

[Home](#) [Legislation](#) [International agreements](#) 
[Rulings and fatwas](#) [Official Gazette](#) [English](#)
Search

Royal Decree No. 53/2023 issuing the Labor Law

📅 July 25, 2023

We are Haitham bin Tariq, Sultan of Oman

After reviewing [the Basic Law of the State](#) ,

And [the Arbitration Law in Civil and Commercial Disputes issued by Royal Decree No. 47/97](#) ,

And [the Labor Law issued by Royal Decree No. 35/2003](#) ,

And on [Royal Decree No. 89/2020 establishing the Ministry of Labor, defining its competencies, and approving its organizational structure](#) ,

And [the Social Protection Law issued by Royal Decree No. 52/2023](#) ,

After presenting it to the Council of Oman,

Based on what the public interest requires.

We drew what is coming

Article One

It works in accordance with the provisions of the attached Labor Law.

Article Two

The Minister of Labor shall issue the regulations and decisions necessary to implement the provisions of the attached law. Until they are issued, the regulations and decisions in force shall remain in effect, provided that they do not conflict with its provisions.

Article 3

Those subject to the provisions of the attached law must adjust their status in accordance with its provisions within six months from the date of its entry into force.

Article Four

The aforementioned Labor Law shall be repealed, as shall everything that contravenes the attached law or conflicts with its provisions.

Article Five

This decree shall be published in the Official Gazette and shall come into effect on the day following the date of its publication.

Issued on: 7 Muharram 1445 AH
corresponding to: 25 July 2023 AD

Haitham bin Tariq,
Sultan of Oman

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Labor Law

Chapter One
Definitions and General Provisions

Chapter One
Definitions

Article 1

In applying the provisions of this law, the following words and phrases shall have the meaning indicated next to each of them, unless the context of the text requires another meaning:

1- The Ministry:

Ministry of Labor.

2 - The Minister:

Minister of Labor.

3 - The competent authority:

The competent General Directorate in the Ministry's General Office, the General Directorate of Labor in the governorate, the Labor Administration, or its branches, as the case may be.

4 - The Committee:

Collective labor dispute settlement committees stipulated in Article 116 of this law.

5 - Work permit:

Written approval issued by the Ministry to the employer to bring in non-Omani workers in a specific profession.

6 - Business license:

Written approval issued by the Ministry for the worker to practice work in a specific profession.

7 - Omanization:

The employment system prepared by the Ministry for professions with the aim of achieving the targeted employment and replacement of Omanis.

8 - The facility:

Every project in which the employer carries out his activity.

9 - Employment contract:

Any agreement by which a worker undertakes to work for the benefit of the employer, under his management and supervision, in return for a wage.

10 - Employer:

Any natural or legal person who employs one or more workers in return for a wage.

11 - The worker:

Every natural person who works for a wage for an employer, under his management and supervision.

12 - The event factor:

Every worker who is fifteen years old and has not completed eighteen years old.

13 - Overtime:

Work carried out outside the working hours stipulated in this law.

14 - Remote work:

A work system in which the worker performs his work or duties using information and communications technology inside the Sultanate of Oman outside the facility's headquarters, whether partially or completely.

15 - Working hours:

The time during which the worker is under the management and supervision of the employer.

16 - Night working hours:

The period between 9 p.m. and 5 a.m., during which the worker is under the management and supervision of the employer.

17 - Basic salary:

The cash equivalent agreed upon between the worker and the employer in the employment contract, plus the periodic bonus.

18 - Comprehensive wage:

The basic wage plus all bonuses and allowances decided for the worker in return for his work.

19 - Collective Labor Agreement:

An agreement concluded between the employer and the workers or their representatives, regulating the terms, conditions and provisions of work.

20 - Collective labor disputes:

A dispute that arises between the employer and the workers regarding the terms and conditions of work in the establishment.

21 - Probation period:

The period during which the employer and the worker can judge the continuity of each of them in the employment relationship.

22 - The economic reason:

A financial loss suffered by the employer for a period of not less than two consecutive years. The failure to achieve profits or the employer's closure of one of its activities or branches for reasons related to the lack of feasibility in continuing them is not considered a financial loss.

23 - The year:

365 Three hundred and sixty-five days.

24 - The month:

30 days.

Chapter Two
General Provisions

Article 2

The provisions of this law apply to all employers and workers, and shall not apply to those whose work is regulated by special laws or regulations.

The Minister may, by decision, regulate the work of categories with a special work nature, provided that the decision includes, in particular, the following:

A - Rules and conditions of work.

B - Penalties imposed on violators.

T - Exemption from court fees in all lawsuits arising from labor disputes filed by workers or their beneficiaries.

C - Organizing the work of judicial police officers.

C - Terms, rules and fees for work permits, work practice permits, renewals, data registration and renewals, after the approval of the Ministry of Finance and the Council of Ministers.

H - The guarantees that must be available from the employer, whether financial, in-kind, or any other amounts directly or indirectly related to the legal relationship between the employer and the worker.

Article 3

Every employer shall provide the worker with the minimum rights stipulated for the worker under the provisions of this law, and no reduction may be made in the levels and conditions under which the worker was employed before the entry into force of this law if the worker remains in the service of the employer after the entry into force of the law.

Article 4

Any condition or agreement that contravenes the provisions of this law shall be null and void, even if it was made prior to its implementation, unless it is more beneficial to the worker. Any release, settlement or waiver of rights arising from this law shall also be null and void if it contravenes its provisions. Any better conditions stipulated for the worker pursuant to the laws, regulations and decisions in force on the date of implementation of this law shall continue to be in effect.

Article 5

The employer is prohibited from imposing any form of forced or compulsory labour on the worker.

Article 6

The employer may not retain the worker's passport or personal documents, except with the written consent of the worker.

Article 7

Arabic is the language to be used in regulations, decisions and circulars issued by the employer to his workers.

If the employer uses a foreign language in addition to Arabic in any of the mentioned cases, the Arabic text shall be the only valid text.

Article 8

Every employer who employs fifty or more workers is obligated to establish a system for complaints and grievances in the facility after its approval by the competent authority, provided that it includes the worker's right to submit his complaint or grievance to the employer or his representative, and the employer must enable the worker to obtain an approved copy of this system.

Article 9

Labor disputes arising from claims for the rights stipulated in this law and the employment contract shall not be accepted if they are initially brought before the competent court without submitting a settlement request to the competent administrative division in the Ministry, to undertake settlement efforts between the parties in accordance with the provisions of this law, within a maximum period of 30 days from the date of submitting the request.

If a settlement is reached between the parties to the dispute before the competent administrative division in the Ministry, this settlement shall be recorded in a report signed by the parties, the competent employee in the Ministry, and any judges delegated, and it shall have the force of an enforceable instrument, and the dispute shall end within the limits of what was settled, and an official copy of the

report shall be given, bearing the enforceable formula in accordance with the provisions of the Civil and Commercial Procedures Law, taking into account the rules of jurisdiction established by law. In the event that a settlement between the parties to the dispute fails, the competent administrative division in the Ministry shall refer the dispute to the competent court within (7) seven days from the date of the last settlement session, and the referral must be accompanied by a memorandum containing the facts of the dispute, the names of the parties, their original domicile or the domicile chosen by each of them for litigation procedures, a statement of the worker's wages and requests in the lawsuit, and a copy of the employment contract and all other arguments and evidence presented by all parties shall be attached.

The right to claim any of the rights stipulated in this law shall lapse after one year from the date of its entitlement. As for rights that arose before the implementation of this law, the one-year period shall be calculated from the date of implementation of its provisions.

Article 10

The worker who is dismissed from work may submit his complaint to the competent authority within thirty (30) days from the date of notification of the decision, and it must take the measures stipulated in Article 9 of this law.

Article 11

If the competent court finds that the worker's dismissal from his job was arbitrary or in violation of the law, it must rule either to reinstate the worker to his job, or to oblige the employer to pay the worker compensation of no less than three months' wages and no more than twelve months' wages, calculated on the basis of the last

comprehensive wage he received, taking into account the worker's circumstances and length of service, in addition to:

- 1 - The end-of-service gratuity due to him by law and all other benefits stipulated by law or the employment contract, whichever is greater.
- 2 - The comprehensive wage for the notice period stipulated by law or the employment contract, whichever is greater.
- 3 - Insurance contributions stipulated for the period from the date of unfair dismissal until the issuance of the final judgment.

Article 12

The employer's termination of the employment contract shall be considered an arbitrary dismissal of the worker if the termination is for any of the following reasons:

- 1 - Gender, origin, colour, language, religion, belief, social status, disability, pregnancy, childbirth or breastfeeding for working women.
- 2 - The worker's affiliation with a trade union or his legitimate participation in any of its activities or due to his representation in trade union work in accordance with what is stipulated by the laws, regulations and decisions issued in this regard.
- 3 - Submitting a complaint, report or filing a lawsuit against the employer, unless the complaint, report or lawsuit is malicious.
- 4 - For disciplinary reasons, without taking into account the provisions of this law, the work regulations, and the penalties

regulations in the facility.

5 - The worker's absence from work due to his detention or imprisonment by the competent authorities and the expiry of the detention or imprisonment period without referral to the competent court or the court declaring him innocent.

Article 13

All lawsuits arising from disputes related to the provisions of this law filed by workers or their beneficiaries shall be exempt from court fees.

Article 14

The employer is obligated to return the non-Omani worker to his country or to any other country agreed upon after the end of the employment contract within a maximum period of 60 days. The employer must grant the worker, upon his request, a release from any obligations towards him upon the end of the employment contract or his departure from the Sultanate of Oman.

If the worker refuses to travel, the competent authority shall return the worker at the Ministry's expense and recover from the employer the costs incurred by the Ministry in this regard.

The worker has the right to remain in the Sultanate of Oman if he files a lawsuit to claim his dues until his lawsuit is decided without the employer bearing any financial consequences in this regard.

Article 15

The Minister shall issue a decision to regulate the return of a non-Omani worker to his country in the event that he is discovered to be

medically unfit for work upon his first arrival to the Sultanate of Oman, or if it is proven that he has forged academic certificates or practical experience, or if he wishes to return without a legitimate reason, or in the event that he leaves work.

Article 16

The Minister may regulate work in a specific business sector or a specific category of businesses, whenever the public interest requires it.

Article 17

The following tasks shall be regulated by a decision issued by the Minister:

- 1 - Casual work that is not, by its nature, part of the business carried out by the employer.
- 2- Temporary work.
- 3- Work for some time.
- 4- Remote work.

Chapter Two: Organization of Work

Chapter One: Employing Omanis

Article 18

Work is a right for Omanis, and no one else may practice work within the Sultanate of Oman except in accordance with the terms

and conditions stipulated in this law and the decisions issued in implementation thereof.

Article 19

The employer or his representative shall be obligated to record in a special register in the establishment the data related to Omani workers according to the form prepared by the Ministry, and to keep this register at the workplace, and to update it on the Ministry's website or submit it in paper form during the month of January of each year, including the following:

- 1 - A detailed statement of the number of Omani workers, specifying their professions, wages and gender.
- 2 - A statement on the number and type of job vacancies during the year, if any.
- 3 - The annual plan for Omanization and replacement in the facility.

Article 20

The Minister shall issue a regulation for training Omanis, provided that the regulation includes the facility's percentage of contribution to training programmes, in coordination with the Oman Chamber of Commerce and Industry and with each of the economic sectors.

Article 21

A fund for the development of national human resources shall be established in the Ministry, which shall be responsible for financing employment, rehabilitation and empowerment programmes and policies for workers in the private sector. The Council of Ministers shall approve the Fund's system, its sources of funding, and the rules

and procedures governing its work, after the Ministry has coordinated with the relevant authorities regarding it.

Article 22

An employer who employs twenty-five or more workers is obligated to take the following measures:

- 1 - Announcing the professions, requirements, conditions and specific selection criteria for filling them.
- 2 - Commitment to the professional classification approved by the Ministry in a way that facilitates the establishment's procedures to achieve Omanization.
- 3- Determining wages, employment benefits and working conditions.
- 4- Training Omanis to develop their skills and raise their efficiency.
- 5- Providing the appropriate work environment and facilities in the workplace.
- 6- Providing performance evaluation systems.
- 7 - Preparing a plan to appoint and train Omanis to fill leadership positions, and following up on its implementation.
- 8 - Developing practical strategies to retain the Omani workforce.

The Minister may amend the number of workers stipulated in this article, after the approval of the Council of Ministers.

Article 23

The employer is obligated to employ Omanis in the facility. The percentage of Omanisation in the various economic sectors, activities and professions included in each sector shall be determined by a decision of the Minister, according to what is required by the circumstances of each sector or activity and the extent of the availability of the necessary Omani workforce, and the percentage set for Omanis in the professions in which there is an Omani workforce to work.

The professions and jobs in which Omanis replace non-Omanis shall be determined by a decision of the Minister.

The employer must treat all workers equally if the nature and conditions of the work are the same.

Article 24

An employer who employs forty or more workers is obligated to appoint Omani persons with disabilities who are professionally qualified in jobs that suit their conditions, within the limits of the percentage determined by a decision of the Minister.

The Minister may amend the number stipulated in the previous paragraph after the approval of the Council of Ministers.

Persons with disabilities who are employed in accordance with the previous paragraph shall enjoy the same rights as other workers.

Article 25

The employer or his representative must electronically update the data form referred to in Article 22 of this law regarding the professions that have become vacant or have been created, regardless

of their type, with a statement of each one, the comprehensive wage allocated to it, and the date specified for filling it, within 30 days from the date of its vacancy or creation.

The employer must, within one month from the date of employment of an Omani, send the registration form for this worker to the competent authority that issued it, attaching a statement including the date on which he received the work, the wage specified for him, and the type of work. The registration form number and its date must be recorded opposite the worker's name in the register of workers in the facility, who must be classified according to the level of skill, professional groups, and other classifications determined by a decision issued by the Minister.

Article 26

The competent authority shall undertake the following in order to employ Omanis:

- 1 - Obtaining from business owners a statement of vacant jobs and the conditions required to fill them.
- 2 - Nominating workers for vacant jobs when they meet the conditions for filling them.
- 3 - Providing advice and guidance to job seekers regarding training and career guidance areas to facilitate their employment in vacant professions.

The employer has the right to compare candidates with others to fill vacant positions.

Article 27

The employer is prohibited from bringing in non-Omani workers unless he has obtained a license to do so from the Ministry. The following conditions must be met to grant this license:

- 1 - There are no Omanis who have the academic qualifications, experience or technical skills necessary for the required professions.
- 2 - The employer must be committed to the approved Omanization plan and the established Omanization rates.
- 3 - The non-Omani worker must have academic qualifications, practical experience, technical skills, professional competence, or other professions that the country needs.
- 4- Payment of the prescribed fees.

Article 28

It is prohibited for a non-Omani to join any job in the Sultanate of Oman before obtaining a work permit. The following conditions must be met to grant a work permit:

- 1 - To pass the professional standards tests for practicing the professions specified by the competent authority.

A list of professions that require a certificate of practicing the profession shall be issued by a decision of the Minister.

- 2 - The worker must have entered the Sultanate of Oman legally and meet the conditions stipulated in the Foreigners' Residence Law and the regulations and decisions issued in implementation thereof.

3 - The worker must be medically fit and free from diseases specified by the Ministry of Health.

4 - The worker must be contracted with an employer who has obtained the necessary licenses from the competent government authorities.

5 - Payment of the prescribed fees.

Article 29

The employer is prohibited from the following:

1 - Any non-Omani worker who has been licensed to employ them and has been granted a work permit shall not be allowed to work for someone else unless he has notified the Ministry electronically and obtained a permit for him to do so.

2 - That any non-Omani worker licensed to work for someone else shall not be employed unless the Ministry is electronically provided with the worker's data and work address according to the specified form.

The Minister shall determine by decision the controls for the transfer of non-Omani workers from one job to another, the controls and procedures that the employer must adhere to regarding reporting the non-Omani worker leaving the job, and the obligations and penalties incurred by the worker and the employer as a result of violating the decision.

3 - To employ any non-Omani worker in any profession in which employment is restricted to Omanis.

Article 30

Determined by a decision of the Minister:

1 - Fees for work licenses, fees for practicing work licenses, renewing them, and registering and renewing data, after the approval of the Ministry of Finance and the approval of the Council of Ministers.

The work permit shall be renewable for the same period or for any period specified by the decision.

2 - Professions and businesses that non-Omanis are not allowed to practice.

3 - Professions and businesses for which work licenses are temporarily suspended.

4 - Conditions and professions in which non-Omani workers may move between private sector establishments temporarily.

5 - Classification of professions according to professional levels.

Article 31

It is prohibited to engage in the activity of recruiting non-Omani workers except after obtaining a license from the Ministry. It is also prohibited to collect any amounts from the worker licensed to be recruited in exchange for his employment. The conditions and controls that must be met to engage in the activity of recruiting non-Omani workers and the contract concluded between the employer and the person licensed to engage in the activity shall be determined by a decision of the Minister.

Article 32

It is prohibited to advertise, promote and classify labour on the basis of creed, colour or cost and to advertise it in a manner that is degrading to human dignity.

Chapter Three:**The Employment Contract and the Obligations of the Employer and the Worker****Chapter One****Employment Contract****Article 33**

The employment contract must be in writing, and written in Arabic in two copies, one for each party. However, the contract may be written in a language other than Arabic, provided that a copy written in Arabic is attached to it and approved by both parties to the contract. If there is no written employment contract, the worker may prove his rights by all means of proof, and the contract must be approved by the competent authority.

Article 34

An employment contract may be concluded for a fixed or indefinite period. If its period is specified, it must not exceed five years, renewable by agreement of both parties. In the event of renewal of the contract, the new period or period shall be considered an extension of the original period and shall be added to it when calculating the worker's total service period.

Article 35

An employment contract is considered to be of indefinite duration in the following cases:

- 1 - If the contract is concluded without specifying its duration.
- 2 - If the contract is concluded for a period exceeding five years.
- 3 - If the original and renewed contract period exceeds five years.
- 4 - If the contract is not written or is a written contract with a fixed term, and its term has expired, and the two parties continue to implement it despite that without a written agreement between them.
- 5 - If the employment contract is concluded to complete a specific job and this takes a period exceeding five years.
- 6 - If the employment contract concluded to complete a specific work is renewed, and the period of completion of the original work and the work for which the contract was renewed exceeds five years.
- 7 - If the employment contract concluded to complete a specific work ends and its two parties continue to implement it after the completion of this work without an explicit agreement to renew it.

Article 36

The employment contract must include, in particular, the following information:

- 1 - Name of employer, establishment and workplace address.
- 2 - The worker's name, date of birth, qualifications, profession, place of residence and nationality.
- 3 - The type of work, its conditions and the duration of the contract if it is for a fixed term.

4 - The basic wage and any bonuses, allowances, benefits or rewards to which the worker is entitled under the applicable terms of service, and the date of payment of the agreed wage.

5 - The appropriate period of notice that must be given by either party to the contract who wishes not to renew it, provided that the period of notice given by the employer to the worker is not less than one month.

6 - Commitment to respect religions and religious beliefs, the laws, customs and traditions of the Sultanate of Oman, and not to interfere in activities that threaten the security of the Sultanate of Oman.

Article 37

The worker's probationary period shall be specified in the employment contract – if any – provided that it does not exceed three months for those who receive their wages monthly, and for a period not exceeding two months for those who receive their wages otherwise.

The worker may not be placed on probation more than once with the same employer, and the probation period shall be entered if the worker successfully passes it during his service period.

Either party to the contract may terminate it during the probationary period if it is proven that continuing to work is unsuitable, after notifying the other party at least seven days in advance.

Article 38

The two parties to the employment contract may - with regard to an employment contract of indefinite duration - terminate it at any time

after the conclusion of the contract based on a legitimate reason by means of a written notice addressed to the other party 30 days prior to the termination date for workers appointed with a monthly wage, and 15 days prior to others, unless a longer period is agreed upon in the contract.

If the contract is terminated without observing the notice period, the party terminating the contract shall be obligated to pay the other party compensation equal to the notice period or the remaining part thereof, calculated on the basis of the last comprehensive wage received by the worker.

Article 39

The notice issued by the employer to the worker to terminate the contract in the event that he is on leave shall not take effect until the day following the end of the leave.

In all cases, the employer is obligated to allow the worker, during the notice period, to be absent from work for 10 paid hours per week to look for a new job. The worker must inform the employer of obtaining the new job, and must then continue to work until the end of the notice period.

Article 40

The employer may dismiss the worker without prior notice and without end-of-service gratuity in any of the following cases:

- 1- If he impersonates a false identity, or resorts to forgery to obtain the job.

2 - If an error is committed that results in a significant material loss to the employer, provided that the latter notifies the competent authority of the incident within 30 working days from the date on which he becomes aware of its occurrence.

3 - If he does not observe the written instructions that must be followed for the safety of workers and the workplace, despite being warned in writing, and violating them would cause serious harm to the workplace or workers.

4 - If he is absent from work without an acceptable excuse for more than seven (7) seven consecutive days, or ten (10) ten separate days during one year, provided that the dismissal is preceded by a written warning from the employer to the worker after his absence of five (5) days in the second case.

5 - If he discloses the secrets of the establishment in which he works in a manner not permitted by law.

6 - If he has been finally convicted of a felony or crime that violates honor or trust, or of a misdemeanor committed in the workplace or during its performance.

7 - If he is found during working hours in a state of intoxication, or under the influence of a narcotic or psychotropic substance, or commits an act that violates public morals.

8 - If he assaults the employer or his representative during or because of work, or assaults one of his superiors, or assaults one of the workers at the work site, resulting in illness and work stoppage.

9 - If the worker seriously fails to perform his work as agreed upon in the employment contract.

Article 41

The worker may leave work without being bound by the notice period stipulated in Article 38 of this Law, or before the end of the contract term if it is of a fixed term, while retaining all his rights, including the end-of-service gratuity and without prejudice to his right to compensation, after notifying the employer of this in any of the following cases:

1 - If the employer or his representative commits fraud during the contracting with the worker.

2 - If the employer does not pay the worker his wages for more than two consecutive months, or fulfill his essential obligations in accordance with the provisions of this law and the employment contract.

3 - If the employer or his representative commits an act that violates public morals towards the worker.

4 - If the worker is assaulted by the employer, his representative, or his supervisor during or because of work.

5 - If there is a serious danger threatening the worker's safety or health, provided that the employer was aware of the existence of this danger and did not implement the measures prescribed in this regard.

Article 42

The employment contract shall terminate in any of the following cases:

- 1 - Expiry of its term or completion of the agreed-upon work.
- 2 - Termination of the contract by the worker or the employer in accordance with the provisions of this law.
- 3 - The worker's inability to perform his work or his death.
- 4 - The worker falls ill with an illness that requires him to be absent from work for a continuous or separate period of not less than three months within one year, provided that he has exhausted the period of sick leave stipulated in Article 82 of this law and his balance of regular leave.

Article 43

Without prejudice to the provisions of Article 40 of this Law, the employer may terminate the contract on his part after notifying the worker in the following cases:

- 1 - The worker has reached the age of seniority that necessitates entitlement to a retirement pension under the Social Protection Law, unless otherwise agreed upon.
- 2 - Terminating the service of a non-Omani worker in implementation of the Omanization plan if he appoints an Omani worker to replace him in the same profession he was occupying.
- 3 - The worker's failure to reach the required level of efficiency after being notified of the inefficiencies and being given an appropriate period of not less than six months to reach them. If the worker fails,

the employer may terminate the employment contract. If the person whose services are terminated is an Omani worker, it is required that an Omani worker be appointed to replace him in the same profession that he was occupying.

4 - Closing the facility completely or partially, or its bankruptcy, or reducing the size of its activity, or replacing one production system with another that affects the size of the workforce. In cases other than the total closure or bankruptcy of the facility, care must be taken not to terminate the contract of the Omani worker who has the same efficiency and experience as the non-Omani who works with him in the facility.

5 - If the facility has an economic reason.

In the two cases stipulated in Clauses (3 and 4) of this Article, the employer is obligated to notify the Ministry of the reason for termination three months before the date of termination of the contract.

Article 44

The employer may, if there is an economic reason, and after the approval of the committee stipulated in Article 45 of this law, reduce the number of workers in his facility to the extent required to maintain the continuity of the facility's work and avoid the risks of bankruptcy.

Article 45

A special committee shall be established by a decision of the Minister to consider requests submitted by private sector establishments regarding the reduction of the number of workers,

headed by the Ministry and with the membership of the following entities:

- 1- Ministry of Commerce, Industry and Investment Promotion.
- 2- Oman Chamber of Commerce and Industry.
- 3 - General Federation of Oman Workers.

The employer who has an economic reason must submit a request to this committee, accompanied by supporting evidence, stating the number of workers proposed to be reduced. The committee will study the request and decide whether to accept or reject it.

The Committee's decisions shall be final unless appealed before the Court of Appeal within thirty (30) days from the date of notification to the employer.

If the committee is convinced that the establishment has an economic reason, it may find appropriate alternatives to terminating contracts in agreement with the employer and workers, including the following alternatives:

- 1 - Reducing the number of working hours or days in the facility in exchange for reducing wages, provided that this procedure is for a specific period determined by the committee and is extendable by its decision for other periods if necessary.
- 2 - Granting workers specific unpaid leave, provided that this is for specific periods and includes all workers in the facility in equal proportions.

3 - Reducing the wages of all workers in the facility by certain percentages, provided that this is for a specific period that can be extended if necessary.

Article 46

If the employer obtains approval to reduce the number of his workers, he must adhere to the following:

1- Following a fair standard in selecting workers whose contracts will be terminated, such as workers with the lowest performance scores or any other standard.

2 - Granting workers whose contracts will be terminated a notice period of no less than three months.

3 - Workers whose contracts will be terminated shall have priority in being re-employed in the same facility if a job opportunity is available whose requirements match their qualifications.

Article 47

The worker's illness shall be proven by a medical certificate, and the worker's disability shall be proven by a decision of the competent committees or institutions licensed by these committees in accordance with the applicable laws. Proof of age shall be provided by the document submitted as justification upon contracting, and no other document submitted after that shall be accepted.

Article 48

Without prejudice to the provisions of the Social Protection Law, if the employer has a supplementary or savings program for workers, and the program regulations stipulate that what the employer pays in

the program on behalf of the worker is in return for his legal obligation to pay the end-of-service gratuity and is equal to or greater than what he is entitled to as a gratuity, this amount must be paid to the worker instead of the gratuity, otherwise the gratuity is due.

If the worker contributes to the funds of this program, he has the right to combine what he is entitled to in the program with the end-of-service gratuity.

In all cases, prior approval must be obtained from the Ministry and the Social Protection Fund to establish these programmes in accordance with the terms and conditions stipulated by law.

Article 49

The employer shall be bound by all the obligations of the establishment in the event of its dissolution, liquidation, closure, bankruptcy, merger with another, sale, lease, assignment, will, gift, or other disposition. In the event of the death of the employer, the heirs shall be bound by the employer's obligations to the extent of their shares within the limits stipulated by Sharia.

Except in cases of liquidation, bankruptcy and authorized total closure, the employment contract shall remain in effect, and the successor shall be jointly and severally liable with the previous employers for the implementation of all obligations stipulated by law, taking into account the priority stipulated for workers' rights.

Article 50

The employer is obligated to employ the Omani workforce that was working in the same project that was transferred to him in whole or

in part, by granting them the same wages, benefits and financial incentives agreed upon in the transfer agreement.

Article 51

The Minister may issue a decision regulating the employment relationship in cases where the Sultanate of Oman takes measures regarding a case or circumstance that requires this, provided that it includes in particular reducing working hours, or reducing the minimum conditions of employment stipulated in this law or the employment contract, and the penalties resulting from violating the decision, or taking precautionary measures.

Chapter Two: Employer Obligations

Article 52

The employer is obligated to create a special file for each worker that includes, in particular, the following:

- 1 - The worker's name, age, marital status, place of residence and nationality.
- 2 - The worker's profession, qualifications and experience.
- 3 - The date the worker started work and details of his wages.
- 4 - The vacations that the worker gets.
- 5 - Penalties imposed by the employer on the worker.
- 6 - Employee performance reports.
- 7 - Date of termination of the worker's service and its reasons.

The employer must keep the file stipulated in the previous paragraph for at least one year from the date of termination of the employment relationship.

In all cases, the employer must maintain the confidentiality of the information provided by the worker or viewed by the employer in accordance with the provisions of this law, and the worker shall be given a receipt for any papers and certificates he has deposited with the employer.

Article 53

The employer may not violate the provisions of the contract or assign the worker work other than that agreed upon, except when necessary to prevent an accident, or to repair what resulted from it, or in the event of force majeure, and on a temporary basis.

However, the employer may assign the worker to work other than that agreed upon if that work does not differ substantially from the original work, provided that this does not prejudice the worker's rights and does not result in serious harm or financial burdens without fair compensation.

Article 54

In the event that the employer employs fifty or more workers, he shall be obligated to prepare a work system regulation that includes, in particular, the rules for organizing work in the facility, the rights and duties of both the employer and the worker, the rules regulating his relationship with his colleagues and superiors, the provisions for promoting the worker and determining the categories of wages, bonuses and allowances of all kinds and the dates of their payment, and the performance evaluation system. The Ministry shall approve

the regulation within two months from the date of its receipt. If that period expires without a response from it, it shall become effective, and the employer must provide the worker with an approved copy of these regulations. The employer must amend the regulation in accordance with the laws, regulations and decisions, and submit it to the Ministry for approval.

The Minister shall issue a guiding model for the work system regulations after consulting with the Joint Dialogue Committee between the production parties.

In all cases, the provisions contained in the form referred to in this article shall apply to establishments that do not adhere to establishing a work system bylaw approved by the Ministry.

Article 55

In the event that the employer employs twenty-five or more workers, he is obligated to prepare a list of penalties and the conditions for their imposition, in accordance with the forms and rules issued by a decision of the Minister. The employer must submit this list and any amendments thereto to the Ministry, and the Ministry shall approve the list within two months from the date of its receipt. If that period expires without a response from the Ministry, it shall become effective, and the employer must enable the worker to obtain an approved copy of this list.

In all cases, the provisions contained in the forms and rules referred to in this article shall apply to establishments that do not adhere to establishing a special list of penalties approved by the Ministry.

Article 56

The following shall be taken into account when preparing the list of penalties stipulated in Article 55 of this Law:

- 1 - The actions that the worker is prohibited from committing, and the penalties imposed for them, must be specified, provided that they are progressive penalties.
- 2 - No more than one penalty shall be imposed for a single violation.
- 3 - The worker shall not be punished for an act he committed outside the workplace unless it is related to the work.

Article 57

The employer is obligated to provide first aid to his workers in the facility. If the number of his workers in one place exceeds (200) two hundred workers, he must appoint a qualified nurse to provide medical first aid, or contract with a specialized institution to provide these services.

If the worker is treated in a government or private hospital and health insurance coverage is not available, the employer must bear the costs of treatment, medication and hospital stay, in accordance with the financial regulations and systems in effect in those hospitals.

Article 58

The employer who carries out work in the areas specified by the Minister is obligated to provide his workers with appropriate means of transportation, and to provide them with suitable housing, meals and drinking water in places he prepares for this purpose.

Article 59

The employer may, if necessary and in agreement with the worker, transfer the worker from his original work site to any other work site in the same facility, or from his original work to any other work in one of his other facilities after obtaining permission to do so from the Ministry in this case.

In all cases, the employer shall bear all costs incurred therein.

Article 60

The employer must provide a designated place for women to rest in the facility where the number of female workers exceeds twenty-five.

Article 61

Without prejudice to the provisions of Article 48 of this Law, upon termination of the employment relationship of workers who do not benefit from the provisions of the Social Protection Law, the employer must pay the worker a reward for his period of service, not less than a basic wage for each year of his service. The worker is entitled to the reward for fractions of a year in proportion to the period he spent in service, and the worker's last basic wage is taken as the basis for calculating the reward. The period of service that began before the entry into force of this Law is included within the period of service considered in determining the period of the reward due.

The provisions of this article shall apply until the savings system stipulated in the Social Protection Law is implemented. The employer may settle the worker's rights for the period of his service before the savings system begins to be implemented to the savings system or to the worker, provided that the settlement is calculated based on the basic wage in this case on the settlement date.

Article 62

The employer is obligated to provide the worker, upon his request and free of charge, with an end-of-service certificate stating the date of his entry into service, the date of his exit from it, the type of work he was performing, the wage and other bonuses and other benefits, if any.

The employer must return to the worker any papers or certificates that he has deposited with him, and the worker must sign that he has received his papers and certificates.

Article 63

The employer may not impose any penalty on the worker unless he has been informed in writing of what has been attributed to him, his statements have been heard, his defence has been investigated and recorded in writing in a report prepared for this purpose.

Article 64

The employer may not hold the worker accountable for a violation that was discovered more than 30 days ago, and a disciplinary penalty may not be imposed on the worker more than 60 days after the date on which the violation was proven.

Article 65

The employer may not impose a fine on the worker for a single violation exceeding the wages of five days in one month, or suspend him from work as a disciplinary measure and deprive him of all or part of his wages for a single violation for a period exceeding five days in one month.

Article 66

The employer may investigate the worker himself or assign one of the employees in the establishment to investigate the worker, provided that the job level of the investigator is not less than the level of the offending worker. He may assign the investigation to another person with experience in the subject of the violation if the violation is serious.

The worker referred to investigation has the right to review the investigation procedures and related documents and to obtain a copy of these documents.

**Chapter Three:
Worker Obligations**

Article 67

The worker is committed to the following:

- 1 - Performing the work himself according to the direction and supervision of the employer or his representative, and in accordance with what is specified in the contract and in accordance with the provisions of this law and the regulations and decisions issued in implementation thereof, and to exercise in performing it the care that an ordinary person would exercise.
- 2 - Implementing the orders of the employer or his representative regarding the implementation of the agreed-upon work, if these orders do not violate the contract, the law or morals, and their implementation does not expose him to danger.
- 3 - Maintaining the means of production and work tools placed at his disposal with the care and attention of an ordinary person, and taking

all necessary measures to preserve and ensure their safety.

4- Maintaining business secrets.

5 - Continuously work on developing his skills and experiences in accordance with the systems and procedures set by the employer.

6 - Do not use work tools outside the workplace except with the approval of the employer, and keep these tools in the designated places.

7 - Implementing the occupational safety and health instructions established by the employer, whether pursuant to this law or the regulations and decisions issued in implementation thereof.

8 - Not to accept gifts, commissions, rewards, money, or anything else in connection with his work without the employer's approval.

9 - Not keeping the original documents and papers related to the work.

10 - Not to engage - in any capacity - in an activity similar to the activity engaged in by the employer during the validity of the employment contract concluded with him.

11 - To treat his colleagues well at work, show them and his superiors the respect they deserve, and to cooperate with them in a way that serves the interests of the establishment in which he works.

Article 68

If the worker intentionally causes the loss, damage or destruction of tools, machines or products owned by the employer or in his custody,

he shall bear the necessary amount for that, and the employer, after conducting the investigation and notifying the worker, may begin deducting this amount from the worker's comprehensive monthly wage, provided that it does not exceed (25%) twenty-five percent of his wage in the month. The worker may file a complaint against the employer's assessment with the competent authority within (30) thirty days from the date of his knowledge of the deduction, and labor dispute settlement procedures shall be followed in this regard in accordance with the provisions of this law.

Article 69

In cases where the work performed by the worker qualifies him to compete with the employer through his knowledge of the secrets of the work or knowledge of the establishment's clients, the two parties to the employment contract may agree that the worker may not compete with the employer or participate in work that competes with him after the end of the contract, provided that the time, place and type of work are specified, provided that the place does not exceed the geographical area in which he practices his activity and the specified period does not exceed two years. The employer may not adhere to the agreement if he terminates the contract without the worker doing something that justifies that, and the employer may not adhere to the agreement if he does something that justifies the worker terminating the contract.

The employer may claim the right to compensation in the event that the worker breaches the competition condition without exaggerating the compensation request. If it is proven that the employer exaggerated the compensation request with the intention of forcing the worker to stay with him, what was agreed upon shall be considered void.

Chapter Four:
Working Hours, Leave and Wages

Chapter One
Working Hours

Article 70

A worker may not work more than 8 actual working hours per day, and a maximum of 40 actual working hours per week, provided that there is an hour of rest per day and not included in it, for eating, and that the period of continuous work does not exceed 6 six hours. The maximum working hours in the month of Ramadan shall be 6 six hours per day, or 30 thirty working hours per week, for Muslim workers.

The employer must place in a visible place in his facility a schedule of working hours and daily and weekly rest times. The cases and work in which, for technical reasons and operating conditions, work must continue without a rest period shall be determined by a decision of the Minister.

Article 71

The worker may be employed for additional hours beyond the working hours stipulated in Article 70 of this Law if the interest of work so requires, provided that the total of the original and additional working hours does not exceed twelve hours per day for the workers. The employer must grant the worker additional wages equivalent to his basic wages calculated according to the additional working hours, plus at least (25%) twenty-five percent for daytime working hours, and at least (50%) fifty percent for nighttime working hours, or grant him permission to be absent from work in lieu of the hours in which he performed additional work.

If the overtime work is on weekly rest days or any official holiday, the employer must pay the worker a cash amount equivalent to (100%) one hundred percent of the worker's basic daily wage, in addition to the wage for the same day, or grant the worker compensatory leave instead of the days he worked, so that he is granted one day for each day he worked if the work is during weekly rest days or official holidays.

In all cases, the worker must agree to do the overtime work or not.

Article 72

As an exception to the provisions of Article 71 of this Law, the employer may assign the worker additional work without obtaining his consent in any of the following cases:

1 - Annual inventory work, budget preparation, liquidation, closing accounts, and preparation for sale at reduced prices, provided that the number of days on which the worker works more than the prescribed daily work period does not exceed 15 days per year, unless the competent authority authorizes longer periods.

2 - If the work is to prevent an accident or repair what resulted from it or to avoid a certain loss of perishable materials, or if the operation is intended to confront unusual pressure, the employer must notify the competent authority within 24 hours of the emergency situation, or the additional operation, and the period required to complete the work.

In all cases, the worker, upon employment, shall receive an additional wage equivalent to his basic wage, calculated according to the additional working hours, plus at least (50%) fifty percent for

daytime working hours, and (75%) seventy-five percent for nighttime working hours. If the additional work is on weekly rest days or official holidays, he shall be entitled to a cash amount equivalent to (200%) two hundred percent of the basic wage in addition to the wage for the same day, or compensation of (2) days of rest for each working day if the work is during official holidays.

Article 73

The employer may not abide by the provisions of Articles (70, 71) of this law in seasonal work and work sectors that are determined and regulated by a decision issued by the Minister.

Article 74

The employer must transfer the worker who works on the night work system to the day work system if it is proven by a certificate issued by an accredited medical authority that the worker is unable to perform work during the night work hours.

Article 75

Women may be employed during night working hours in the circumstances, works and occasions specified by a decision issued by the Minister.

Women shall be employed in dangerous, arduous, or unhealthy work, or other work, as determined by a decision issued by the Minister.

Article 76

A nursing worker is granted one hour per day to care for her child, starting after the end of maternity leave for a period of one year. The

worker is left to determine this hour, and this hour is counted as part of the actual working hours.

Chapter Two Holidays

Article 77

The worker is entitled to a paid weekly rest of not less than two consecutive days. In all cases, the worker may not be deprived of his right to weekly rest days due to his absence from work with or without an excuse.

In the works and areas specified by the Minister, the weekly rest may be combined.

Article 78

The worker is entitled to an annual leave with full pay of not less than 30 days, which he enjoys according to the requirements of the work interest. He may not take the leave before the expiry of at least 6 months from the date of joining work with the employer. The worker who has not used his annual leave has the right to keep the leave balance of not more than 30 days, unless his failure to use the leave is due to the work interest.

The worker's annual leave may be combined according to what is agreed upon between the two parties. The non-Omani worker is entitled to a round-trip ticket to his country to spend his leave agreed upon in the contract and back to his workplace.

In all cases, the worker may not waive his leave. However, in the work, sectors and categories regulated by a decision issued by the

Minister, annual leave may be replaced by a work system that is more suitable for the worker.

Article 79

The worker is entitled to his full wage during the official holidays stipulated by law.

Article 80

The employer may grant the worker, upon his request, a special leave without pay, provided that in this case the worker bears all contributions to the Social Security Fund, including his share and the share of the employer and the government during the leave period. This leave is considered part of the worker's service period, and that period is not taken into account in calculating the end-of-service gratuity stipulated in Article 61 of this law.

Article 81

The leave may be divided according to the requirements of the work interest, with the exception of the leave of young workers.

The employer may postpone the worker's annual leave if the interest of work requires it, for a period not exceeding six months.

The worker must take leave at least once every two years, for a period of no less than thirty days.

The employer may pay the worker the basic wage for the days of annual leave that he did not take if the worker agrees to that in writing.

The worker is entitled to the full wage for his annual leave balance if his service ends before he has used it up.

Article 82

A worker who proves his illness is entitled to sick leave not exceeding 182 (one hundred and eighty-two) days per year, based on the following percentages of the total wage:

- 1 - From the first day until the twenty-first day: (100%) one hundred percent of the wage.
- 2 - From the twenty-second day until the thirty-fifth day: (75%) seventy-five percent of the wage.
- 3 - From the thirty-sixth day until the seventieth day: (50%) fifty percent of the wage.
- 4 - From the seventy-first day (71) until the one hundred and eighty-second day (182): (35%) thirty-five percent of the wage.

Article 83

A female worker may be granted, upon her request, unpaid leave to care for her child for a period not exceeding one year, provided that in this case the female worker bears all contributions to the Social Protection Fund, including her share, the share of the employer and the government during the leave period. This leave is considered part of the female worker's service period, and that period is not taken into account in calculating the end-of-service gratuity stipulated in Article 61 of this law.

Article 84

The worker is entitled to a special leave with full pay as follows:

- 1 - Seven days of paternity leave, provided that the child is born alive and that the leave does not exceed the ninety-eighth day of the child's age.
- 2 - (3) Three days in the event of his marriage.
- 3 - Three days in the event of the death of the father, mother, grandfather, grandmother, brother or sister.
- 4 - Two days in the event of the death of an uncle, aunt, or maternal uncle.
- 5 - 10 days in the event of the death of the wife or one of the sons or daughters.
- 6 - 15 days to perform the Hajj pilgrimage to the Sacred House of God once throughout the period of his service, provided that the worker has spent a continuous period of one year in the service of the employer.
- 7 - To take a study exam for a maximum of 15 days per year, for the Omani worker enrolled in a school, institute, college or university.
- 8 - 130 one hundred and thirty days for a Muslim female worker in the event of the death of her husband, and 14 fourteen days for a non-Muslim woman.
- 9 - 15 days throughout the year for an Omani worker to accompany a patient with whom he has a marital relationship or a kinship up to the second degree.

10 - (98) Ninety-eight days of maternity leave for the female worker to cover the period before and after childbirth.

The female worker shall be granted leave to cover the period before childbirth upon the recommendation of the competent medical authority, provided that its duration does not exceed fourteen (14) days. The remainder of this leave shall be granted from the date of birth.

To grant the leaves stipulated in this article, proof of this must be provided.

Chapter Three Wages

Article 85

Wages and other amounts due to the worker shall be paid in Omani Rials unless it is agreed that they shall be paid in one of the currencies legally circulating in the Sultanate of Oman.

Article 86

The burden of proof of payment of wages to the worker falls on the employer.

Article 87

The employer shall not be released from liability for the worker's wage unless he transfers the worker's wage to his account in one of the local banks or financial institutions licensed by the Central Bank of Oman.

The Minister shall issue a decision regulating the transfer of wages by employers and exceptions.

Article 88

The minimum wage shall be determined by a decision issued by the Minister after consultation with the Joint Dialogue Committee between the production parties and its approval by the Council of Ministers.

Article 89

The Minister shall issue a decision specifying the minimum periodic allowance, the procedures and conditions for its disbursement, and the cases in which it may be suspended or reduced.

Article 90

Wages shall be paid on one of the working days, taking into account the following provisions:

1 - Workers appointed on a monthly wage shall be paid their wages at least once a month.

2 - If the work is for a part-time period and the work requires a period exceeding two weeks, the worker must receive an advance payment every week in proportion to the work he has completed, and the remainder of the wage must be paid to him in full during the week following the completion of the work he was assigned.

In cases other than the two previous ones, the wage shall be paid to the worker once every week, provided that it may be paid to him once every two weeks, or every month, if he agrees to that in writing. In all cases, the wage must be paid within three days of the end of the period for which it is due. The Minister may, by decision,

determine the date for disbursing workers' wages before the date specified for them on the occasion of national and official holidays.

Article 91

The employer is obligated to pay the worker's wages and all amounts due to him immediately upon termination of the employment relationship, unless the worker has left the job of his own accord, in which case the employer must pay the worker's wages and all his dues within seven days from the date of leaving the job.

Article 92

Wages, rights and all amounts due to the worker or to those entitled to them under the provisions of this law shall have priority over all other debts owed by the employer, with the exception of the legally awarded alimony.

Article 93

The worker may not be obligated to purchase food or goods from specific stores or from what the employer produces.

Article 94

The employer may not transfer a worker on a monthly wage to the category of daily workers or to the category of workers appointed on a weekly wage, or by the piece, or by the hour, except with the worker's written consent. In the event of consent to his transfer, the worker shall have all the rights he acquired during the period he spent on a monthly wage in accordance with the provisions of this law.

Article 95

The employer may not deduct from the worker's wages any money he may have lent him during the term of the contract more than what was agreed upon between the two parties, nor may he charge any interest on these loans. The same rule applies to wages paid in advance.

Article 96

Wages due to the worker may not be seized or waived except to the extent of a quarter, for a legal maintenance debt or to pay amounts owed by him to the government or the employer. In the event of a conflict, priority shall be given to the legal maintenance debt.

If the worker's service ends, the government's dues and the dues proven to the employer - if any - will be deducted from the end-of-service gratuity and any other dues.

Article 97

The right of a shift worker or a worker whose wage is determined on an hourly, daily, weekly, semi-monthly or monthly basis, and who is absent from work without permission or an acceptable excuse, is limited to receiving wages for the hours he actually worked.

The hourly wage of a worker whose wage is fixed on a monthly basis is calculated by dividing the total wage by the period for which the wage is granted, then by the original number of hours according to the employment contract or according to the law, whichever is less.

The hourly wage for the shift worker in this case is calculated on the basis of dividing the total wage for the work cycle, assuming that he works the entire work cycle, by the original number of hours excluding the overtime hours.

No deduction may be made from the worker's wage for any hour or day in which he is absent from work due to being summoned in writing to appear before the court, the public prosecutor, the committee, or the competent authority. Likewise, no deduction may be made from the wage of a trade union member for absence due to being officially summoned in cases related to the practice of his union work, provided that the employer is informed of this in advance.

Chapter Five: Running Events

Article 98

It is prohibited to employ or allow a juvenile worker of either sex to enter the workplace unless he or she has reached the age of fifteen (15). The Minister may, by decision, raise this age in some industries, businesses and professions that require it.

Article 99

A minor worker may not be employed between six in the evening and six in the morning, nor may he be employed for more than six hours per day.

A young worker may not be kept in the workplace for more than seven consecutive hours. The working hours must include one or more periods for rest and eating, the total of which must not be less than one hour. This period or periods shall be determined so that the worker does not work for more than four consecutive hours.

Article 100

A juvenile worker may not be assigned to work overtime, or kept in the workplace after the scheduled hours, nor may he be employed on weekly rest days or official holidays.

Article 101

In the event that the employer employs a minor worker, he shall be obligated to do the following:

- 1- Verifying the consent of the parent or guardian to operate it.
- 2 - Conducting a medical examination of the young worker to verify his health fitness to perform the work, with the medical examination being repeated periodically to verify his continued health fitness, at the dates specified by a decision issued by the Minister.
- 3 - He must have a special system for employing minors, which specifies the working hours, daily rest periods, and weekly rest times. The minor worker has the right to obtain a copy of it during official work.
- 4 - To prepare a list, from time to time, showing the names of the minors, their ages, and the date of their employment.
- 5 - Informing the competent authority of the names of the minors before employing them and the persons assigned to monitor their work.

Article 102

Without prejudice to the provisions of Articles (98, 99, 100, 101) of this Law, the Minister shall determine by decision the system for employing juveniles, the circumstances and conditions in which they

are employed, and the jobs, professions and industries in which they work according to the different age stages.

Chapter Six

Occupational Safety and Health

Article 103

An Occupational Safety and Health Committee shall be established in the Ministry, and a decision shall be issued by the Minister to form it, determine its powers and its work system.

Article 104

The employer or his representative is obligated to inform the worker, before employing him, of the risks of his profession and the means of prevention that he must take, and to take the necessary precautions to protect workers during work from health damages and the dangers of work and machines, by:

- 1 - He works to provide the necessary occupational safety and health conditions in the workplace or the means he provides to workers to enable them to carry out their duties.
- 2- Ensure that workplaces are always clean and meet occupational health and safety requirements.
- 3 - Ensure that machines, parts and tools are installed and stored in the best safety conditions.
- 4- Provide the necessary training to familiarize workers with the risks associated with their professions and how to prevent them.

The employer may not charge the worker or deduct any amount from his wages in return for providing this protection.

Article 105

The worker is obligated to refrain from any act intended to prevent the implementation of instructions or to misuse, cause harm, or damage to the means put in place to protect the safety and health of workers in the facility. He must use preventive measures and exercise the necessary care to preserve the equipment and work tools in his possession, and implement the instructions put in place to maintain his safety and health and protect him from injuries.

Article 106

The occupational safety and health regulations shall be issued by a decision of the Minister after coordination with the three parties of production (the government, employers, and workers) and the relevant authorities, provided that they include the following measures:

- 1 - General occupational safety and health measures that must be applied in all workplaces, such as those related to lighting, ventilation, air circulation, potable water, toilets, dust and smoke removal, workers' sleeping areas, and precautions taken against fire.
- 2 - Special measures for some types of work.
- 3 - Penalties imposed in the event of violating the provisions of these regulations.

Article 107

In the event of a violation of occupational safety and health provisions, the competent authority may issue a written notice to the employer to take corrective measures to stop the violation within the period specified in the notice. In the event of an imminent danger threatening the safety and health of workers, the Ministry must take the necessary measures to close the workplace, in whole or in part, or stop the use of equipment until the causes leading to this danger are eliminated. Assistance may be requested from the Royal Oman Police, if necessary, to implement these measures.

Chapter Seven:
Trade Unions, Sectoral General Unions, and the General Federation of Workers

Article 108

Workers may form a trade union among themselves, aiming to protect their interests, defend their rights, improve their material and social conditions, and represent them in all matters relating to their affairs.

Article 109

Trade unions form a general federation of workers that represents them in local, regional and international meetings and conferences.

Trade unions may form general sectoral unions among themselves.

Article 110

Trade unions, sectoral general unions and the General Federation of Workers shall enjoy independent legal personality from the date of registration with the Ministry, and they shall have the right to practice their activities with complete freedom without interference in their affairs or influence thereon.

The Minister shall issue decisions regulating the formation, operation and registration of trade unions, general sectoral unions and the General Federation of Workers, and the mechanisms for releasing a trade union member from work to perform his trade union duties and responsibilities.

Article 111

It is prohibited to impose the penalty of dismissal or any other penalty on workers' representatives in trade unions, general sectoral unions, or the General Federation of Workers due to their practice of their trade union activity in accordance with this law and the regulations and ministerial decisions issued in implementation thereof.

Chapter Eight

Settlement of Collective Labor Disputes, Strikes and Lockouts

Chapter One

Settlement of Collective Labor Disputes

Article 112

The collective labor agreement shall be concluded for the period agreed upon by the parties, and shall be renewable by agreement between them. Collective negotiations may be held at least three months before the expiry of the agreement, and any of the terms of the agreement may be negotiated during its term at the request of any of the parties.

Article 113

Both parties to the dispute have the right to submit a request to the committee to settle it, in the event that there is no collective labor agreement, or the collective labor agreement does not include

provisions for settling the collective labor dispute, or collective bargaining fails to resolve the dispute.

Article 114

The collective labor agreement regulates the terms and conditions of work in the establishment or work sector. The agreement must be written in Arabic, signed by representatives of the two parties to the collective bargaining, and certified by the Ministry, otherwise it is invalid.

Any condition contained in a collective labour agreement that contravenes the provisions of this law and the regulations and decisions issued in implementation thereof shall be null and void, unless this condition is more beneficial to the worker.

Article 115

Without prejudice to the provisions of Article 112 of this Law, the Ministry shall review the collective labor agreement for the sectors, ratify it, and register it in the register it prepares for this purpose. It may object to it in its entirety or to part of its provisions and refuse to register it, provided that the parties thereto are notified of the reasons for the refusal within one month from the date of its submission to it. If this period expires without ratifying or objecting to it, this shall be considered as approval by the Ministry of this agreement, and it must register it.

In all cases, the collective labor agreement shall not be effective and binding on its parties until it has been ratified and registered in the register prepared by the Ministry for this purpose.

Article 116

Committees shall be established in the Ministry to settle collective labor disputes. A decision shall be issued by the Minister to form them, determine their jurisdictions, and determine their work system. The committee shall be formed individually, and its membership shall include a representative of the Ministry, a representative of the employers, and a representative of the General Federation of Workers.

Article 117

In the event of a dispute between the employer or his representative and all or a group of his workers, the following procedures must be followed:

- 1 - The workers shall submit a written request to the employer to settle the dispute, and send a copy of it to the competent authority.
- 2 - The employer shall respond in writing to the workers' request within a maximum period of seven days from the date of receipt of the request, and a copy of his response shall be sent to the competent authority.
- 3 - If the period referred to in Clause 2 of this Article expires without a response from the employer, or if settlement is not possible for any reason, the two parties, or one of them, or their representative, may submit a request to the Committee to take amicable settlement procedures.

Article 118

The request for settlement of a collective labour dispute submitted to the Committee must include the following:

- 1 - Names and addresses of the parties involved in the dispute.
- 2 - A memorandum explaining the subject of the dispute.
- 3 - Documents supporting both parties to the dispute.
- 4 - The procedures followed to resolve the dispute, if any.

Article 119

The Committee shall resolve the dispute amicably within fifteen days from the date of submission of the application. If the settlement is reached amicably, the Committee shall record this in an agreement signed by the two parties. If the dispute cannot be settled amicably, the Committee shall submit, within seven days from the date on which the amicable settlement was not possible, a report to the competent authority that includes a summary of the dispute, what was accepted or rejected by the two parties, or one of them, and the reasons for the rejection.

Article 120

If the dispute cannot be settled amicably, or if one or both parties do not accept the amicable settlement, either party may submit to the competent authority a request to take arbitration procedures, which shall refer the dispute to the Collective Labor Disputes Arbitration Committee.

Article 121

A committee called the “Collective Labor Disputes Arbitration Committee” shall be established in the Ministry. It shall be composed of the head of one of the Courts of Appeal’s departments, and the membership of each of the following:

- 1 - An arbitrator from the Ministry chosen by the Minister.
- 2 - An arbitrator representing the employer, chosen by the Chairman of the Oman Chamber of Commerce and Industry.
- 3 - An arbitrator for the workers chosen by the head of the General Federation of Workers.

The Ministry, the employer and the General Federation of Workers shall each choose a reserve arbitrator to replace the original arbitrator in his absence.

Article 122

The Chairman of the Collective Labor Disputes Arbitration Committee shall set a session to consider the dispute, the date of which shall not exceed fifteen days from the date of submission of the arbitration request.

Article 123

The Collective Labour Disputes Arbitration Committee shall decide on the dispute submitted to it within a period not exceeding one month from the start of its consideration.

Article 124

The Collective Labor Disputes Arbitration Committee applies the applicable laws, regulations and decisions. If there is no applicable legislative text, the Arbitration Committee shall decide the dispute in accordance with the provisions of Islamic Sharia, custom, or the rules of justice and fairness in accordance with the prevailing economic and social situation.

The reasoned judgment is issued by a majority of votes. If the votes are equal, the side of the president prevails. The judgment is considered final and may only be appealed before the Supreme Court.

Article 125

The Collective Labor Disputes Arbitration Committee must notify the two parties to the dispute with a copy of its ruling by registered letter within three (3) days from the date of its issuance. The Arbitration Committee shall send the dispute file, after notifying the two parties, to the competent authority to keep it within the period specified by a decision issued by the Minister. The interested parties shall have the right to obtain a copy of the ruling.

Either party to the dispute may appeal the arbitration committee's ruling before the Supreme Court in accordance with the terms, procedures and deadlines stipulated in the Civil and Commercial Procedures Law.

Article 126

The provisions of the Arbitration Law in Civil and Commercial Disputes and the provisions of the Civil and Commercial Procedures Law shall apply - in the absence of a specific provision regarding arbitration in collective labor disputes.

Chapter Two Strike and Lockout

Article 127

Workers have the right to go on a peaceful strike in the facility to improve working conditions and circumstances, provided that the

strike announcement is approved by three-quarters of the members of the general assembly of the workers' union in the facility.

Article 128

It is prohibited to strike, call for it or incite it in establishments that provide public or essential services to the public, including oil establishments, oil refineries, ports, airports, public transportation, and other establishments specified by a decision issued by the Minister.

Article 129

Workers or their representatives in the facility are obligated to notify the employer and the competent authority in writing of the workers' desire to strike at least three weeks before the date set for it, and the notification must state the reasons for the strike and the workers' demands.

A copy of this notification must be provided to the Committee to initiate its procedures to settle the collective labour dispute in accordance with the provisions of this law.

Article 130

Workers must stop the strike when the collective labour dispute settlement procedure begins.

Article 131

The strike stipulated in Article 127 of this Law shall result in the worker being considered unpaid leave for the period.

Article 132

The employer is prohibited from closing the facility, in whole or in part, during the stages of amicable settlement of the dispute, or during its resolution by arbitration.

Article 133

The employer has the right, if necessary, to close the establishment completely or partially in order to defend his interests.

The closure must be lifted as soon as the parties agree to initiate collective labour dispute settlement procedures.

Article 134

The employer must notify the workers or the workers' union in the facility of the closure. The notification must include the reason for the closure and the intended date for its implementation. The closure may not be implemented before three weeks have passed from the date of notification.

A copy of the notification must be provided to the Committee to initiate its procedures to settle the collective labour dispute in accordance with the provisions of the law.

Article 135

The employer is prohibited from closing the facility that provides public or essential services, including oil facilities, oil refineries, ports, airports, public transportation, and other facilities that are specified by a decision issued by the Minister.

Article 136

Closing days are paid working days.

Chapter Nine:
Labor Inspection and Joint Dialogue between the Parties to Production

Chapter One
Labor Inspection

Article 137

The employees - who are determined by a decision issued by the legally competent authority in agreement with the Minister - shall have the status of judicial police within the scope of applying the provisions of this Law and the regulations and decisions issued in implementation thereof. The rules and procedures regulating their work shall be determined by a decision of the Minister, and they shall have the right to enter workplaces and examine books, records and papers related thereto to ensure the application of the provisions of this Law and the regulations and decisions issued in implementation thereof.

Before commencing work, these employees shall take an oath before the Minister to perform their work honestly and faithfully and not to disclose any work secrets or any information or data they have learned by virtue of their work, even after the end of their service.

Article 138

The employer or his representative shall be obligated to provide the employees referred to in Article 137 of this Law with the necessary facilities to perform their duties and all data or information they request, provided that it is complete and correct, with regard to the application of the provisions of this Law and the regulations and decisions issued in implementation thereof.

No person shall intentionally obstruct or hinder these employees from carrying out their work.

Article 139

The Minister shall issue a decision specifying the procedures and controls under which violators of the provisions of the Labor Law and the decisions issued in implementation thereof shall be dealt with.

The Ministry - in coordination with the competent authorities - may link the violations recorded against employers to the obligations register of those authorities and suspend their services to them until those violations are removed.

Chapter Two**Joint Dialogue Committee between the Parties to Production****Article 140**

A committee called the “Joint Dialogue Committee between the Parties to Production” shall be established in the Ministry, and shall be responsible for the following:

- 1- Studying proposals that would regulate the labor market.
- 2- Strengthening and enhancing working relations between production parties.
- 3 - Studying developments in Arab and international labor standards to benefit from them in enhancing joint dialogue in a way that serves labor relations between production parties.
- 4 - Joint cooperation to direct the efforts of social partners in the labor market in order to increase production, enhance competitiveness, and achieve balance and harmony between the interests of workers and employers in a manner that enhances the

national effort to achieve comprehensive and sustainable development.

5 - Studying the models prepared by the Ministry for the labor system, penalties and complaints.

Article 141

A joint dialogue committee shall be formed between the parties to production, headed by the Minister, and its membership shall include representatives of the three parties to production (the government, business owners, and workers).

The Minister shall issue a decision to form the committee and determine its system and mechanism of work.

Chapter Ten: Punishments

Article 142

Without prejudice to any more severe penalty stipulated by any other law, the crimes set forth in this law shall be punishable by the penalties stipulated therein.

Article 143

The following shall be punished by imprisonment for a period of not less than ten (10) days and not more than one month, and by a fine of not less than one thousand (1,000) Omani riyals and not more than two thousand (2,000) Omani riyals, or by one of these two penalties:

1 - Whoever incites, assists, agrees or commits any act in violation of the provisions of Article 29 of this Law, and if the perpetrator of the violation is a non-Omani, he shall be deported from the Sultanate of

Oman at the expense of the employing party, and shall be prohibited from entering it. The penalty shall be multiplied by the number of non-Omani workers who were employed without a license or in violation of the license, and the employer who employed them shall be obligated to pay the expenses of returning them to their countries, while the employer and the employing party shall be prohibited from recruiting non-Omani workers for a period not exceeding 2 years. The penalty shall be doubled if the worker who was employed is one of those who entered the Sultanate of Oman illegally, or left his work with the employer who was licensed to employ him, and the penalty shall be doubled in the event of a repeat violation.

2 - The employer or his representative who refrains from providing the necessary facilities, data or information in accordance with the provisions of this law, or provides false data or information to employees, or commits any act that would deprive the worker of his right to practice his union activity or obstruct the formation of labor unions, general sectoral unions or the General Federation of Workers.

3 - Anyone who violates the provisions of Articles 31 and 32 of this law and the decisions related to licensing conditions, in addition to cancelling the license, or suspending it for a period of no less than 1 year.

4 - Any person who deliberately obstructs or hinders any of the employees authorized with the capacity of judicial police from exercising his powers or performing any duty authorized or imposed on him, and the penalty shall be doubled in the event of a repeat violation.

5 - A non-Omani worker who works in the Sultanate of Oman without a license, or who works for an employer other than the one licensed to employ him, in addition to cancelling the license issued to him, if any, and deporting him from the Sultanate of Oman at the expense of the employing party, and preventing him from entering the Sultanate of Oman.

6 - Anyone who violates the provisions of Articles (5, 18, 22, 27, 75, 76, 98, 99, 100) of this law.

Article 144

Any employer who does not adhere to the prescribed Omanisation rates or the plan to replace non-Omani workers with Omanis shall be punished with a fine of no less than (500) five hundred Omani riyals and no more than (1000) one thousand Omani riyals, for each Omani required to be appointed or replaced.

The employer must achieve the legally stipulated percentage of Omanisation within six months from the date of discovery of the violation, and the penalty shall be doubled if the violation is repeated.

Article 145

Whoever: shall be punished by imprisonment for a period of not less than one month and not more than six months, and by a fine of not less than five hundred Omani riyals and not more than three thousand Omani riyals, or by one of these two penalties.

1 - Violates the provisions of Articles (128, 129, 130, 132, 134, 135) of this law.

2 - The worker who obstructs or disrupts work in the facility during the strike period.

Article 146

Any worker who requests or accepts for himself or for another any compensation, or takes a promise to do so, without the knowledge and consent of the employer, to perform any of the tasks assigned to him, or to refrain from doing so, shall be punished by imprisonment for a period of not less than (3) three months, and not more than (3) three years, and a fine of not less than (1000) one thousand Omani riyals, and not more than (5000) five thousand Omani riyals, or by one of these two penalties.

Article 147

Whoever violates the provisions of Articles (3, 6, 8, 14, 19, 24, 25, 36, 39, 49, 50, 52, 53, 54, 55, 57, 58, 59, 60, 61, 62, 63, 64, 65, 70, 74, 87, 91, 93, 94, 95, 101, 104, 111, 117) of this law shall be punished by a fine of not less than (500) five hundred Omani Rials and not more than (1000) one thousand Omani Rials.

In all cases, the penalty shall be multiplied by the number of workers against whom the violation occurred, and the penalty shall be doubled if the violation is repeated.

Article 148

Anyone who violates the provisions of Articles (77, 78, 79, 82, 84, 90) shall be punished with a fine of not less than (100) one hundred Omani Rials and not more than (300) three hundred Omani Rials. The penalty shall be multiplied by the number of workers in respect

of whom the violation occurred, and the penalty shall be doubled in the event of a repeat violation.

Article 149

The Minister or his delegate may not proceed with the lawsuit procedures in the crimes punishable under this law and settle with financial fines in accordance with the rules and categories issued by a decision of the Minister.

The Minister may administratively deport the offending worker from the Sultanate of Oman at the expense of the employing party, prevent him from entering the Sultanate of Oman, and suspend the Ministry's services to the employer and the employing party.

Article 150

The Minister may, by decision, impose administrative penalties for violating the provisions of this law and the regulations and decisions issued in implementation thereof.

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Royal Decrees

Ministerial decisions

High Orders

International agreements

Judicial rulings

Legal Fatwas

Official Gazette

General information

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