

ROYAL DECREE
53/2023
PROMULGATING THE LABOUR LAW

We, Haitham bin Tarik,

the Sultan of Oman

After perusal of the Basic Statute of the State, the Law of Arbitration in Civil and Commercial Disputes promulgated by Royal Decree 47/97, the Labour Law promulgated by Royal Decree 35/2003, Royal Decree 89/2020 Establishing the Ministry of Labour, Determining its Competences, and Adopting its Organizational Structure, the Social Protection Law promulgated by Royal Decree 52/2023, after presentation to Majlis Oman, and in accordance with the exigencies of public interest,

Have Decreed as follows:

Article I: The provisions of the attached Labour Law shall apply.

Article II: The Minister of Labour shall issue the necessary regulations and decisions to implement the provisions of the attached law, and until they are issued, the regulations and decisions in force shall continue to apply in a manner that they do not contradict with its provisions.

Article III: All concerned parties addressed by the provisions of the attached law herein shall reconcile their status in accordance with its provisions within 6 (six) months from its enforcement.

Article IV: The aforementioned Labour Law shall be repealed, as well as all that is contrary to the attached law, or in conflict with its provisions.

Article V: This decree shall be published in the Official Gazette, and shall come into force on the day following the date of its publication.

Issued on: 7 Muharram 1445 AH

Corresponding to: 25 July 2023 AD

Haitham bin Tarik
Sultan of Oman

The Labour Law

Part One: Definitions and General Provisions

Chapter One: Definitions

Article 1: In application of the provisions of this Law, the following words and expressions shall bear the meaning set forth against each of them, unless the context requires another meaning:

1. Ministry: The Ministry of Labour.
2. Minister: The Minister of Labour.
3. Concerned authority: The competent directorate general in the headquarters of the ministry, the directorate general of labour in the governorate, the labour circuit, or its divisions, as applicable.
4. Committee: The collective labour disputes settlement committees stipulated in article 116 of this law.
5. Work Permit: The written approval issued by the ministry to the employer to recruit non-Omani manpower in a specific occupation.

6. **Permit to practice work:** The written approval issued by the ministry for the worker to practice work in a specific occupation.

7. **Omanisation:** The employment system enacted by the ministry for the occupations with the aim of achieving the targeted employment and replacement of Omanis.

8. **Establishment:** Every project in which the employer carries out his activity.

9. **Employment contract:** Every agreement under which the worker undertakes to work for the interest of an employer under his management and supervision in return for a wage.

10. **Employer:** Every natural or legal person with whom one or more workers work in return for a wage.

11. **Worker:** Every natural person who works for an employer in return for a wage under his management and supervision.

12. **Juvenile worker:** Workers between the ages of fifteen (15) and eighteen (18).

13. **Overtime:** Work conducted in excess of the scheduled working hours specified in the law.

14. **Remote work:** A work system in which the worker performs his work or duties using information technology and communications within the Sultanate of Oman, whether part-time or full-time, outside the establishment's premises.

15. **Working Hours:** The time during which the worker is under the employer's management and supervision.

16. **Night Working Hours:** Work performed during the time interval between nine (21:00) in the evening and five (5:00) in the morning, during which the worker is under the employer's management and supervision.

17. **Basic Wage:** The remuneration agreed upon between the worker and the employer in the employment contract, plus the periodic allowance.

18. **Gross Wage:** The basic wage plus any additional allowances and stipends prescribed for the worker in return for his work.

19. **Collective Labour Agreement:** An agreement concluded between the employer and the workers or their representative, governing the conditions, circumstances, and terms of work.

20. **Collective Labour Disputes:** The dispute that arises between the employer and the workers regarding the conditions and circumstances of work in the establishment.

21. **Probationary Period:** The period that enables the employer and the worker to assess the continuation of the employment relationship.

22. **Economic Cause:** A financial loss suffered by the employer for a period of no less than 2 (two) consecutive years, however the failure to make profits or the closure of one of the activities or branches of the employer for causes related to the lack of feasibility of its continuation is not considered a financial loss.

23. **Year:** 365 (three hundred and sixty-five) days.

24. **Month:** 30 (thirty) days.

Chapter Two: General Provisions

Article 2: The provisions of this law shall apply to all employers and workers, but shall not apply to those whose work is organized by special laws regulations.

It is permitted to govern the work of categories of a special work nature by a ministerial decision, such decision must include, in particular, the following:

- The terms and conditions of work.
- The penalties imposed on violators.

Exemption from judicial fees in all lawsuits arising from labour disputes filed by workers or beneficiaries on their behalf.

Governing the work of judicial enforcement officers.

The conditions, rules, and fees of work permit, the permit to practice work and its renewal, and the registration and renewal of information, after the approval of the Ministry of Finance and the Council of Ministers.

The guarantees required to be met by the employer, whether financial or 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 level of rights prescribed to the worker by virtue of the provisions of this law. It is not permitted to scale back the standards and terms of employment under which the worker was engaged prior to the effective date of this law if he remains in the service of the employer after such date.

Article 4: Any term or agreement that violates the provisions of this law, even if it was prior to its enforcement, shall be deemed void unless it is more favourable to the worker. Any release, conciliation, or waiver of rights arising from this law shall also be deemed void if it violates its provisions. Any additional benefits granted to the worker by virtue of the laws, regulations, and decisions in force on the day this law takes effect shall continue to apply.

Article 5: The employer is prohibited from imposing any form of forced or compulsory labour on the worker.

Article 6: It is prohibited for employers to confiscate worker's passport or his personal documents unless after obtaining worker's consent letter in writing.

Article 7: The Arabic language is the language that shall be used in all formal and official communications such as work regulation, decisions, and circulars issued by the employer to his workers.

If the employer uses a foreign language beside Arabic in any of the mentioned cases, the Arabic text shall prevail.

Article 8: Every employer who employs 50 (fifty) or more workers shall display in a conspicuous place in the establishment the complaints and grievances regulation after its approval by the concerned authority, and it must include the worker's right to file his complaint or grievance to the employer or his representative. The employer shall enable the worker to obtain an approved copy of this system.

Article 9: Lawsuits of labour disputes arising from claiming the rights stipulated in this law and the employment contract shall not be admitted if they are first filed with the concerned court without submitting a settlement application to the competent administrative division in the ministry, so that it endeavours to reach a settlement between its parties in accordance with the provisions of this law, within a maximum period of 30 (thirty) days from the date of submitting the application.

If a settlement between the parties to the dispute takes place before the competent administrative division in the ministry, this conciliation shall be recorded in a report signed by the parties, the competent employee in the ministry, and the delegated judge. This report shall have the power of an enforcement document and it shall end the dispute to the extent of what is conciliated. An official copy of the report to which the enforcement form is appended shall be given in accordance with the provisions of the Civil and Commercial Procedures Law, taking into account the legally prescribed rules of jurisdiction.

In the event of the failure to reach a settlement between the parties to the dispute, the competent administrative division in the ministry shall refer the dispute to the concerned court within 7 (seven) days from the last settlement session date. The referral must be accompanied by a memorandum encompassing the dispute facts, the parties' names, their original domicile or the domicile chosen by each of them for the litigation procedures, and details of the wage of the worker and the claims in the lawsuit, a copy of the employment contract and all arguments and evidences provided by all parties must be attached.

The right to claim any of the rights stipulated in this law is forfeited after the lapse of a year from the date of its entitlement. As for rights that have arisen prior to the enactment of this law, the period of the year is calculated from the date its provisions enter into force.

Article 10: The worker who has been dismissed from work may within 30 (thirty) days of the date of his notification of the decision file a complaint to the concerned authority. The latter, i.e. the concerned authority, shall follow the procedures stipulated in article 9 of this law.

Article 11: If the concerned court finds that the worker's dismissal was arbitrary or in violation of the law, the court shall rule either to reinstate the worker to his job or to mandate the employer to pay the worker a minimum of 3 (three) months' salary with a compensation cap of 12 (twelve) months' salary, calculated on the basis of the worker's final gross wage, taking into account the worker's conditions and term of service, in addition to:

The end-of-service gratuity to which the worker is legally entitled, and all other benefits prescribed by the law or the employment contract, whichever is greater.

The gross wage for the notice period stipulated by the law or the employment contract, whichever is greater. Insurance contributions prescribed for the period from the date of arbitrary dismissal until the issuance of the final judgment.

Article 12: Termination shall be deemed arbitrary, if the employer terminates the worker's contract for any of the reasons listed below:

The worker's gender, origin, colour, language, religion, creed, social status, disability, pregnancy, childbirth, or breastfeeding for a working woman.

The worker's affiliation with a labour union, or his legitimate participation in any of its activities in accordance with the applicable laws, regulations and decisions.

If the worker submits a complaint or formal notice or files a legal action against the employer, unless such complaint, formal notice or legal action are of a malicious nature.

For disciplinary reasons, without considering the provisions hereof, the labour regulations, and the disciplinary rules of the company.

If the worker is absent from work due to his detention or imprisonment with the competent authorities and the expiry of the period of detention or imprisonment without referral to the concerned court or the court declaring his innocence.

Article 13: All lawsuits arising from disputes related to the provisions hereof filed by workers or the beneficiaries on their behalf are exempt from judicial fees.

Article 14: The employer shall repatriate the non-Omani worker to his country, or any other country agreed to, upon termination of the employment contract within a maximum period of 60 (sixty) days. The employer shall grant the worker, at his request, a release letter from any liability towards him upon the end of the employment contract or his departure from the Sultanate of Oman.

In the event that the worker refuses to travel, the concerned authority shall return the worker at the expense of the ministry and seek refund from the employer for the costs incurred by the ministry for this purpose.

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

Article 15: the minister shall issue a decision governing the return of the non-Omani worker to his country, If it is discovered that the non-Omani worker is medically unfit to work upon his first arrival in the Sultanate of Oman, proven that he has forged an academic certificate or work experience, in case he wishes to return without a legitimate reason, or if he abandons work, .

Article 16: The minister may regulate employment in a specific employment sector or a specific category of works whenever the public interest so requires.

Article 17: A ministerial decision shall regulate the following functions:

Incidental work that, by its nature, does not fall within the activity practiced by the employer.

Temporary work.

Part-time work.

Remote work.

Part Two

Regulation of Employment

Article 18: Employment is an intrinsic right for Omanis; no one else is allowed to work within the Sultanate of Oman except in accordance with the conditions and circumstances stipulated by the law and decisions enacted hereof.

Article 19: The employer or his representative shall record the data related to Omani workers in a special register in the establishment in accordance with the form provided by the ministry, keep this register at the worksite, and update it on the ministry's website or submit it in paper during the month of January of each year, including the following:

- A detailed statement of the number of his Omani workers, showing their occupations, wages, and gender.
- A statement of the number and type of job vacancies during a year, if any.
- The annual plan for Omanisation and replacement in the establishment.

Article 20: The minister shall issue a regulation for the training of Omanis, such regulation must include the percentage of contribution by the establishment to training programmes, in coordination with the Oman Chamber of Commerce and Industry and each economic sector.

Article 21: The ministry shall establish a fund for the development of national human resources, which will be responsible for financing employment, rehabilitation, and empowerment programs and policies for workers in the private sector. The system of the fund, its sources of financing, and the regulations and procedures governing its operation shall be endorsed by the Council of Ministers following coordination by the ministry with the competent authorities.

Article 22: An employer who employs 25 (twenty-five) workers or more shall take the following measures:

- Announcing the professions and the requirements, conditions, and selection criteria defined for their occupation.
- Adhering to the occupational classification approved by the ministry in a manner that facilitates the procedures of the establishment to achieve Omanisation.
- Determining the wages, employment benefits, and working conditions.
- Training Omani employees to develop and boost their skills and their competency.
- Providing the appropriate work environment and facilities in the workplace.
- Providing performance appraisal systems.
- Preparing a plan to appoint and train Omanis for leading positions and monitoring its implementation.
- Developing practical strategies for Omani manpower retention.

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

Article 23: The employer shall employ Omanis in the establishment. The percentage of Omanisation in the various economic sectors and the works and occupations covered by each sector shall be determined by a ministerial decision as dictated by the circumstances of each sector or activity, the availability of the required Omani manpower, and the percentage prescribed for Omanis in the occupations in which Omani manpower is available to work.

A ministerial decision shall also determine the occupations and works in which Omanis replace non-Omanis.

The employer shall treat all workers equally in the event that the nature and conditions of the work are the same.

Article 24: The employer who employs forty (40) workers or more shall appoint persons with disabilities and are competent in occupations that are appropriate for their conditions, within the limitations of the proportion specified by the Ministerial Decision.

The Minister may amend the number specified in the preceding paragraph upon the approval of the Council of Ministers.

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

Article 25: The employer or his representative shall electronically update the data form referred to in Article 22 of this law regarding the posts and occupations which fall vacant or have been created at his place of work,

whatever their type is, with information on each one of them and the wage thereof and the specified date for its occupation within 30 days from the date of the vacancy thereof.

The employer shall, within 1 (month) from the date of employing an Omani, send the registration form for this worker to the concerned authority from which it was issued, together with a statement detailing the worker's employment start date, stipulated remuneration, and work type. The serial number of the registration certificate and the date thereof shall be recorded in front of the worker's name in the workers' register at the establishment. Workers must be categorized according to skill level, job classifications, and other criteria that shall be determined by a ministerial decision.

Article 26: The concerned authority shall—for the purpose of employing Omanis—undertake the following:

- Obtaining from employers a list of vacant positions and the required qualifications for employment.
- Nominating workers for vacant occupations if they meet the stipulated job requirements.
- Providing advice and guidance to job seekers in the areas of vocational training and guidance to facilitate their employment in vacant occupations.

The employer shall reserve the right to select a candidate from the pool of applicants to fill vacant positions.

Chapter Three: Regulating the Employment of Non-Omanis

Article 27: The employer is prohibited from bringing forward non-Omani workers unless he has obtained a permit from the Ministry, granting such permit shall be subject to the following conditions:

- That there is no Omani who has the academic qualifications, expertise, or technical skills necessary for the required occupations.
- That the employer adheres to the stipulated Omanisation plan and ratio.
- That the non-Omani worker is of academic qualifications, work experience, technical skills, professional competence, or of other occupational expertise needed by the country.
- Payment of the prescribed fees.

Article 28: A non-Omani shall not join any work in the Sultanate of Oman before obtaining a permit to practice work. The grant of such permit shall be subject to the following conditions:

- That the worker passes the examinations of professional standards to practice the occupations specified by the concerned authority. A list of occupations that require a certificate to practice the occupation shall be issued by a ministerial decision.
- That the worker has entered the Sultanate of Oman legally, and fulfils the conditions stipulated in the Foreigners Residency Law and the regulations and decisions issued implementing it.
- That the worker is medically fit and free of the diseases specified by the Ministry of Health.
- That the worker has a contract with an employer who has obtained the necessary permits from the competent government authorities.
- Payment of the prescribed fees.

Article 29: The employer shall not undertake the following:

- Allowing a non-Omani worker, whom he has been granted a work permit to employ and who has been permitted to practice work, to work for others, unless the ministry is electronically notified and approves it.
- Employing a non-Omani worker permitted to work for others except after providing the ministry electronically with the details of the worker and his work address in accordance with the specified form.
- A ministerial decision shall lay out the regulations governing the transfer of non-Omani workers from one job to another, the regulations and procedures the employer shall follow when reporting a non-Omani worker abandoning his job, and the obligations and penalties arising against the worker and the employer for violating the decision.
- Employing a non-Omani worker in any occupation restricted to Omanis.

Article 30: A ministerial decision shall specify:

- The fees of work permits, the fees of the permit to practice work and its renewal, and the registration and renewal of information, after the approval of the Ministry of Finance and endorsement by the Council of Ministers.

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

The occupations and works that non-Omanis are not allowed to practice.

The occupations and works in which work permits are temporarily suspended.

The conditions and occupations in which it is permitted to transfer non-Omani manpower between private sector establishments on a temporary basis.

Classifying occupations by professional levels.

Article 31: It is prohibited to engage in the activity of bringing forward non-Omani manpower except after obtaining a permit from the ministry. It is also prohibited to charge any amount to the workers whose recruitment is approved in lieu of their employment. A ministerial decision shall outline the conditions and regulations that must be met to practice the activity of bringing forward non-Omani manpower, as well as the contract concluded between the employer and the licensee.

Article 32: It is prohibited to advertise or promote employment and to classify it on the basis of creed, colour, and cost, and to advertise it in a manner that offends human dignity.

Part Three

Employment Contract and the Obligations of the Employer and the Worker

Chapter One: Employment Contract

Article 33: The employment contract must be documented in writing and made in the Arabic language in two copies, one for each party. Notwithstanding this, it is permitted for the contract to be made in a language other than the Arabic, provided that at least one copy in Arabic shall be annexed thereto and approved by the two parties to the contract which shall be equally authentic. If there is no written employment contract, the worker may prove his rights by all means of proof. The contract must be approved by the concerned authority.

Article 34: The employment contract may be carried out for an agreed-upon or indefinite period of time; if a term is set forth, it shall not exceed (5) five years and may be renewed with the consent of both parties. In the case of contract renewal, the term or renewed term shall be considered an extension of the existing term and shall be added to it in calculating worker's overall service duration.

Article 35: The contract shall be deemed to be for an indefinite period in the following cases:

- If the contract is concluded without the determination of its term;
- If the contract is concluded for a period of more than five years;
- If the initial and renewed term of the contract are more than five years;
- If the contract is not written, or if it is a written contract with a defined duration and the parties continue to execute it beyond the expiry of its term without a written agreement on its renewal;
- If the labour contract is concluded for the completion of a specific work and this requires a period of more than five (5) years.
- If the labour contract concluded for the completion of a specific work is renewed and the period required for the completion of the initial work and the works for which the contract is renewed exceeds five (5) years.
- If the labour contract concluded for the completion of a specific work expired and its parties keep executing it after the completion of the said work without explicit agreement on its renewal.

Article 36: The employment contract must include, in particular, the following details:

- The name of the employer and the establishment, and the address of the workplace.
- The name of the worker and his date of birth, qualification, place of residence, and nationality.
- The type of work, its conditions, and the contract period if it is for a definite period.
- The basic wage and any allowances, stipends, benefits, or gratuities to which the worker is entitled under the applicable terms of service and the date of payment of the agreed wage.

The reasonable period of notice which shall be given by anyone of the parties who intends to revoke the contract, provided that the period of notice which an employer gives to a worker shall not be less than 1 (one) month.

Adhering to respect religions, religious beliefs, and the laws of the Sultanate of Oman, as well as its customs and traditions, and refraining from engaging in any act that jeopardizes the Sultanate's security.

Article 37: A worker shall not be placed on probation for a period exceeding 3 (three) months if he receives his wage on a monthly basis nor shall such period exceed 2 (two) months if he receives his wage otherwise.

A worker shall not be placed on probation more than once with the same employer, and the probationary period shall be included in the period of service if the worker has successfully completed it.

Any one of the parties may, after a notice of not less than 7 (seven) days to the other party, terminate the contract during the probationary period, if it becomes clear that continuation in employment is not suitable.

Article 38: The parties to an indefinite-term employment contract may terminate it at any time for a legitimate reason by giving the other party a written notice 30 (thirty) days before the date of termination for workers paid on a monthly basis and 15 (fifteen) days for others, unless a longer period is agreed upon in the contract.

If the contract is terminated without observation of such notice period, the party terminating the contract shall pay the other party compensation equal to the notice period or the remaining part of it calculated on the basis of the final gross wage the worker was receiving.

Article 39: The notice of contract termination provided by the employer to a worker on leave shall not take effect until the day following the end of the leave.

In all cases, during the notice period, the employer shall allow the worker to be absent from work for (10) paid hours per week to search for a new job. The worker shall inform his current employer when he finds a new job. The worker shall, after that, inform the employer of obtaining new employment and shall fully commit to his current obligations 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:

If he assumes a false identity, or if he resorts to forgery to obtain the work.

If he commits a mistake that results in a serious material loss to the employer, provided that the latter informs the concerned authority of the incident within 30 (thirty) working days from the date he becomes aware of it.

If, despite of being notified in writing, he fails to comply with instructions, the compliance with which is crucial for the safety of workers or the workplace, and that the violation of which is likely to result in severe damage to the workplace or to the workers;

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

If he discloses confidential information of the establishment where he works in cases other than those where it is legally permitted.

If a final judgment is made against him for an offence or felony for breach of honour or trust, or for a felony committed at work or in the course of his employment;

If he is found intoxicated, or under the influence of narcotics or psychotropic substances, or if he commits a moral turpitude during working hours;

If he assaults the employer or the responsible manager, or if he commits or causes a grievous assault on any of his superiors in the course of his work, or if he assaults one of the workers at workplace and it results in illness or disruption of work.

If the worker commits a serious breach of his contractual obligation to complete the agreed-upon task.

Article 41: The worker may leave his position without complying with the notice requirements of Article (38) of this law, or before the end of the contract period if the term is specified, while retaining his full rights, including the end of service gratuity, and without prejudice to his right to compensation, after notifying the employer in any of the following cases:

If the employer or his representative has defrauded him in respect of the terms of employment at the time of entering into the contract of work.

If the employer fails to grant the worker his salary for more than (2) two consecutive months, or if the employer fails to perform his substantial obligations towards the worker in accordance with the provisions of this law and the terms of the employment contract;

If the employer or his representative commits an immoral act towards the worker.

If the worker is assaulted during work or because of it by the employer, his representative, or his superior.

If there is a serious danger that threatens the safety or health of the worker, provided that the employer is aware of the existence of the danger and does not take the measures prescribed in this regard.

Article 42: The employment contract ends in any of the following cases:

The expiry of its period or the completion of the agreed upon work.

The termination of the contract by the worker or the employer in accordance with the provisions of this law.

The disability of the worker to perform his work or his death.

The illness of the worker that necessitates his absence from work for a consecutive or intermittent period of no less than 3 (three) months within one year, provided that the sick leave period stipulated in article 82 of this law and his balance of ordinary leave is exhausted.

Article 43: Without prejudice to the provisions of Article (40) hereof, the employer may terminate the contract on his part after serving notice to the worker in any of the following cases:

If the worker reaches the retirement age required to be entitled to a retirement pension by virtue of the Social Protection Law, unless otherwise agreed between the parties.

Termination of the service of a non-Omani worker in the implementation of the Omanisation plan in the event that the employer appoints an Omani worker as a replacement for him in the same occupation that he occupied.

If the worker fails to reach the required level of performance after notifying him of the aspects of incompetence and giving him an appropriate period of no less than six (6) months to reach it. If the worker fails to do so, the employer may terminate the employment contract. In the event that the dismissed worker was an Omani national, the employer is required to appoint an Omani worker to replace him in the same job he was occupying.

Complete/partial closure of the company, bankruptcy, downsizing, or replacement of one production system with another in a way that affects the size of the workforce. In cases other than the total closure or bankruptcy of the company, the employer shall consider not terminating the contract of the Omani worker who has the same competence and experience level of his non-Omani co-worker.

If the company has an economic cause to do so.

The employer shall, in the cases stipulated in clauses 3 and 4 of this article, notify the ministry of the cause for termination 3 (three) months prior to the contract termination date.

Article 44: The employer may terminate the employment contract to reduce the number of workers for economic cause, after the approval of the committee formed under Article (45) of this law, to the extent necessary to maintain the facility's continuity of work and avoid the risk of bankruptcy.

Article 45: A special committee shall be established by a ministerial decision to consider applications submitted by private sector establishments regarding the number of workers' reduction, which shall be chaired by the ministry and the membership of the following entities:

The Ministry of Commerce, Industry, and Investment Promotion.

The Oman Chamber of Commerce and Industry.

The General Federation for Workers of the Sultanate of Oman.

An employer who has such economic cause shall submit an application to this committee, along with the supporting documents and the proposed number of workers to be released. The committee shall study the application and decide whether to accept or reject it.

The decisions of the committee shall be final unless a grievance is filed before the Court of Appeal within thirty (30) days from the date of notifying the employer thereof.

If the committee decides that the company has an economic cause, it may investigate suitable alternatives to contract termination after agreeing with the employer and workers. Such alternatives may include:

Reducing the number of hours or working days in the establishment in return for the reduction of wages, provided that this procedure is for a specific period determined by the committee and extendable for additional terms, if necessary, by virtue of a decision issued by the committee.

Granting workers specified unpaid leave, provided that this is for a certain period and includes all workers of the establishment in an equal manner.

Reducing the wages of all the workers of the establishment by certain percentages, provided that this is for a specified period that is subject to extension if necessary.

Article 46: In the event that the employer obtains approval to reduce the number of his workers, he shall comply with the following:

Adhering to a reasonable criterion in selecting the workers whose contracts will be terminated, such as workers with the lowest levels of performance or any other criterion.

Giving workers whose contracts will be terminated a notice period of no less than (3) three months.

Workers whose contracts will be terminated shall be given priority for reinstatement at the same facility if a job opportunity with criteria that are consistent with their skills becomes available.

Article 47: The illness of the worker shall be proven by a medical certificate and the disability of the worker by a decision by the competent committees or the institutions licensed by these committees according to the applicable laws. The age shall be proven by the document submitted as evidence when contracting, and no other document shall be relied upon after this.

Article 48: Without prejudice to the Social Insurance Law, if there is a worker's supplementary programme or Savings Fund in an establishment and the regulations of such Funding programme state that the employer's contribution to the Fund for the worker's account is paid in lieu of the employer's legal obligation to pay the end of service gratuity and it is equivalent to or greater than the gratuity to which the worker is entitled, such amount shall be paid to the worker instead of the gratuity otherwise the worker shall be entitled to the gratuity.

If the worker contributes to such Fund, he shall be entitled to both his entitlement from the Fund and 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 conditions and regulations stipulated by the law.

Article 49: The employer shall commit to all establishment's obligation of company's dissolution, liquidation, closure, bankruptcy of the establishment or its merger with another establishment or succession thereto by inheritance, sale, lease, surrender, will, gift or such other acts of disposal. in case of the employer's death, the inheritors shall be committed to all of the employer's obligations within the limits prescribed by law.

With the exception of cases of liquidation, bankruptcy, and authorised complete closure, the employment contract remains in effect and the successor shall be jointly liable with the previous employers for the performance of all legally prescribed obligations, taking into account the priority prescribed for the workers' rights.

Article 50: The employer shall employ the Omani manpower employed by the same project transferred to him wholly or partly, by granting them the same wages and financial benefits and 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 an incident or circumstance warranting this, and it must include, in particular, reducing working hours, reducing the minimum limit of employment conditions prescribed in this law or the employment contract, and the penalties arising from violating the decision or the taking of precautionary measures.

Chapter Two: Obligations of the Employer

Article 52: The employer shall create a special file for each worker which includes in particular:

The name of the worker and his age, social status, place of residence, and nationality.

The occupation of the worker and his qualifications and expertise.
date of commencement of work, his wage and any changes thereto.

The exhausted leaves to the worker.

The penalties imposed by the employer against the worker.

Job performance reports of the worker.

Date and reasons for termination of service.

The employer shall keep the file provided in the above paragraph at least for one year from the service termination date.

In all cases, the employer shall 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 the papers and certificates that he has deposited with the employer.

Article 53: The employer shall not violate the terms of the contract or burden the worker with work that has not been agreed upon, unless it is required to prevent an accident or to rectify the repercussions of an accident, or in the case of force majeure and on a temporary basis.

Notwithstanding this, the employer may task the worker with work that is not agreed upon if such work is not fundamentally different from his original work, providing that it does not affect the rights of the worker and does not result in serious damage or financial burden without a fair return.

Article 54: The employer shall, in the event that he employs 50 (fifty) workers or more, prepare a work regulation on the work system containing, in particular, the rules governing work in the establishment, the rights and duties of each of the employer and the worker, the rules governing the relationship of the worker with his colleagues and superiors, the provisions on promotion of the worker and the determination of the categories of wages, allowances, and stipends of all kinds and the dates of their payment, and the performance appraisal system. For such regulations and amendments thereto, to become enforceable they have to be approved by the Ministry within 2 (two) months from the date of its receipt. If the said period lapses without the approval or rejection of the Ministry having been communicated such regulations shall become enforceable.

The employer shall provide the worker with an approved copy of this regulation. The employer shall amend the work regulation in line with the laws, regulations, and decisions, and submit it to the ministry for approval.

The minister shall issue a sample guidance form of the work regulation after consultation with the Committee for Joint Dialogue among Production Parties.

In all cases, the provisions provided in the form referred to in this article shall apply to establishments that do not comply with putting in place a work regulation approved by the ministry.

Article 55: The employer shall, in the event that he employs 25 (twenty-five) workers or more, prepare a special penalties regulation and the conditions for imposing them in accordance with the form and rules issued by a ministerial decision. The employer shall submit this regulation and any amendments thereto to the ministry. The ministry shall approve the regulation within 2 (two) months from the date of its receipt, and if this period lapses without a response from the ministry, it becomes enforceable. The employer shall enable the worker to obtain an approved copy of this regulation.

In all cases, the provisions provided in the form and rules referred to in this article shall apply to establishments that do not comply with putting in place the penalties regulation approved by the ministry.

Article 56

The following shall be taken into account in preparing the penalties regulation stipulated in article 55 of this law:

That it specifies the actions that the worker is prohibited from committing and the penalties prescribed for them, provided that they are progressive penalties.

That no more than one penalty is imposed for each violation.

That the penalty is not imposed on the worker for a matter he commits outside the workplace unless it is related to the employment.

Article 57: The employer shall provide first aid means to his workers in the establishment, and in the event that the number of his workers in a single place exceeds 200 (two hundred) workers, he shall appoint a qualified nurse to carry out first aid or contract with a specialized institution to provide such services.

If the worker is treated in a government or private hospital and there is no health insurance coverage, the employer shall bear the expenses of treatment, medication, and in-patient care in accordance with the regulations and financial rules in force in those hospitals.

Article 58: The employer who practices work in the areas specified by the minister shall provide his workers with appropriate means of transport and provide them with suitable accommodation, meals, and drinking water in the convenient places.

Article 59: The employer may, if necessary and in agreement with the worker, transfer the worker from his original worksite to any other worksite in the same establishment, or from his original work to any other work in his other establishments, after being authorized to do so from the ministry in this case.

In all cases, the employer shall bear all the costs arising thereto.

Article 60: The employer shall provide a place designated for female rest in the premises of the establishment in which the number of female workers exceeds 25 (twenty-five) female workers.

Article 61: Without prejudice to the provisions of article 48 of this law, on the employment contract termination of workers who are not beneficiaries of the Social Protection Law the employer shall pay the worker a post service gratuity for the period of his service, not less than the basic wage for each year of his service. The worker shall be entitled to the gratuity for fractions of the year proportionate to the period of his service and the last basic wage of the worker shall be considered the basis for the calculation of the gratuity.

The period of service that began before the enactment of this law shall be included within the period of service considered in determining the period for which gratuity is payable.

The provisions of this article shall apply until the savings system stipulated in the Social Protection Law comes into force. The employer may settle the rights of the worker for the period of his service prior to the start of the savings system to the savings system or to the worker, and in this case, the settlement must be calculated at the basic wage on the settlement date.

Article 62: The employer shall provide a free end-of-service certificate to the worker upon his request, detailing the employment start/end date, the type of work, the wage, and other gratuities and benefits if any.

The employer shall return to the worker the papers or certificates the worker had deposited with him and the worker shall sign an acknowledgement receipt of such.

Article 63: The employer shall not impose any penalty against the worker except after informing him in writing of what is attributed to him, hearing his statements, investigating his defence, and documenting it in writing in a report prepared for such purpose.

Article 64: The employer shall not hold the worker accountable for a violation for which more than 30 (thirty) days have lapsed since its discovery. The employer shall also not impose any disciplinary penalty against the worker after more than 60 (sixty) days have lapsed since the date of proving the violation.

Article 65: The employer shall not impose upon a worker a fine exceeding the wage of 5 (five) days for a single violation in one month, nor impose on him a disciplinary penalty of suspension and deprivation of the whole or part of his wage for each violation for a period exceeding 5 (five) days in one month.

Article 66: The employer may investigate the worker himself or delegate the investigation to one of the workers in the establishment, provided that the investigator's job level is not below that of the violating worker. If the violation is grave, he may delegate the investigation to another person with competence in the subject matter of the violation.

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

Chapter Three: Obligations of the Worker

Article 67: The worker shall comply to the following:

Perform the work by himself in accordance with the direction and supervision of the employer or his representative, with what is specified in the contract and in accordance with the provisions of this law, the regulations and decisions issued implementing it, and he shall give it the due diligence.

Executing the orders of the employer or his representative regarding the performance of the work agreed upon if nothing in these orders contradicts the contract, the law, or morals, and the performance of which does not expose him to danger.

Maintaining the means of production and the work tools placed at his disposal with the skill and care of the ordinary person and taking all necessary procedures to preserve and protect them.

Maintain work confidentiality and non-disclosure.

Constantly working on developing his skills and expertise in accordance with the systems and procedures set by the employer.

Refraining from using work tools outside the workplace except with the approval of the employer and keeping these tools in their designated places.

Implementing the occupational safety and health instructions prescribed by the employer, whether in accordance with the law or the regulations and decisions thereto.

Refraining from accepting gifts, commissions, gratuities, funds, or others when carrying out his work without the consent of the employer.

Refraining from keeping for himself the originals of documents and papers related to work.

Refraining from engaging—in any capacity—in an activity similar to that carried out by the employer throughout the term of their employment contract.

Treating his co-workers with respect, behaving appropriately around them and around his supervisors, and working together for the greater good of the establishment he works for.

Article 68: If the worker intentionally or due to his gross negligence causes loss, damage, or destruction of any tools, machinery, or products owned by the employer or that were in his custody, he shall bear the necessary amount thereof. The employer has the right, after conducting the investigation and notifying the worker, to start deducting such remedial cost from the worker's monthly gross wage, provided that the deduction does not exceed 25% (twenty-five percent) of his monthly wage. The worker may appeal against the employer's estimation to the concerned authority within 30 (thirty) days from the date of his knowledge of the deduction, and the labour disputes settlement procedures shall be decided in accordance with this law.

Article 69: The parties to the employment contract may agree to sign a non-compete agreement so that the worker will refrain from competing with the employer or engaging in work that competes with the employer after the contract expires, provided that the time, place, and type of work are specified. This applies in situations where the worker's job enables him to compete with the employer due to exposure to business secrets or knowing the establishment's customers. The location must be within the geographical boundaries of his business, and the time frame cannot exceed 2 (two) years. The non-compete agreement does not bind the worker if the employment relationship has been terminated for reasons related to the employer, or if the employer commits any other act that pushes the worker to terminate the contract.

In the case that the worker violates the non-compete provision, the employer may enforce the right to compensation without making any exorbitant claims. The agreement shall be deemed void if it is proven that the employer made exorbitant compensation claims in an effort to force the worker to remain with him.

Part Four

Working Hours, Leave, and Wages

Chapter One: Working Hours

Article 70: It is not permitted to make the worker work for more than 8 (eight) actual hours per day and a maximum of 40 (forty) actual hours per week, provided that they are interspersed with but do not include an hour per day for rest and eating. The continuous period of work must not exceed 6 (six) hours. The maximum working hours during the month of Ramadan shall be (6) six hours a day or 30 (thirty) hours a week for Muslim workers.

The employer shall post a schedule of working hours, as well as daily and weekly rest days, in a conspicuous location in his establishment. A ministerial decision shall determine cases and works in which it is essential to continue working without a break interval due to technical reasons and operational requirements.

Article 71: It is permitted to make the worker work additional hours exceeding the working hours stipulated in article 70 of this law if the interest of the work so requires, provided that the total of the original and additional working hours does not exceed 12 (twelve) hours a day for workers, and the employer shall grant the worker an additional wage equivalent to his basic wage calculated in accordance with the additional working hours, plus at least 25% (twenty-five) percent of the daytime working hours, and at least 50% (fifty percent) of the night working hours, or to grant him permission to be absent from work in lieu of the hours in which he performed overtime.

If the overtime is on the weekly rest days or an official holiday, the employer shall pay the worker an amount equivalent to 100% (one hundred percent) of the daily basic wage of the worker plus the wage for the day itself, or grant the worker compensatory leave in lieu of the days during which he worked, so that he is granted a day for each day he worked, if the work is during the weekly rest days and the official holidays.

In all circumstances, it is up to the worker to decide whether to accept or decline overtime work.

Article 72: As an exception to article 71 of this law, the employer may burden the worker with overtime without obtaining his consent in any of the following cases:

During annual inventory work, budget preparation, liquidation, closing of accounts, and preparation for sale at discounted prices, provided that in such cases the number of working days during which the worker works for more than the prescribed period of a working day shall not exceed 15 (fifteen) days per year, unless the concerned authority authorizes longer periods.

If the work is to prevent the occurrence of an accident, to rectify the impacts thereof, to avoid an actual loss of perishable materials, or if the work is with the intention of facing unusual pressure, provided that the employer informs the concerned authority within 24 (twenty-four) hours with a clarification of the emergency situation or the additional work and of the period necessary to complete the work.

In all cases, the worker shall, if he is made to work, receive an additional wage equivalent to his basic wage calculated in accordance with the additional hours plus 50% (fifty percent) at least of the daytime working hours and 75% (seventy-five percent) at least of the night working hours. If the overtime is in the weekly rest days or the official holidays, the worker is entitled to an amount equivalent to 200% (two hundred percent) of the basic wage plus the wage of the day itself or compensating him with 2 (two) rest days in lieu of each working day if the work is during the official holidays.

Article 73: The employer may not comply with the provisions of articles 70 and 71 of this law during seasonal works and in some sectors designated and regulated by a ministerial decision.

Article 74: If it is proven by a certificate issued by an authorized medical body that the worker is unable to execute the work during the night working hours, the employer shall transfer the night shift worker to a day shift.

Article 75: The employment of women during the night working hours shall be in the cases, jobs, and occasions determined by a ministerial decision.

The employment of women in jobs that are dangerous, difficult, harmful to health, or other jobs shall be determined by a ministerial decision.

Article 76:

Starting after the completion of maternity leave, the nursing female worker shall be granted 1 (one) hour a day to care for her newborn child for a period of 1 (one) year, and its determination is left to the female worker. This hour shall be counted as part of the actual working hours.

Chapter Two: Leaves

Article 77: The worker is entitled to a weekly paid rest of no less than 2 (two) consecutive days. In all cases, it is not permitted to deprive the worker of his right to weekly rest days because of his absence from work with or without an excuse.

It is permitted in works and areas specified by the minister to combine the weekly rest.

Article 78: The worker is entitled to an annual leave with a gross wage of no less than (30) thirty days. The worker shall enjoy the leave according to the requirements of the interest of work, and he shall not take the leave before the lapse of at least (6) six months from the employment joining date with the employer. The worker who does not benefit from his annual leave is entitled to keep the balance of the leave not exceeding 30 (thirty) days unless his failure to benefit from the leave is due to the interest of work.

The worker's annual leave may be combined as agreed between the parties. The non-Omani worker is entitled to a return ticket to his country to spend his agreed upon leave in the contract and to come back to the premises of his work.

In all cases, the worker may not waive his leave, but it is permissible in works, sectors, and categories that are governed by a ministerial decision to replace the annual leave with a more favourable work system for the worker.

Article 79: The worker is entitled to his gross wage during the official holidays prescribed by law.

Article 80: The employer may grant the worker, based on his request, special leave without pay, and in this case, the worker must bear all contributions to the Social Protection Fund, including his percentage, the percentage of the employer, and the percentage of the government during the leave period. This leave is considered within the period of service of the worker and this period is not counted in the calculation of the end-of-service gratuity stipulated in article 61 hereof.

Article 81: The leave may be divided in accordance with the requirements of the interest of work, with the exception of the juvenile workers' leave.

The employer may postpone the annual leave of the worker if the interest of the work so requires for no more than 6 (six) months.

The worker shall take leave at least once every 2 (two) years, for a period of no less than 30 (thirty) days. The employer may pay the worker the basic wage for the days of annual leave that he does not exhaust, if the worker agrees to this in writing.

The worker is entitled to the gross wage for his annual leave balance if his service ends before exhausting it.

Article 82: The worker, whose illness is proven, is entitled to a sick leave not exceeding 182 (one hundred and eighty-two) days a year based on the following percentages of the gross wage:

From day 1 (one) to day 21 (twenty-one): 100% (one hundred percent) of the wage.

From day 22 (twenty-two) to day 35 (thirty-five): 75% (seventy-five percent) of the wage.

From day 36 (thirty-six) to day 70 (seventy): 50% (fifty percent) of the wage.

From day 71 (seventy-one) to day 182 (one hundred and eighty-two): 35% (thirty-five percent) of the wage.

Article 83: It is permitted to grant the female worker, based on her request, leave without pay to care for her child for a period not exceeding 1 (one) year, and in this case, the female worker must bear all contributions to the Social Protection Fund, including her percentage, the percentage of the employer, and the percentage of the government during the leave period. This leave is considered within the period of service of the female worker and this period is not counted in the calculation of the end-of-service gratuity stipulated in article 61 of this law.

Article 84: The worker is entitled to special leave with gross wage as follows:

7 (seven) days of paternity leave, provided that the child is born alive and that the leave does not exceed the 98th (ninety-eighth) day of the age of the child.

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.

2 (two) days in the event of the death of the paternal uncle or aunt or the maternal uncle or aunt.

10 (ten) days in the event of the death of the wife, a son, or a daughter.

15 (fifteen) days to perform Hajj once throughout the period of his service, provided that the worker has spent a continuous period of 1 (one) year in the service of the employer.

Up to a maximum of 15 (fifteen) days per year to take an exam for the Omani worker who studies at a school, institute, college, or university.

130 (one hundred and thirty days) for the Muslim female worker in the event of the death of the husband and 14 (fourteen) days for the non-Muslim woman.

15 (fifteen) days throughout the year for the Omani worker to accompany a patient with whom he has a marital relationship or a kinship up to the second degree.

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

The female worker shall be entitled leave to cover the period prior to childbirth on the recommendation of the competent medical body, with a maximum term of 14 (fourteen) days, and the balance of the period of this leave shall be granted from the day of childbirth.

Proof must be shown in order to award the leaves described in this article.

Chapter Three: Wages

Article 85: Wages and other amounts payable to the worker shall be paid in Omani Rial unless otherwise agreed on in a legally circulating currency in the Sultanate of Oman.

Article 86: The employer shall bear the responsibility of proving the wage payment to the worker.

Article 87: The liability of the employer to the wage of the worker shall not be discharged unless he transfers the wage of the worker to his account in one of the approved local banks or local financial institutions licensed by the Central Bank of Oman.

The minister shall issue a decision regulating the transfer of wages by employers and exemption cases thereof.

Article 88: The minimum wage shall be determined by a ministerial decision upon consultation with the Committee for Joint Dialogue among Production Parties and its approval by the Council of Ministers.

Article 89: The minister shall issue a decision determining the minimum periodic allowance, the procedures and conditions for its disbursement, and the cases of its suspension and reduction.

Article 90: Wages shall be paid on a working day, taking into account the following provisions:

Workers employed with a monthly wage shall be paid their wages at least once every month.

If the employment is part-time and the work requires more than two weeks, the worker shall receive an instalment appropriate to the work he has completed each week, and the remaining portion of the wage shall be paid to him in full during the week following the completion of the work assigned to him.

Other than the aforementioned instances, the wage shall be paid to the worker once every week, unless he agrees in writing to receive it once every 2 (two) weeks or once every month. In all cases, the wage shall be paid within 3 (three) days following the end of the pay period. It is permitted by a ministerial decision to determine the date for disbursing the wages of workers before the date scheduled for them on the occasion of national and official holidays.

Article 91: The employer shall pay the wage of the worker and all dues immediately upon the end of the employment relationship, unless the worker has abandoned the job unilaterally, in which case the employer shall pay the wage of the worker and all his entitlements within 7 (seven) days from the date of abandoning the job.

Article 92: The wages, rights, and all amounts due to the worker or to the beneficiaries on his behalf by virtue of the provisions of this law shall have priority over all other debts owed by the employer, with the exception of the adjudged legal maintenance.

Article 93: It is not allowed to compel a worker to purchase food or goods from particular stores or to purchase what the employer produces.

Article 94: The employer shall not transfer a worker with a monthly wage to the category of daily workers or to the category of workers employed with a weekly, piece rate, or hourly wage except with the written consent of the worker. In case of consent of his transfer, the worker shall have all the rights he acquired during the period he spent on monthly wage in accordance with the provisions of this law.

Article 95: The employer shall not deduct from the wage of the worker to fulfil any monies he lent to him during the validity of the contract greater than what is agreed upon between the parties, nor may he receive any interest from such loans, and the same provision shall apply to wages paid in advance.

Article 96: It is not permitted to withhold or waive the wages owed to the worker except within the limits of one-fourth for a debt of legal maintenance or for the payment of the amounts owed by him to the government or to the employer. In case of concurrence, priority shall be given to the debt of legal maintenance.

If the service of the worker ends, the dues of the government and the dues that are proven to the employer—if any—shall be deducted from the end-of-service gratuity and from any other entitlements.

Article 97: The right of the shift worker or the worker whose wage is determined on the basis of the hour, day, week, half-month, or month and who is absent from work without permission or an acceptable excuse, shall be limited to receiving the wage for the hours he actually worked.

The hourly wage of the worker whose wage is fixed shall be calculated on the basis of the month by dividing the gross wage by the period for which the wage is granted, then by the number of original hours in accordance with the employment contract or in accordance with the law, whichever is less.

The hourly wage of the shift worker in this case is calculated on the basis of dividing the gross wage for the work cycle assuming that he worked in full by the number of original hours without additional hours.

It is not permitted to deduct the wage of the worker for an hour or day he is absent from work because of his summons in writing to appear before the court, the Public Prosecution, the committee, or any other concerned authority. It is also not permitted to deduct the wage of a member of a labour union for his absence because of his official summons in lawsuits relating to the exercise of his union work, provided that the employer is informed of this in advance.

Part Five

Employment of Juveniles

Article 98: It is illegal to hire or let any juvenile, regardless of gender, to work or enter the workplace until he is 15 (fifteen) years old. It is permitted by a ministerial decision to raise this age in certain industries, works, and occupations that require this.

Article 99 It is illegal to make the juvenile worker work between the hours of six in the evening and six in the morning nor make them actively work for a period exceeding 6 (six) hours a day.

It is also illegal to keep the juvenile worker in the workplace for more than 7 (seven) consecutive hours, and the working hours must be interspersed between one or more periods for resting and eating, the total of which is not less than 1 (one) hour and this period or these periods shall be specified so that the worker does not work for more than 4 (four) consecutive hours.

Article 100: It is illegal to burden juvenile workers to work additional hours or keep them in the workplace beyond the times set for them nor make them work on weekly rest days or official holidays.

Article 101: The employer shall, in the event that he employs a juvenile worker, comply with the following:

Verifying the consent of the guardian or custodian regarding his employment.

Conducting the medical examination of the juvenile worker to verify his medical fitness to perform work and performing such medical examination periodically to verify his continued medical fitness, on the dates specified by a ministerial decision.

Making sure he has a system for the employment of juveniles in which the working hours, daily rest periods, and weekly rest times are shown. The juvenile worker has the right to obtain a copy of it during official work.

Making sure he regularly writes a list showing the names of the juveniles, their age, and their employment date.

Informing the concerned authority of the names of the juveniles before employing them and the persons he tasks to monitor their work.

Article 102: Without prejudice to the provisions of articles (98, 99, 100, and 101) of this law, a ministerial decision shall determine the juvenile employment system, the circumstances and cases for employment, and the works, occupations, and industries in which they work in, in accordance with the different age groups.

Part Six

Occupational Safety and Health

Article 103: An occupational safety and health committee shall be established in the ministry, and its composition, determination of its competences, and work system shall be issued by a ministerial decision.

Article 104: The employer or his representative shall inform the worker before recruiting him of the dangers of his occupation and the means of protection he must take, and shall take the necessary precautions to protect workers during work from health hazards and occupational and machinery hazards, by:

- Working to provide the necessary occupational safety and health requirements in the workplaces or the means he provides for workers to be able to perform their duties.
- Ensuring that workplaces are always sanitary and meet the requirements of occupational safety and health.
- Ensuring that machinery, parts, and equipment are installed and kept to the best safety requirements.
- Providing the necessary training to familiarize workers with the risks associated with their occupations and the convenient preventive precautions.
- The employer shall not charge the worker or deduct from his wage any amount in lieu of providing such protection.

Article 105: The worker shall not engage in any action that is intended to impede the implementation of instructions or to misuse, harm, or damage the means put in place to safeguard and protect the workers in the workplace. He shall take precautions and treat the equipment and means he has in his possession with utmost care. He shall follow the instructions that have been set in place to safeguard his safety and health and to prevent injuries.

Article 106: An occupational safety and health regulation shall be issued by a ministerial decision after coordinating with the three production parties (the government, employers, and workers) and the relevant authorities, and it must include the following measures:

- The general occupational safety and health measures that must be implemented in all workplaces, such as those pertaining to lighting, ventilation, recirculation of air, drinking water, toilets, dust and smoke removal, worker sleeping areas, and fire precautions.
- The measures for certain types of work.
- The penalties prescribed in case of violation of the provisions of this regulation.

Article 107: The concerned authority may, in the event of a violation of the occupational safety and health provisions, send 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 shall take the necessary measures to close the workplace, completely or partially, or to stop the use of equipment until the causes leading to this danger cease. It is permitted to request assistance from Royal Oman Police, if necessary, to implement these measures.

Part Seven

Labour Unions, Sectoral Public Unions, and the General Federation of Workers

Article 108: Workers may form among themselves labour unions that aim to take care of their interests, defend their rights, improve their financial and social conditions, and represent them in all matters relating to their affairs.

Article 109: The labour unions shall form a general federation for workers to represent them in local, regional, and international meetings and conferences.

Labour unions may form Sectoral Public Unions among themselves.

Article 110: Labour unions, Sectoral Public Unions, and the general federation of workers have independent juridical personality as of the date of registration with the ministry, and they have the right to carry out their operations without intervention or influence.

The minister shall issue the decisions regulating the composition, work, and registration of labour unions, Sectoral Public Unions, and the general federation for workers, and the mechanisms of granting discharge to the union member from work to perform his union duties and responsibilities.

Article 111: It is prohibited to impose the punishment of dismissal or any other punishment on representatives of workers in labour unions, Sectoral Public Unions, or the general federation for workers because of the exercise of their labour union activities in accordance with this law and the regulations and ministerial decisions issued in its implementing.

Part Eight

Collective Labour Disputes Settlement, Strike, and Closure

Chapter One: Collective Labour Disputes Settlement

Article 112: The collective labour agreement is made for the period agreed upon by the parties, and it is subject to renewal by agreement among them. It is permissible to conduct collective bargaining at least 3 (three) months before the end of the agreement. It is also permissible to negotiate any of the terms of the agreement during its validity based on the request of any of the parties.

Article 113: The parties of the dispute have the right to jointly submit a request to the committee to settle it, in the case of the absence of a collective labour agreement, the lack of provisions in the collective labour agreement on the settlement of collective labour disputes, or the failure of collective bargaining to resolve the dispute.

Article 114: The collective labour agreement shall regulate the terms and conditions of work in the establishment or the employment sector, and it must be drafted in Arabic, signed by representatives of the parties to the collective bargaining, and ratified by the ministry; otherwise, it shall be deemed null and void.
Any term provided in the collective labour agreement that violates the provisions of this law, the regulations and decisions implementing it shall be deemed void, unless the term is more favourable to the worker.

Article 115: Without prejudice to the provisions of article 112 of this law, the ministry shall review, ratify, and register the collective labour agreements for the sectors in the register that it creates for such purposes. It may object to all or part of its terms and refuse to register it, provided that the parties are notified of the grounds for the rejection within a month of its submission. If this period lapses without its ratification or objection, this shall be deemed as an approval of this agreement by the ministry, and the ministry shall register it.
In all cases, the collective labour agreement shall not be effective and binding to its parties except after its ratification and registration in the register prepared by the ministry for such purpose.

Article 116: Collective labour disputes Settlement Committees shall be established in the ministry. Their composition, determination of their competences, and work system shall be issued by a ministerial decision, provided that the composition of the committee is made up of an odd number of members, and that its membership includes a representative of the ministry, a representative of the employers, and a representative of the general federation of workers.

Article 117: In case of a dispute arises between the employer or his representative and all his workers or a group of them, the below procedures shall be followed:
The workers submit a written request to the employer to settle the dispute and send a copy of it to the concerned authority.
The employer shall respond in writing to the request of the workers within a maximum period of 7 (seven) days from the date of receiving the request, and a copy of his response must be sent to the concerned authority.
If the period referred to in clause 2 of this article lapses without a response from the employer or the settlement is not reached for any reason, the parties, one of them, or their representative may submit a request to the committee to take the procedures for amicable settlement.

Article 118: The request for the collective labour dispute settlement submitted to the committee shall include the following:
Names and addresses of the parties involved in the dispute.
A memorandum explaining the subject matter of the dispute.
Documents supporting the parties to the dispute.
The procedures followed for the settlement of the dispute, if any.

Article 119: The committee shall resolve the dispute amicably within 15 (fifteen) days from the date of submission of the request. If an amicable settlement is made, the committee shall document this in an agreement signed by the parties. In the event that amicable settlement is not reached, the committee shall submit within 7 (seven) days from the failure to reach amicable settlement a report to the concerned authority containing a summary of the dispute, matters accepted or rejected by the parties or one of them, and the rejection thereof.

Article 120: If an amicable settlement is not reached or if the parties or one of them does not accept the amicable settlement, either of them may submit a request to the concerned authority to take the arbitration procedures, which shall refer the dispute to the Collective Labour Disputes Arbitration Committee.

Article 121: A committee named the “Collective Labour Disputes Arbitration Committee” shall be hereby established in the ministry. It shall be composed of a president of one of the circuits of the courts of appeal and the membership of each of the following:

An arbitrator for the ministry selected by the minister.

An arbitrator for the employer selected by the Chairman of the Oman Chamber of Commerce and Industry.

An arbitrator for workers selected by the Chairman of the General Federation for Workers.

Each of the ministry, the employer, and the general federation for workers shall choose a substitute arbitrator to replace the original arbitrator in his absence.

Article 122: The Chairman of the Collective Labour Disputes Arbitration Committee shall specify a hearing to consider the dispute, the time limit of which shall not exceed 15 (fifteen) days from the date of submitting the arbitration request.

Article 123: The Collective Labour Disputes Arbitration Committee shall rule on the dispute submitted to it within a period not exceeding 1 (one) month from the start of its consideration.

Article 124: The Collective Labour Disputes Arbitration Committee shall apply the laws, regulations, and decisions in force. If there is no legislative text that applies, the arbitration committee shall rule on the dispute by virtue of the provisions of the Islamic Sharia, customs, or the rules of justice and equity in accordance with the prevailing economic and social situation.

The judgement must be issued as reasoned and by a majority of the opinions. In the event of a tie vote, the side that includes the chairman prevails. The judgment shall be considered final, and the only way to appeal it is before the Supreme Court.

Article 125: The Collective Labour Disputes Arbitration Committee shall notify the parties to the dispute of a copy of its award by registered letter within 3 (three) days from the date of its issuance. The arbitration committee shall send the file of the dispute, after notifying the parties, to the concerned authority, to file it in its records within the period specified by a ministerial decision. Concerned parties shall have the right to obtain a copy of the judgment.

Each of the parties to the dispute may contest the judgement of the arbitration committee before the Supreme Court in accordance with the conditions, procedures, and time limits 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 regard to matters not governed by a special text regarding arbitration in collective labour disputes.

Chapter Two: Strike and Closure

Article 127: Workers have the right to strike peacefully from work in the establishment to improve the conditions and circumstances of work, provided that the announcement of the strike is approved by three-quarters of the members of the general meeting of the labour union in the establishment.

Article 128: It is prohibited to strike, call for it, or incite it in establishments that provide public or basic services to the public, including oil facilities, petroleum refineries, ports, airports, and means of public transport, and other establishments specified by a ministerial decision.

Article 129: The workers or their representative in the establishment shall notify the employer and the concerned authority in writing of the desire of the workers to strike at least 3 (three) weeks before the date specified thereof. The notice shall indicate the reasons for the strike and the demands of the workers.

The committee shall be provided with a copy of this notice to carry out its procedures for the collective labour disputes settlement in accordance with the provisions of this law.

Article 130: The workers shall suspend the strike upon commencement of the procedures for the collective labour dispute settlement.

Article 131: The strike from work stipulated in article 127 of this law results in counting its period as unpaid leave for the worker.

Article 132: The employer shall not close the establishment completely or partly 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 partly to defend his interests. The closure must be suspended immediately upon the consent of the parties to the commencement of the procedures for the collective labour dispute settlement.

Article 134: The employer shall notify the workers or the labour union in the establishment of the closure, and the notice must include the reason for the closure and the date intended for its implementation. The closure shall not be implemented before the lapse of 3 (three) weeks from the date of the notice. The committee shall be provided with a copy of the notice to carry out its procedures for the collective labour dispute settlement in accordance with the provisions of this law.

Article 135: The employer shall not close the establishment that provides public or basic services, including oil facilities, petroleum refineries, ports, airports, and means of public transport, and other establishments specified by a ministerial decision.

Article 136: The days of closure shall be payable working days.

Part Nine

Labour Inspection and Joint Dialogue Among Production Parties

Chapter One: Labour Inspection

Article 137: Employees—identified by a decision from the legally concerned authority in agreement with the minister—shall have judicial enforcement status in the scope of the application of the provisions of this law and the regulations and decisions issued implementing it. The rules and procedures governing their work shall be specified by a ministerial decision. They shall have the right to enter workplaces and examine the books, records, and documents relating to it to ensure the application of the provisions of this law and the regulations and decisions issued for their implementation.

These employees, before starting work, shall take an oath before the minister stating that they shall perform their work honestly and faithfully and will not disclose any work confidential or any information or data they have accessed by virtue of their work, even after end of their service.

Article 138: The employer or his representative shall provide the employees stipulated in article 137 with the necessary facilities to perform their duties and all the data or information they request, provided that it is complete and correct, and that is in relation to the application of the provisions of this law and the regulations and decisions issued to its implementation.

It is prohibited for any person to wilfully disrupt or impede these employees from performing their work.

Article 139: The minister shall issue a decision specifying the procedures and controls for dealing with violators of the provisions of the Labour Law and the decisions issued in its implementation.

The Ministry, in collaboration with the concerned authorities, has the authority to include any breaches against employers on the register of liabilities of those authorities and to halt providing services to those employers until the violations are remedied.

Chapter Two: Committee for Joint Dialogue among Production Parties

Article 140: A committee named the “Committee for Joint Dialogue among Production Parties” shall be established in the ministry with the following competences:

Studying the proposals that regulate the labour market.

Promoting and strengthening labour relations among the production parties.

Studying developments in Arab and international labour standards to benefit from them in promoting joint dialogue in a manner that serves labour relations among the production parties.

Joint cooperation to direct the efforts of the social partners in the labour 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.

Studying the forms prepared by the ministry for the work, penalties, and complaints regulation.

Article 141: The Committee for Joint Dialogue among Production Parties shall be formed under the chairmanship of the minister, provided that its membership includes representatives of the 3 (three) production parties (the government, employers, and workers).

The minister shall issue a decision composing the committee and determining its work system and mechanism.

Part Ten

Penalties

Article 142: Without prejudice to any severer penalty stipulated in any other law, the penalties in the following sections shall apply to the violations referred to therein:

Article 143: The following shall be punished by imprisonment for a period no less than 10 (ten) days and not exceeding 1 (one) month, and a fine of no less than 1,000 (one thousand) Omani Rial and not exceeding 2,000 (two thousand) Omani Rial, or one of those two punishments:

Whoever incites, assists, agrees to, or commits any act in violation of the provisions of article (29) of this law. 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 banned from entry to the Sultanate of Oman. The punishment shall be cumulative according to the number of non-Omani workers who have been employed without permit or in violation of the permit. The employer who employed them shall bear the expenses of repatriating them, and the employer and the employing party shall be banned from recruiting non-Omani workers for a period not exceeding 2 (two) years. Such punishment shall be doubled if the employed worker enters the Sultanate of Oman illegally or abandoned his work with the employer who is permitted to employ him. Punishment shall be doubled upon repetition of the violation.

The employer or his representative who refrains from providing the necessary facilities, details, or information in accordance with the provisions of this law; provides false data or information to employees; performs any act that deprives the worker of his right to exercise his union activity; or hinders the compositions of labour unions, Sectoral Public Unions, or the general federation for workers.

Whoever violates the provisions of articles (31) and (32) of this law and the decisions relating to the conditions of the license, in addition to cancelling or suspending the license for a period of no less than 1 (one) year.

Every person who wilfully obstructs or impedes an employee authorized with judicial enforcement status from the exercise of his powers or the performance of any duty conferred on him or imposed on him. The punishment shall be doubled upon repetition of the violation.

A non-Omani worker who works in the Sultanate of Oman without a permit or who works for an employer other than the employer authorized to recruit him, in addition to cancelling his work permit, if any, deporting him from the Sultanate of Oman at the expense of the employing party, and banning him from entering the Sultanate of Oman.

Whoever violates articles 5, 18, 22, 27, 75, 76, 98, 99, and 100 of this law.

Article 144: Every employer who fails to comply with the prescribed Omanisation ratios or fails to implement the plan to replace non-Omani workers with Omanis shall be fined no less than 500 (five hundred) Omani Rial and no more than 1,000 (one thousand) Omani Rial for each Omani required to be employed or to be a replacement.

The employer shall achieve the legally prescribed Omanisation ratios within 6 (six) months from the date of discovering the violation. The punishment shall be doubled upon repetition of the violation.

Article 145: The following shall be punished by imprisonment for a period no less than 1 (one) month and not exceeding 6 (six) months, and a fine of no less than 500 (five) hundred Omani Rial and not exceeding 3,000 (three thousand) Omani Rial, or one of those two punishments:

Whoever violates the provisions of articles 128, 129, 130, 132, 134, and 135 of this law.

A worker who obstructs or disrupts work in the establishment during the strike period.

Article 146: Every worker who requests or accepts for himself or others any kind of payment or accepts a promise to do so without the knowledge and consent of the employer shall be punished by imprisonment for a term of

no less than 3 (three) months and not exceeding 3 (three) years, and a fine of no less than 1,000 (one thousand) Omani Rial yet does not exceeding 5,000 (five thousand) Omani Rial, or one of those two punishments.

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, and 117 of this law shall be punished by a fine of no less than 500 (five hundred) Omani Rial and not exceeding 1,000 (one thousand) Omani Rial.

In all cases, the punishment shall be cumulative according to the number of workers against which the violation is committed. The punishment shall be doubled upon repetition of the violation.

Article 148: Whoever violates the provisions of articles 77, 78, 79, 82, 84, and 90 shall be punished by a fine of no less than 100 (one hundred) Omani Rial and not exceeding 300 (three hundred) Omani Rial. The punishment shall be cumulative according to the number of workers against which the violation is committed. Such punishment shall be doubled upon repetition of the violation.

Article 149: It is permitted for the minister or whoever he authorizes not to proceed with the lawsuit procedures for the crimes punishable in this law and to settle with financial fines in accordance with the rules and categories for which a decision shall be issued by the minister.

The minister may deport the administratively violating worker from the Sultanate of Oman at the expense of the employing party, ban him from entering the Sultanate of Oman, and halt providing services to those employers and the employing party.

Article 150: Finally, the Ministry shall issue a ministerial decision to impose administrative penalties for violating the provisions of this law and the regulations and implementing decisions thereof.