages for the notification period.⁵⁴</p>
<p>LEAVING THE COUNTRY</p>	<p>There is no requirement for an exit permit to leave the country.⁵⁵</p>	

51 Labour Law, article 29.

52 Labour Law, article 41.

53 Labour Law, article 43.

54 Ministerial Regulation No. 189 of 2004 on Labour Rules and Conditions for Domestic Employees, article 8.

55 However, there are some indications that “Oman requires the sponsor to submit to the competent authority a sponsored exit request two weeks prior to the expiry of the residence permit, in case of its non-renewal or cancellation”, GLMM, “The Legal Framework of the Sponsorship Systems of the Gulf Cooperation Council Countries: A Comparative Examination”, GLMM Explanatory Note No. 4, 2019, 12.