

Oman Labour Law

Note: This document is downloaded from

<http://www.omanet.com/english/government/labour.asp?cat=gov>

Issued in accordance with the Sultan's Decree no.34/1973

Chapter One

Part I - Definitions

When applying the provisions of this Law, the following is meant by:

1. Government - The Government of the Sultanate of Oman
2. Ministry - The Ministry of Social Affairs & Labour
3. Minister - The Minister of Social Affairs & Labour
4. Directorate of Labour, Officials & Inspectors - the Director of Labour, Officials & Inspectors appointed as such by the Government of the Sultanate of Oman
5. Establishment - Any undertaking which is run by an ordinary person or body corporate, employing one or more workers in return for wages of any kind
6. Employer - Any ordinary person or body corporate employing one or more workers in return for wages of any kind
7. Worker - Any male or female working in return for wages of any kind for an employer under his management and supervision in either manual or non-manual work
8. Contract of Work - Any contract under which any person is employed either for a set period of time or to perform set work in return for monetary remuneration or its equivalent
9. Casual Work - Temporary work which by its nature does not come within the activity practised by the employer or which does not last longer than three months
10. Temporary Work - Work whose nature requires it to be carried out and finished within a set period
11. Overtime - Work completed in the hours over and above those decided by the law
12. Part-time Work - Any worker who does not keep the hours of work mentioned in **Article 69** of this law or does not have set hours of work
13. Trainee Worker - Any worker still in the preparatory and training stage
14. Outside Worker - Any worker who is given things or materials to clean, wash, alter, ornament, complete, repair or equip for sale in his house or in any other place not supervised by the employer who has given him such things and materials
15. Wages - Anything the worker receives in payment in return for his work, whether it is paid in cash or in kind, or whether it is the aggregate basic salary and all other forms of remuneration to which he is entitled to payment by his employer and includes cost of living allowance, overtime and productivity bonus etc., but does not include ex-gratia payments, travel allowance or any contribution from the employer to the worker's account in a monetary fund for the benefit of the worker or any sum to cover expenses imposed on the worker by the nature of his work

16. Simple Occupations - Any industry, profession or business in which its owner works alone and not under the direction of another employer and which does not entail the employment of more than five workers, with the exception of his family living with him
17. Domestic Servant - Persons employed inside or outside houses, such as a driver, nursemaid, cook, gardener, or watchman, who because of the nature of their work, have access to the private life of their employers
18. Probationary period - A period during which the suitability of the worker is being examined and which enables the employer to assess the worker either from the technical or moral point of view and which enables the worker to become acquainted with the conditions of his work
19. Continuous Service - Uninterrupted service with the same employer. Periods of absence imposed by law or by the employer have no effect with regard to continuous service
20. Year - 365 days from the date of signing a contract unless otherwise interrupted
21. Month - 30 days unless otherwise interpreted
22. Labour disputes - Any dispute between employers and workers, if it is connected with the employment of the workers, their terms of service or conditions of work
23. Appropriate Court - for the purposes of this law - The Arbitration Board in labour cases and the Sharia Court in cases of inheritance
24. Medical Practitioner - Any person qualified to practise medicine and authorised by the Government of the Sultanate of Oman to practise as a doctor in the Sultanate

Part II - General Provisions

Article 2

The provisions of this law do not apply to persons in the army, police, government & municipalities, not to persons in the employer's family living with and dependent upon him, nor to outside workers, workers in simple occupations, domestic servants and workers whose work does not fall within the scope of the work or business or their employers. The law will be applied to all or some of these categories gradually by a decision from His Majesty the Sultan, in accordance with what is suggested by the Minister and approved by the Cabinet.

Article 3

a) Any condition which infringes the provisions of this law is null and void, even if it previously used to apply, unless the condition is of greater benefit to the worker. Likewise, any settlement, release or renunciation of rights arising in accordance with this law become null and void, if the provisions of the law are infringed.

b) Work will adhere to any conditions which are preferable to those determined for any category of workers in accordance with the laws in force and decisions and decrees which were effective before the issue of this law.

Article 4

All employers and workers are subject to the provisions of this law except where specially excluded. Also subject to this law are all kinds of establishments, organisations and their subsidiaries, be they Omani or foreign, which practise their activities within the Sultanate, whether they are public or private, secular or religious, including private teaching institutions, be they Omani or foreign

Article 5

Commencing on the date that this law becomes effective, all employers must provide or at least maintain minimum standards under the conditions of employment laid down in this law. No worker may suffer any reduction in standards and conditions of service under which he was employed before the provisions of this law were applied, so long as the worker remained in the service of his employer after the date on which the provisions of this law became effective. The right of a worker to make any claims stipulated in this law is forfeited after two years have elapsed from the date on which he was entitled to claim in cases that had arisen before the issue of the law. The two year period is to be calculated from the date of publication.

Article 6

Bearing in mind the provisions of Article 5, there is nothing stated in this law to prevent an employer initiating schemes by which his workers may obtain more benefits than those stipulated, or from providing them with other advantages, or entering into a contract with them, the terms of which are more generous than those stipulated by this law. Should a provision of this law conflict with one of the conditions in such schemes or agreement, the conditions giving greater benefit to the worker will apply.

Article 7

The Ministry will create labour offices under its control in suitable locations. The offices will offer their services without recompense to employers and workers to implement this law. A ministerial decision will be issued delineating their sphere of authority.

Article 8

The Minister may appoint directors of labour, inspectors and other officials, whenever necessary for the purpose of implementing this law. Anyone working in the Ministry can be authorised to assume any powers or to carry out the duties related to any subject or matter conceded by this law. Such authorisation will be given by ministerial decree.

Article 9

The director of labour, inspector or any labour official may at all reasonable times on the instructions of their superiors:

1. Have the right of entry to places of work to carry out any inspection and examination of ledgers and papers related to the work and to exact the requisite statements from employers or those acting for them.
2. Request that all buildings and establishments in which workers live or work are to be kept clean and healthy
3. Request an employer to facilitate the attendance of any worker in his employment and to produce any documents or records relating to the worker
4. Gather information from the employer or whoever is acting for him on any matters appertaining to the implementation of any provision of this law
5. When a visit or inspection is called for, the director or inspector of labour, or labour official must inform the employer of his representative, unless he has reasonable grounds in that such notification might affect the performance of his duties

Any one entering or inspecting any private residence must be careful to first obtain permission from the person living there. They must:

1. not have any direct or indirect interest in any assignment under their supervision
2. not divulge any professional secrets or industrial innovation which have been revealed in the execution of their duties

3. preserve absolute secrecy of the source of any complaint, which they receive concerning a breach or infringement of this law and must not give the employer or whoever is acting for him any information about contact made with one of his workers, from whom such a complaint is received.

Article 10

Employers and their agents or whoever represents them must offer the director of labour or any labour official the necessary assistance to carry out their duties and to provide any statements or information required of them which must be complete and correct.

It is forbidden for any person to deliberately impede or obstruct these officials in the pursuit of their authority or execution of a duty authorised or imposed upon them.

Those normally in a position of authority should give effective support to those officials in the discharge of their duties.

Chapter Two

Part I

Control of the Employment of Workers

Article 11

Any Omani who is fit and wants to work must ask for his name to be recorded at the labour office, located near his place of residence, giving his age, qualifications, previous work and preferences. These offices must record the applications consecutively immediately they are submitted. The applicant must be given a certificate of registration free of charge. A decision will be issued by the minister on the information which the certificate should include.

Article 12

The function of the labour offices with regard to employment is as follows:

1. to obtain notice of vacancies from employers
2. to refer applications for work to suitable vacancies
3. to give advice and assistance on the vocational training available to applicants so that it is easier for them to be employed in vacancies and work open to them
4. other matters which come within their sphere of competence as decided by the minister

Article 13

In principle the recommendations of the labour offices regarding employment are not binding, except that the minister may impose upon employers in some professions or industries or in certain areas an embargo on the employment of workers, except through a labour office, according to the conditions and circumstances to be determined by a ministerial decision.

Article 14

Any employer employing more than five workers must notify the labour office in the area of his work about them within one month of the publication of this law in the Official Gazette. Establishments and organisations coming into being after this law is in force must notify the labour office within one month of their foundation.

Notification must include the name and address of the employer, type of work, activities pursued, number of workers, both Omani and foreign, their professions and basic salaries.

Every three months, the employer must also notify the appropriate labour office of any change in the number of workers and their salaries, as outlined in the previous paragraph.

Article 15

Every employer must notify the labour office situated in the area of his work of the positions and tasks which have been left open or created by him, whatever they may be, giving the appropriate salaries and the effective date of occupancy within seven days of their becoming vacant or being created. He must, within seven days of employing an unemployed person in a position or for a task, send to the labour office a statement giving the date the job was taken, the wage offered and the type of position or task accompanied by a certificate of registration for the worker.

Article 16

Every employer employing five or more workers must send to the labour office located in the area of his work in January every year the following returns:

1. number of those working for him according to category, position, tasks and professions giving their ages, sex and nationality
2. number of positions and jobs vacated or created during the previous year including those filled and those still vacant and the reasons for their not being filled with the description and the wages of each of them
3. the state of work in the establishment from the point of view of job opportunities with expected increases and decreases in the number of positions and tasks in the coming year.

Article 17

The employer must record in a special register the name, address, age sex and nationality of the worker and the type of work assigned to him, his marital status, his salaries and other monetary remuneration or assistance received. This register must be kept at the place of work for the perusal of the labour inspector who has the right at any time of examining it to ensure that all or any one of the conditions listed and all or any one of the wages are recorded correctly and properly.

Article 18

Any person who supplies an employer with a group of workers without supervising their work or the workers himself is not allowed to practise this work until after he has obtained permission from the department of labour to do so.

The contract between the employer and the contractor supplying the labour must be confirmed in writing. The type of work must be stated, the workers' wage rates, the obligations of the employer towards them, approximate duration of the work and the areas from which the workers will come. Neither the employer, his representative nor the contractor are permitted to supply workers by taking money from the worker in exchange for his being employed or kept in employment.

Part II - Control of Foreigners' Work

Article 19

It is not permitted for non-Omanis to perform work in the Sultanate of Oman until after clearance has been obtained from the ministry in accordance with the procedure and measures decided by the ministry. Clearance will not be given, unless the following conditions have been fulfilled:

1. the non-Omani worker must first have obtained the approval of the ministry before entering the Sultanate

2. the non-Omani must have entered the country in a legal manner and complied with the residence regulations
3. he must possess technical qualifications or abilities which the country needs and which are not available among citizens of the Sultanate or where the number of Omanis is insufficient to meet the demand
4. he must have a contract with an Omani employer or with a non-Omani employer who has obtained clearance as stipulated by regulations no.5 of 1972 governing the Investment of Foreign Capital
5. without prejudice to paragraphs a) b) c) and d) the minister will decide when permission may be given to employ foreign unskilled labour
6. it is not permitted to an employer to employ a non-Omani worker prior to obtaining a permission that such worker may work with such an employer

Article 20

Unless it is clearly written in the contract of work otherwise, the employer must at his own expense, give a non-Omani worker whom he has brought to Oman, a travel ticket to the country from where he came, unless the worker has his work discontinued before the expiry of the contract period for other than a legal reason.

Article 21

1. Employers must employ Omanis on as wide a scale as possible. The Minister may define by decree the proportion of Omani workers to non-Omani workers employed by any one employer
2. Employers must put Omani and non-Omani workers on the same footing, when the circumstances and conditions of work are on the same level

Chapter Three

Vocational Training

Article 22

1. Each employer shall pay financial contributions to the vocational training projects managed by the concerned authority. Such contribution shall be calculated on the basis of the basic salary of the non-Omani worker working with the employer, provided that the contribution shall not exceed 7% per annum of the annual basalary of each non-Omani worker and shall be determined by a decision to be issued by the Minister of Social Affairs and Labour
2. In case that an employer has established a vocational training centre at the work place and set a training and test programme, supervised by the concerned authority, such an employer shall be compensated for the training costs according to the rules stated in the Vocational and On-Job Training Regulations issued by the High Committee for Vocational Training and Labour no.2/92
3. In case that an employer has contributed with other employers conducting the same business of his to establish a vocational training centre and to set a training and test programme supervised by the concerned authority, such an employer shall be compensated for the training cost in accordance with the rules stated in the Development and On-Job Training Regulations as referred to above.

The Ministry of Social Affairs and Labour shall carry out the calculation and settlement of the financial contributions referred to in para (a) hereof

Article 23

Abrogated by Sultani Decree No 99/94 issued on 2/10/94

Article 24

Abrogated by Sultani Decree No 99/94 issued on 2/10/94

Article 25

Employers with fifty or more workers must employ physically disabled persons who are professionally qualified and are sent to them by the labour offices when they are capable of returning to their original job or performing work suitable to their condition. They will not constitute more than 2% of the work force.

Priority in nomination and employment will be given to men of the armed forces who have proved themselves in military operations or to those who have been injured during the performance of their duties.

The physically disabled who are employed in accordance with the provisions of this article shall enjoy all the rights given to other workers by this law.

Chapter Four

Contract of Work

Article 26

A contract must be properly written and two copies must be made, one for each party. If there is no written contract, a worker can by himself establish his rights by any means of proof. The worker shall be given a receipt for any documents or testimonials deposited with the employer.

Article 27

If one party to the contract is unable to read or write or does not know the language in which it is written, he may take the contract to be verified by the signature of a person considered responsible by the director of labour for the purpose of verifying contracts. Verification shall include a statement that the import of the contract has been read and explained to the party concerned in the presence of the responsible person.

Article 28

The contract of work must include the following information:

1. name of the employer, name of his establishment, address of place of work
2. name of the worker, his qualifications, occupation, place of residence and proof of identity
3. the nature and type of work, place of agreement and duration of contract
4. basic salary, any allowances or remuneration to which the worker is entitled under the conditions of service currently effective
5. suitable notice period to be given by a party wishing to break the contract. The period of notice which an employer gives to a worker may not be less than the period determined by this law
6. any special conditions

Article 29

Every contract to which a worker who is a subject of the Sultanate of Oman is party shall be written in Arabic

Article 30

The probationary period shall be defined in the contract of work. A worker may not be placed on probation for a period of more than three months in the case of those who

receive their wages monthly and not more than one month for those who receive their wages on any other basis.

A worker may not be placed on probation more than once with the same employer. The probationary period will count as part of the period of normal employment if it is successfully completed.

Article 31

The employer is not allowed to deviate from the conditions laid down in the agreement nor may he give the worker any work that has not been agreed to, unless it is of an essential nature provided that it is a temporary arrangement.

He may give the worker work that has not been agreed to if it is not substantially different from his original work.

Article 32

The employer must open a personal file for each worker which should contain the following information:

1. Name of the worker, his age, marital status, place of residence and nationality
2. His occupation, experience and qualifications
3. Date of starting work, his salary and any advancement
4. Annual, sick and special leave awarded and any disciplinary action he may have incurred.
5. Date and reasons for termination of service

The employer must keep the above-mentioned file for at least one year after termination of service.

Article 33

Any employer with ten or more workers must place in a conspicuous position in his establishment, a notice board displaying standing instructions for work and another for disciplinary measures and the circumstances in which such measures are taken. For standing instructions to become effective, they must be lodged with the Department of Labour. Moreover, they must be approved by the director of labour within one month of being submitted. Should this time elapse without either his approval or objection, the regulations become effective.

The minister may by a decision give examples of disciplinary measures according to the nature of the work for the guidance of employers in preparing their own standing instructions.

Article 34

A worker cannot be accused of an offence more than fifteen days after it has been discovered or awarded punishment more than thirty days after the offence has been proved in the case of those workers who receive their wages on a monthly basis and not more than fifteen days for other workers.

Article 35

The employer is not permitted to award a fine of more than five days' salary for a single offence nor to suspend the offender from work for a single offence for a period of more than five days.

Under no circumstances may a worker be awarded more than one punishment for a single offence nor may more than five days' salary in one month be deducted in payment

of fines awarded to him nor may he be suspended from work for more than five days in one month.

Article 36

If a worker is accused of committing a crime within his place of work the employer is allowed to suspend him for a period not exceeding two months from the date on which the appropriate authorities were notified of the incident. Should the authorities be of the opinion that the worker should not be brought to court or is found innocent, he must be returned to his work. Should the employer refuse to reinstate him his failure to do so will be considered an arbitrary dismissal.

Article 37

An employer must provide first aid facilities for the workers in his establishment. He must, if the number of his workers in one place or town exceeds one hundred, employ a qualified nurse who is a specialist in first aid. He must refer them to a doctor for out-patient treatment and treat them in a place which is equipped for the purpose. He must give them the proper medicines for their treatment, all of which should be free.

If the number of workers is more than 500, rather than the above, the employer should supply them with all other kinds of treatment in cases which call for the assistance of doctors, specialists, or for surgical operations etc., as well as the proper medicines, all of which will be free.

If a worker is treated either in a government or welfare hospital, as mentioned above, the employer must pay the administration of the hospital for the expenses incurred for the treatment, medicines and residence, in accordance with the fees and regulations effective in such hospitals.

Article 38

Any employer performing work in areas to be determined by a ministerial decision is obliged to provide his workers with a suitable means of transport and appropriate accommodation and proper meals in places equipped for the purpose and drinking water in places within easy reach of workers.

The conditions and specifications for accommodation referred to above, the quantities and types of food for each meal and what the worker must tolerate in return for the advantage of accommodation will be determined by a ministerial decision with the agreement of the minister concerned.

Article 39

If one employer agrees with another employer to carry out some work, which falls within the sphere of his activities, the latter must give the same rights to his workers as the first employer gives to his, if the conditions and circumstances of the work are the same. Both employers share this responsibility.

Article 40

A worker is forbidden to take a temporary contract for a period exceeding two years. If he continues with the contract after it has expired, the contract is considered to have been renewed for an indefinite period.

After the contract has expired, a worker is not allowed to refuse to carry on with the occupation he was practising under the terms of the work contract referred to in this paragraph.

Article 41

1. Any contract which is neither of fixed duration nor to carry out some specific work without reference to time and which does not include any agreement on a notice

period longer than the periods stipulated in this article, can be terminated by either party, giving the other party one month's notice before expiry of the contract in the case of workers on a monthly rate and one week before in the case of workers on any other rate.

2. Notwithstanding the provisions of the former paragraph, any contract which is not a contract to perform specific work without reference to time, may be broken at any time by either party paying a sum which is equivalent to the sum of the basic pay with cost of living allowance, if any, either by the employer to the worker or by the worker to the employer, as the case may be, provided that the amount corresponds to the period of notice which is required to be given in accordance with the first paragraph of this article or is in keeping with such longer periods of notice which are required to be given in the contract of work.

Article 42

Nothing in this law shall be construed in such a way as to deprive an employer of the right to dismiss a worker without notice and without recompense for the following reasons:

1. If a worker assumes a false nationality or resorts to forgery to obtain work.
2. If a worker is absent for more than ten days without lawful excuse in any one year or more than seven consecutive days, provided that the employer has given the worker written warning prior to his dismissal, when he has been absent five days in the first case.
3. If a worker is sent to prison for one year or more for committing a crime or if he has committed a misdemeanour at his place of work, or while carrying out work and final judgement is made against him.
4. If the worker commits an offence from which the employer suffers heavy losses on condition that the employer informs the ministry of the incident within three days of it being substantiated.
5. If a worker strikes or abuses his employer or superior at his place of work or if he strikes his colleagues at his place of work.
6. If the worker divulges secrets belonging to the place in which he works.
7. If the worker does not abide by the instructions which must be followed for the safety of workers and the work site, in spite of being given a written warning, on condition that such instructions are in writing and conspicuously displayed.

Article 43

The worker who has been dismissed from work may apply to the concerned authority to repeal such dismissal. Such application shall be submitted to the concerned authority within which jurisdiction the work place existing, within a period not exceeding a period of one week from the date of him being notified with the dismissal. The concerned authority shall take the necessary measures to settle the matter amicably. If the dispute is not concluded, the concerned authority shall transfer the application within a period not exceeding two weeks from the date of its submission to the Authority for Settlement of Commercial Disputes together with a memorandum summarizing the dispute and the parties' submissions.

The Secretariat of the Authority shall, within three days from the date of transfer of the Application to the Authority, fix a date for hearing within a time period not exceeding two weeks from the date of transfer. The Secretariat shall summon the worker, the employer and the concerned authority with such hearing date and enclose a copy of the said authority's memorandum with such summon.

The Authority shall make a decision on the application for stoppage of enforcement of dismissal, if any, within a period not exceeding two weeks from the date of the first session of hearing. In which case the judgement of the Authority shall be final. If the Authority decides to stop the enforcement of the dismissal, the employer shall be bound to reinstate the worker or to pay him an amount which is equal to his wage until the adjudication upon the dispute. The Authority shall adjudicate in the dispute within a period not exceeding one month from the date of the stoppage of the enforcement of the dismissal.

If it is evident to the Authority that the dismissal of the worker or the termination of his services was arbitrary or contravening the Labour Law, the Authority may decide to either reinstate the worker or to oblige the employer to pay fair compensation in addition to:

1. the end of service benefit to which the worker is lawfully entitled and all other benefits prescribed by the law or constrained in the employment contract, whichever is greater.
2. The basic salary together with the other allowances, if any, for the notice period prescribed for by the Law or the employment contract, whichever is greater.

The amounts which are received by the worker due to enforcement of the judgement deciding the stoppage of enforcement of dismissal shall be deducted from the compensation amount awarded in favour of the worker or from any other amounts due to him.

Article 44

A worker may break his contract of work without notice and in accordance with this law or the contract under the terms of which he was employed, whichever is the greater, in the following circumstances and retain all his right:

1. If any assault is made on the worker by his employer or his representatives.
2. If the employer does not carry out his obligations to the worker in accordance with the provisions of this Law.
3. If there is a severe hazard which endangers the safety of the worker or his health, provided that the employer has been made aware of such a hazard and has neither eliminated it or taken all reasonable measures possible to ensure the safety of the worker.
4. If it is proved that the employer or his representative has practised a deception on the worker as far as the conditions of work are concerned at the time that the agreement was signed.

Article 45

The effective date of giving notice of termination of a contract of work by an employer to a worker during the period he is absent, either on annual leave or on other paid holidays, shall be from the day following the end of that period of leave or holiday.

Article 46

On transfer of the ownership of a business the contract of work must remain in existence unless either the employer or the worker wishes to terminate it. If either of them expresses a desire to terminate it, the worker is entitled to his end of service benefit calculated in accordance with the provisions of Article 49 of this law. The new employer is jointly responsible with the former owner for all the rights of the worker related to his employment up to the date the ownership was transferred, unless the deed of transfer states otherwise. The new employer is solely accountable for all the rights related to his employment commencing from the date of the transfer of ownership to him.

Article 47

Bearing in mind anything that is stipulated clearly in the contract of work, a contract can be terminated on the death of the employer or on the dissolution or liquidation of the establishment. In these circumstances, the worker shall have priority over all other debts in receiving from the legal repror representatives of the employer, outstanding wages due to him, as well as all benefits and other rights that his is due in accordance with the law or with his contract of work, whichever is the greater, including payment of a sum equivalent to his basic salary and cost of living allowance, if any, for the period of notice stated in the law or in his contract of work, whichever is longer. Also, the expenses of returning him to the place of work from where he came.

Article 48

Apart from a professional reason, a contract of work expires on the death of the worker or when he is incapable of carrying out his work or when a severe illness compels him to leave his work for a consecutive or interrupted period of not less than ten weeks in any one year.

The employer cannot terminate the contract until the worker reaches the minimum age of sixty.

Proof of disability or illness, also proof of age, when there is no birth certificate in, will come from a doctor's certificate. The employer may take the worker to another doctor and if there is a discrepancy in the two certificates, both parties can ask the appropriate labour office to bring the case before a medical committee formed by the Ministry of Health for the purpose of implementing the provision of this law. The decisions of this committee are final.

Article 49

If either the employer or the worker terminates the contract of work, or if the contract or if the contract expires due to the conclusion of any period of time or specified work or for one of the reasons stated in Article 48, the employer must remunerate the worker for his period of service, calculated on the strength of his basic salary, at a rate of fifteen days for each year of the first three years' continuous service, and according to the basic salary at the rate of thirty days a year for the years following the first three. The final basic salary will be taken as the basis of payment for end of service benefits with the proviso that:

1. The worker shall not be entitled to any benefit if he has served less than one year with an employer.
2. The worker shall be entitled to a proportion of benefit for any part of the year following his last year of service.
3. If his continuous service commenced before the implementation of this law, then the total length of such service before and after the implementation of the law shall determine the rate or rates at which the service benefit will be paid.

Article 50

1. If the establishment has a pension fund for the workers and the rules of the fund stipulate that the employer's contribution to the fund for the worker's account shall be paid to discharge the employer's legal obligation to pay end of service benefit and it is equivalent to, or more than, the benefit to which the worker is entitled in accordance with the provisions of Article 49, he must pay to the worker this amount instead of the benefit. If the worker has a share in the capital of the fund, he is entitled to the difference between his contributions in the pension fund and his end of service benefit.

2. Those establishing a pension or assistance fund in their establishment must first obtain the approval of the ministry to their rules for such a fund.

If no objections are received from the ministry within sixty days of submitting these rules, it may be taken that approval is given.

Article 51

On completion of service the employer must give the worker at his request a certificate, free of charge, which will state the date he commenced work, the date he left work and the type of work he was performing. It will also state the value of his wages and other benefits and type of privileges, if any, should the worker ask this.

The employer must return to the worker any documents, testimonials, or equipment which were deposited in his safe-keeping.

Article 52

The following are excluded from the application of the provisions of this chapter:

1. Casual work, which by its nature does not fall within the scope of activities practised by the employer and which does not last longer than three months.
2. Students, including school boys and girls, who are only employed during their summer holidays.
3. Any category of workers who, after consultation, have been held by the minister with the employers and representatives of that category of workers, have been excluded from the provisions of the aforementioned article in accordance with a law originated by the Government.

Chapter Five

Wages, Leave, Hours of Work

Part I - Wages

Article 53

The Government, if it deems appropriate to do so, may determine the minimum limit of wages and review such determination whenever economic circumstances require so and may determine the minimum limit of wages for a certain category of workers or the holders of certain qualifications or the employees in certain professions or incumbents of certain posts, the circumstances and the working nature of which require such determination.

The minimum limit of wages shall be issued by virtue of a decision to be passed by the Minister after the approval of the cabinet of Ministers.

Article 54

Wages and other sums to which the worker is entitled will be paid to him in the currency legally in circulation, unless there exists an agreement, whereby land may be used for cultivation or other similar benefits are paid to the worker instead of wages. Any such agreement shall be in writing and approved by a responsible person.

Article 55

Wages will be paid on a working day at a recognised place to payment arranged by the employer in the area in which the worker is employed, taking into account the following provisions:

1. Workers on a monthly rate of salary will be paid their wages at intervals of not less than once a month minimum.

2. Other than monthly rate workers will be paid their wages at intervals of not less than twice a month.

In all cases, payment must be arranged seven days before the end of the period for which the wages are to be paid.

Article 56

Should the working relationship be terminated, the employer must immediately pay the worker his wage and all other sums to which he is entitled, unless the worker left work of his own accord. In such a case the employer must pay the worker his wages and all his entitlements within a period not exceeding one week from the date he left work.

Article 57

A worker cannot be compelled to purchase foodstuffs or other commodities from a particular source, nor anything his employer produces.

Article 58

An employer must not deduct more than 10% of a worker's wage as repayment of any money the latter may have borrowed, nor must he charge any interest on such a loan. The Minister may amend the provisions of this article if the employer has or intends to establish a Ministry-approved scheme for providing housing loans to his workers **or if the employer is one of the accredited banks in the Sultanate.** (Amended in accordance with Royal Decree No. 37 of 1974)

58 bis

(Added by Sultani Decree 16/94 issued on 6 December 1994)

Assignment or attachment of the worker's salary is not allowable except to the extent of one quarter thereof for discharge of Sharia Maintenance pay, established debt in favour of the Government or a debit in favour of the employer to the extent provided for in the preceding article. In case of existence of more than one creditor the privilege shall be for the payment of the Sharia Maintenance pay and secondly the debit due to the Government.

Article 59

a) When a worker, whose basic salary is determined on an hourly, daily, half monthly or monthly basis is absent without permission, he is not entitled to receive any wages except for the hours he actually worked. For the purpose of this paragraph, the hourly wages of a worker whose salary is determined on a monthly basis are reckoned as a portion of a thirty day month salary and allowances, if any. This portion is calculated on the basic number of hours determined in accordance with this law or with the contract of work, whichever is the lesser.

b) When a shift worker is absent from work without permission, he is not entitled to receive any wages except for the hours he actually worked. For the purposes of this paragraph, hourly wages are calculated as a portion of the basic salary to which is added cost of living allowance, if any, his entitlement for shift work, imposed by his employment, as well as the number of the basic hours but without the extra hours allowed for each shift.

1. No deduction can be made from the wages of a worker for any hour or day away from work caused by his appearance as a witness in court.

Part II - Leave

Article 60

A worker has the right to annual leave with his complete basic salary with cost of living allowance, if any, for a period of fifteen days on completion of one year of continuous service with an employer for every year of his first three years' continuous service, increasing thereafter to thirty days a year for each year of continuous service.

If the continuous service commenced before this law took effect, the total length of service before the law came into force will determine the period of annual leave to which the worker is entitled.

The days of official holidays and sick leave as decided by law, do not count four days of annual leave.

Article 61

It is permissible to split up leave according to the worker requirement and circumstances of the worker and the employer can postpone a worker's annual leave until the following year, on condition that the postponement of leave, to which the worker is entitled, does not exceed more than two successive years.

It is incumbent upon the worker to take leave at least once every two years for not less than two weeks. If the worker agrees in writing, the employer can pay the worker his basic salary and cost of living allowance, if any, for the days of annual leave which he has not taken.

Article 62

A worker, who is dismissed from work or whose contract of work expires, or who has resigned, has the right to his basic salary with cost of living allowance, if any for his annual leave if he left the work before he could take advantage of such leave. This refers to a continuous period of service for which he has not received annual leave.

If his continuous service commenced with an employer before this law took effect, then the total length of his service prior to this law being given and to which the provision of this article applies, cannot be more than two years.

Article 63

Any worker on leave has the right to his basic salary and cost of living allowance, if any to which he is entitled during Eids and on such occasions determined by a ministerial decision.

Article 64

An employer may give a worker work on an official holiday if the circumstances of work require it. In such a case the worker either has the right to receive his salary for the official holiday with an increase of not less than 25% or to take a similar rest period for the time he has worked during the holiday.

Should the official holiday fall on the weekly paid rest day, the employer must grant the worker another day to compensate for it.

Should the official holiday fall during the period of his annual leave, the worker is not entitled to any compensation for it, either in cash or in extra days of holiday in lieu.

Article 65

A worker who has been in the service of his employer for more than three consecutive months has the right to sick leave, which is calculated on his basic pay and cost of living allowance, if any, on condition that it does not exceed either ten continuous or separate weeks during one year.

Sick leave will be as follows:-

First and second week on complete salary.

Third and fourth week on three quarter salary.

Fifth and sixth week on half salary.

Seventh to the end of tenth week on quarter salary.

There is no entitlement for sick leave, unless the sickness of the worker is proved by a medical certificate issued by a qualified doctor supported by the employer. Any dispute in such case will be the concern of the medical committee formed in accordance with the provisions of Article 48 of this law.

Article 66

A worker who is ill and who is dismissed from service for reasons of sickness and not for professional reasons and who has not taken sick leave as stipulated in Article 65 may receive payment for the total period of sick leave, which he has not taken before his dismissal in addition to any notice salary to which he is entitled.

A worker has the right of returning to work and retaining all his rights including previous continuous service with his employer being taken into consideration, if it is proved that he is fit to carry out his former work in a medical certificate issued by a qualified government doctor within forty five days of the date of his dismissal.

The employer does not bear any responsibility under the terms of this article, if the sickness of the worker was a result of misconduct and certified as such by a government doctor.

Article 67

A worker is entitled to special leave on his basic salary and cost of living allowance, if any, in the following circumstances:

1. Special leave of three days for the marriage of the worker, which cannot be given more than once, throughout his period of service.
2. Special leave of three days for the death of a son, daughter, father, mother or wife and for two days in the case of a grandfather, grandmother, brother or sister and for one day in the case of a paternal uncle, aunt or cousin. With the proviso that to be entitled to this leave the worker submits a death certificate from a qualified doctor or from the wali in whose are the death occurred.
3. Special leave of fifteen days to carry out the pilgrimage once throughout his service.
4. Special leave of 130 days for a working wife in the case of the death of her husband.

Article 68

An employer may withhold the salary of the worker for the period of leave referred to in Article 65 & 67 of this law or to take back any salary given to him, if it is proved that during this leave he was working for another employer.

Part III - Hours of Work

Article 69

A worker is not allowed to work more than eight hours a day or forty eight hours a week, not counting periods allocated for taking food and rest.

During Ramadhan the hours of work will be reduced for Muslims to six hours a day or 36 hours a week.

Article 70

1. There must be one or more periods during working hours to take food and rest of altogether not less than half an hour and not more than one hour. Bearing in mind that when defining this rest period, the period of continuous work shall not exceed six hours.
2. For work which is in two periods a day, the period of rest is defined as between three and four hours in the summer and between two and three hours for the rest of the seasons of the year.
3. Daily rest periods are not considered hours of work.
4. The circumstances in which work, for technical reasons or operating conditions must be continued without a break may be defined by ministerial decision.

Article 71

When a worker is asked to work more than the eight hours required by law on normal working days or more than six hours during Ramadhan, the employer must either give the worker overtime payment equivalent to the normal wages to which he is entitled, plus at least 25%, or to grant him leave of absence from his work in lieu of the extra hours which he has worked, provided that the worker agrees to this.

With work that takes place at an airport or on vessels or ships or other waterborn craft, the employer and the worker may agree to the giving of a fixed allowance for workers in lieu of overtime payments.

Article 72

An employer must grant every worker not less than twenty four consecutive hours of rest per week. **In order to receive wages for the weekly rest period, a worker paid otherwise than monthly must have worked for at least five consecutive days during the week, unless he was absent for a legitimate excuse** (Amended in accordance with Royal Decree 37/1974). Accumulation of weekly rest periods for not more than eight weeks may be permitted by the minister in connection with certain places of work specified by him if the employer and worker agree to this in writing.

Article 73

An employer must display on the main doors which the workers use to enter their place of work and also in a prominent position elsewhere, a schedule stating the hours of work and periods of rest laid down. A copy of this schedule should be sent to the appropriate labour office.

Article 74

Certain categories of workers, either generally speaking or with particular reference to a special industry or profession or trade or enterprise may be excluded from the application of some or all of the provisions in this chapter if it is clear from the nature or circumstances of the work that the application of these provisions is not practicable.

Exemption will be given by a ministerial decision after consultations between the ministry and the employer and representatives of such categories of workers.

Chapter Six

Employment of Children, Juveniles and Women

Article 75

'Children' are those who have not reached their thirteenth birthday and 'juveniles' are those who are over thirteen but under sixteen (this applies to both males and females).

Article 76

It is absolutely forbidden to employ children and they are not allowed to enter places of work.

Article 77

The employment of juveniles is prohibited:

1. between the hours of 6.00pm and 6.00am
2. in strenuous work of a kind unsuitable for their age

It is also forbidden to give them overtime work and they must not be employed on weekly rest days and official holidays unless permission for them to do so has been obtained from the ministry.

Article 78

The employment of juveniles may also be prohibited in certain industries as determined by a ministerial decision. Work and industries in which their employment is allowed will be determined by a ministerial decision, but they must be in possession of a medical certificate proving their physical fitness to carry out such work.

Article 79

Permission can be given to establishments intended for teaching trades and to charitable institutions for exemption from Articles 76, 77 and 78 of this chapter, with special authorisation from both the Ministry of Social Affairs and Labour, and the Ministry of Health, in view of the syllabuses followed by such institutions and after details have been given of their trades, industries, hours and conditions of their work.

Article 80

It is forbidden to employ women between the hours of 6.00pm and 6.00am except for conditions, work and occasions as determined by a decision from the minister.

Article 81

It is forbidden to employ women in work which might damage their health or morals and in hard work or other such work as determined by a decision from the minister.

Article 82

A working woman has the right, on production of a certificate from a qualified doctor, to be absent from work before, during and after childbirth for a period not exceeding a total of six weeks. After the completion of one year's continuous service, she has the right to choose either to consider her period of absence from work as leave for childbirth without pay, or as sick leave, which entitles her to receive payments for such leave in accordance with the provisions of Article 65 of this law.

Article 83

A working woman who may have benefited from leave for childbirth is not prevented from taking her normal annual leave if she is entitled to it under the provisions of the law.

Article 84

The effective date of giving notice of termination of a contract by an employer to a woman who is absent from work for reasons of pregnancy and childbirth or period of mourning (for her husband) shall be from the day after such absence has ended, unless it is proven that she has been employed in another place during the period mentioned.

Article 85

Without prejudice to the provisions of Articles 80 - 84 of this chapter, all the clauses regulating the employment of workers are applicable to working women performing the same work without discrimination between them.

Article 86

Agricultural workers are exempted from the application of the provisions of this chapter. The minister may issue a decision making these or some of these provisions effective for this category.

Chapter Seven

Industrial Safety

Article 87

Every employer or his representative must acquaint the worker with the hazards of his occupation and the protective measures which must be adopted before he is employed.

Article 88

Every employer must take the necessary precautions to protect the workers during their work from injury to their health and dangers from the work and machinery by:

1. Making sure that adequate safety and hygienic conditions prevail in all places of work or places which the workers must approach in order that they can carry out their duties.
2. Making sure that machinery, pieces of equipment and tackle are installed and maintained in the safest possible way.
3. Making sure that places of work are always clean and that they comply with conditions of health and comfort.

The employer is not allowed to impose on his workers or deduct from their wages any amounts to meet the provisions of such protection.

Article 89

The following will be defined in a decision from the minister:

1. The general precautions for protection and safeguarding health which must be applied in all places of work, especially safety, lighting and ventilation precautions, air circulation, drinking water, lavatories, the extraction of dust and smoke, places to sleep and preventive measures against fire.
2. Special precautions for certain types of work.

Article 90

A worker must not carry out an action which is forbidden in his instructions and is bad practice or causes damage. Nor must he shortcut the means provided for the protection of his health and for the safety of his fellow workers. He must use protective methods and undertake to regard them with care and to carry out the instructions laid down for his protection and prevention of injury.

Article 91

The ministry may appoint inspectors to see that employers are carrying out the instructions issued in decisions from the minister for general preventive measures and those specially stipulated in article 89.

These inspectors will carry out their tasks during the working hours of the establishment which is to be inspected. They will have full authority to examine the records of the establishment relating to the workers and to enter their places of work. They will also have the authority to question whomsoever they wish and to publish reports on the result of their investigations. On the basis of the reports produced by the inspectors, the minister will give a written warning to an employer who infringes the regulations, stating the nature of his offence and the time limit set for it to be discontinued. If the employer does not heed the warning, he will be punished as laid down in chapter 9 of this law.

If there is unexpected danger to the health or safety of workers and the employer refrains from carrying out the instructions of the ministry, the ministry may order his premises to be closed down completely or partially or to stop one or more pieces of equipment working so as to eliminate the reasons for the danger.

Chapter Eight

Labour Disputes

Article 92

The provisions of this chapter apply to any dispute concerning work or conditions of work which takes place between an employer and one of his workers or between one or more employers and all their employees and workers or any section of them.

Article 93

Any employer employing fifty or more workers must lay down a complaints or grievance procedure to be displayed in a prominent position for workers to see it. A copy must also be sent to the ministry.

In conclusion, the procedure should state that the workers have the right to raise their complaints or grievances to the employer or his representative.

Article 94

The worker who has a claim shall firstly follow the valid practice with the employer. If no such practice exists or exists but the worker finds no solution for his claim, he may submit an application to the concerned authority to seek settlement of his dispute with the employer. The concerned authority has to seek amicable settlement of the dispute between the worker and the employer in the light of the explanations and documents submitted by each party within a period not exceeding a maximum period of two weeks from the date of submission of the application.

If the concerned authority fails to reach an amicable settlement between the parties, it shall refer the dispute to the Authority of Settlement of Commercial Disputes together with a memorandum including the dispute's summary, the parties' arguments and its remarks upon the same.

Article 95

1. If there is a collective grievance with more than one worker, they must first follow the grievance procedure laid down by the employer for whom they work. If a grievance procedure does not exist or they cannot solve their differences, either party may refer the dispute to the department of labour.
2. The ministry will refrain from intervening between employers and workers if it finds that the grievance procedure has not yet been exhausted.

3. When the director of labour is informed of a collective dispute taking place, he will inform both parties of his intention, either to go to the work site or call both parties in dispute to his office.
4. The director of labour can refuse to hear a dispute should he find that the dispute could have been settled between the parties concerned, or that the dispute is not related to work, but is of a civil nature calling for the intervention of other authorities.
5. If the director of labour decides that the dispute is a genuine one, he must inform both parties in writing of his intention to reconcile them and define the reasons for the matters in dispute, refusing to bring in other matters. Both parties in the dispute must determine the events leading up to the dispute and refrain from bringing up other problems in addition to the matters in dispute.
6. During his attempt at conciliation, the director of labour has the right:
 1. To ask one or both parties to talk with him separately.
 2. To ask both parties to talk to each other in his presence.
 3. To ask for both parties to talk to them together.
 4. To ask both parties to discuss the case by themselves.
7. If both parties agree to resolve the dispute, the ministry must issue a certificate containing the terms of settlement which they have reached. A copy of this certificate will be kept in the department of labour and in the case of a settlement being made, both the parties in dispute must refrain from bringing up the subjects upon which they have agreed within a period of not less than one year from the date of issue of the certificate, unless both parties during their negotiation have agreed to a longer period of time.

Article 96

If the Director of Labour within seven days from the date of the written notification to the parties of his intention to amicably settle the dispute fails to resolve the dispute, then the Director shall refer the dispute together with all pertinent documents to the Authority for Settlement of Commercial Disputes to adjudicate upon the dispute.

Article 97

Cancelled by Sultani Decree no.17/95 issued on 16 April 1995

Article 98

Cancelled by Sultani Decree no.17/95 issued on 16 April 1995

Article 99

Cancelled by Sultani Decree no.17/95 issued on 16 April 1995

Article 100

1. It is absolutely forbidden to provoke a strike for any reasons, and the procedure mentioned in this chapter must be followed whenever there is a dispute about terms of employment or conditions of work.
2. It is forbidden to close places of work, put off work or refuse to continue the employment of any worker because of a dispute about the terms of employment or conditions of work.
3. It is forbidden for any person if he does not work for the employer concerned to intervene in the relations between workers and their employers.

Article 101

1. In order to maintain good relations between workers and employers, an employer with more than fifty workers must submit proposals to the minister for creating a joint representative body or bodies from the workers and from representatives of the employer and the proposed constitution for such a body or bodies. Upon receiving these proposals, the minister, or whoever deputises for him, must consult the workers concerned and he must, having in his opinion, made the appropriate enquiries, agree to the establishment of such a representative body and to its proposed constitution with or without any amendments, on condition that membership of the representative body is confined to the employer concerned and those persons working for him.
2. Membership of a worker in this body does not confer on him any privilege in the conduct of his work, just as it does not impose on him more than being the means of communication for the views of the workers to the employer and the opinion of the employer to the workers. Employers must make no distinction between workers who belong and those who do not belong to such a body as far as right and duties are concerned.

Chapter Nine

Penalties

Article 102

Notwithstanding any more severe penalty stipulated by any other law, the misdemeanours referred to in the following articles will be punished by the penalties stipulated for them.

102 bis

Any employer who does not comply with the Omanisation's percentage applicable to the private sector, as prescribed by the concerned authorities, shall be punished with a fine equivalent to 50% of the average of the total amount of wages of the non-Omani labourers who represent the difference between the Omanisation's percentage to be legally complied with and the actual achieved percentage.

Article 103

Employers or their agents or whoever represents them who refuse to offer the appropriate facilities, correct information or who offer false statements to officials, will be imprisoned for a period not exceeding one month and punished with a fine not exceeding RO100 or either on of these two punishments.

Article 104

Anyone contravening the provisions of Articles 14, 15, 16, 17 of Chapter Two concerning the 'Control of the Employment of Workers' will be punished by a fine not exceeding RO50 and for the infringement of the provisions of Article 18 of the same chapter, a fine not exceeding RO100, which will be doubled if the offence is repeated.

Article 105

1. Anyone who employs non-Omani workers without clearance from the Department of Labour will be punished with a fine not less than RO10 and not exceeding RO50. The fine will be compounded by the numbers of those who are the subject of the offence. Moreover, the employer must, at his own expense, give a non-Omani worker whom he had brought to Oman, a travel ticket to the country from which he came. Moreover, the employer will not be allowed to bring into the Sultanate of Oman, any non-Omani workers for a period not exceeding one year. On the other hand, any non-Omani working in the Sultanate without clearance

from the department of labour or from its directorates or from its regional offices working with any employer other than the same employer who was given the approval to bring him to Oman shall be imprisoned for a period not exceeding one month and shall be punished with a fine not exceeding RO100 or either of these two punishments. Moreover, the approval of the labour permit that was issued by the department of labour in respect of that non-Omani worker should be cancelled.

2. Any employer who deliberately allows any of his non-Omani workers to serve with another employer will be imprisoned for a period not exceeding one month and punished with a fine not exceeding RO100 or either one of these punishments, the fine being compounded by the number of workers for whom the offence is being committed. Moreover, the employer will not be allowed to bring into Oman any non-Omani worker for a period not exceeding one year.
3. Any employer who does not employ Omanis according to the proportion determined by the minister vide article 21 of the labour law will be punished with a fine not less than RO100 and not exceeding RO500 which will be doubled if the offence is repeated.
4. The contractor supplying the labour who contravenes with the contents of article 18 of the labour law and the decisions regulating the terms and conditions of the approval of the labour permits will be imprisoned for a period not exceeding one month and a fine not exceeding RO200 or either one of these punishments. Moreover, the minister may give ordersto cancel or stop the labour permit approval for a period of time that will be determined by him.

Article 106

Anyone contravening the provisions of Article 22 will be liable to a fine of RO50 for every worker in his employment during the year in which the offence occurred.

And for the infringement of the provisions of Article 25 with a fine not exceeding RO50. The fine will be repeated if the offence is repeated.

Fines will be awarded against anyone contravening Articles 22 & 25 which refer to the financing of training schemes, the terms and conditions of which have been issued in a decision from the minister.

Article 107

Anyone contravening the provisions of the fourth chapter, concerning the contract of work and the decisions issued for its implementation, is liable to a fine not exceeding RO100. The fine will be compounded by the number of workers for whom the offence is committed.

Punishment will be doubled if the offence is repeated.

The minister may, by a decision, determine the amount of fine to be awarded for the contravention of any of the provisions in this chapter within the limits explained in the first paragraph of this article.

Article 108

Any employer whose work does not conform to a decision issued by the director of labour to apply the provisions of Articles 43, 94, 95 of this law, is liable to a fine not exceeding RO100 and prison for one month, one or both of these punishments to be applied. The penalty will be doubled if the offence is repeated.

Article 109

Anyone contravening the provisions of chapter five, concerning wages, leave and hours of work is liable to a fine not exceeding RO25. The punishment will be compounded by

the number of workers for whom the offence is committed. The penalty will be doubled if the offence is repeated.

Article 110

Anyone contravening the provisions of chapter six concerning the employment of children, juveniles and women is liable to a fine of RO20.

The penalty will be compounded by the number of juveniles or women being employed thus infringing the provisions of this chapter. The fine will also be compounded whenever the offence is repeated for the same male or female worker.

If, in the following year, a person commits an offence for which he has already been awarded a punishment, his fine will be increased and apart from this he will be imprisoned for a period of not more than one week.

Article 111

Any employer contravening the health and safety regulations stipulated in chapter seven of this law and the ministerial decisions implementing them is liable to a fine not exceeding RO5 for every worker in his employment. The punishment is doubled if the offence is committed.

Article 112

Abrogated by Sultani Decree no.17/95 issued on 16 April 1995.

Article 113

Any employer refusing to lay down a grievance procedure as stipulated by Article 93 of this law is liable to a fine not exceeding RO100. The fine will be doubled if the offence continues to be committed.

Article 114

Anyone contravening paragraph (a) of Article 100 of this law is liable to not more than six months imprisonment. For the contravention of paragraph (b) of the same article the fine will not exceed RO500 and prison sentence of not more than three months. For the contravention of paragraph (c) of the same article, the fine will not exceed RO100 or prison for a period of not more than three months.

Article 115

Any employer contravening the provisions of Article 101 of this law is liable to a fine of not more than RO5 for each worker in his employment. The punishment will be doubled if the offence is repeated.

Article 116

Any official who divulges a professional confidence which he has got to know during the course of his work is liable to a fine not exceeding three months imprisonment with dismissal from the service.

Article 117

Any person who deliberately obstructs or undermines a government official in the practice of his authority or in the performance of his duties is liable to a fine not exceeding RO100 or prison for not more than one month. The penalty will double if the offence is repeated.