

Qatar Law No. 15 of 22 August 2017 which relates to domestic workers

We, Tamim bin Hamad Al Thani, Emir of the State of Qatar,

After perusal of the Constitution, and

Law No. 13 of 1990 which promulgates the Civil and Commercial Proceedings Law and amendments made thereto,

The Labour Law promulgated by Law No. 14 of 2004, and its amending laws,

Law No. 21 of 2015 which regulates the entrance, exit and residence of expatriates as amended by Law No. 1 of 2017;

The Proposal of the Minister of Administrative Development, Labour and Social Affairs,

The draft Law submitted by the Council of Ministers, and

After having taken the opinion of the Shoura Council (Consultative Assembly),

Have decreed the following law:

Section 1

In applying the provisions of this law, the following words and phrases shall mean the following unless the context requires another meaning:

Ministry: It is the Ministry of Administrative Development, Labour and Social Affairs.

Minister: Minister of Administrative Development, Labour and Social Affairs.

Department: It is the competent administrative department at the Ministry.

Employer: A natural person who employs the domestic worker.

Domestic worker: A natural person who carries out domestic work, under the employer's management and supervision, in return for a wage such as a driver, governess, cook, gardener and workers in a similar occupation.

Domestic work: It is work which is carried out by a domestic worker in the service of an employer or a person who resides with him/her.

Labour contract: It is an agreement between an employer and a worker by virtue of which he/she shall be committed to carry out all the domestic tasks entrusted to him/her by an employer in return for a wage.

Wage: Monetary wage paid by an employer to a worker in return for his/her work.

Section 2

The provisions which apply to expatriate workers shall apply to the recruitment of domestic workers, their medical examination and residence permits, provided they do not conflict with the provisions of this law.

Section 3

A domestic worker may not be employed other than by virtue of a labour contract, which is written and certified by the department, in three copies. One copy shall be handed to each party, and the third copy shall be deposited at the department.

The labour contract shall be written in Arabic. A translation thereof in another language may be annexed. If there is a difference in both texts, the text drafted in Arabic shall be considered to be the authentic text.

The labour contract shall include provisions relating to the employment relationship between both parties. It shall include in particular the following data:

1. Name of employer, nationality and place of residence.
2. Name of domestic worker, nationality and place of residence.
3. Date of the contract's conclusion.
4. Type and nature of work entrusted to a domestic worker.
5. Date on which work started, and the probationary period.
6. The contract's duration, conditions of renewal, and end.
7. Wage agreed upon, and manner and date of its payment.
8. Any provisions or data specified in this law.

Section 4

The recruitment of domestic workers from abroad shall be undertaken by one of the recruitment offices certified in accordance with the above-mentioned provisions of the Labour Law. As an exception thereof, an employer or the person mandated by him/her may recruit from abroad domestic workers for their own account after the department's approval.

Section 5

Recruitment from abroad of domestic workers of both sexes, under the age of eighteen years old or over the age of sixty, shall be prohibited.

The Minister or person mandated by him/her, shall have the authority to exempt the maximum age limit from recruitment.

Section 6

A domestic worker shall be entitled to a paid probationary period. Its duration and rules shall be decided upon by virtue of a ministerial decision.

Section 7

An employer shall be responsible for the following:

1. Provide suitable housing and food to a domestic worker, appropriate medical care, medicine, and medical equipment in the case of sickness, or injury during the

performance of his/her duties, or as a result therefrom, without incurring any financial burdens on the domestic worker.

2. Treat domestic workers well, in a manner which will safeguard their dignity and wellbeing.
3. Avoid exposing a domestic worker's health or life to danger, or harm him/her physically or morally in any manner whatsoever.
4. A domestic worker shall not work during his/her sick leave.
5. A domestic worker shall not work during his/her rest periods, or during his/her weekly rest, unless there is a prior agreement between both parties to the contrary.

Section 8

An employer shall be responsible for paying the monthly wage in Qatari Riyals agreed upon with the domestic worker at the end of the month, or at the latest on the third day of the consecutive month.

An employer shall not be considered as having met his/her duties unless he/she proves that he/she had deposited the worker's wage in his/her bank account, or handed him /her the wage in cash, by virtue of a receipt signed by the worker, which confirms his/her receipt of the wage in full.

An employer shall be prohibited from deducting any fees, expenses or commissions from a worker's wage in return for the procedures of recruitment from abroad.

Section 9

An employer shall be prohibited from employing a domestic worker outside the country, without the worker's approval. If this is confirmed, a domestic worker may end his/her labour contract before the end of its duration, while safeguarding his/her full right to the end of service bonus. He/she shall also have the right to return to his/her country of origin or place of residence at the employer's expense.

Section 10

If a domestic worker dies, the employer shall bear the transfer expenses of his/her coffin to the country of origin or place of residence, upon the request of the worker's family.

If an employer does not send the worker's coffin after his/her death, the department shall do so at the employer's cost, and shall ask for reimbursement therefrom through administrative means.

An employer shall deposit all of a domestic worker's entitlements in the department's treasury, within a maximum period of fifteen days as of the day on which he was cognizant of the worker's death. This shall be on the condition that the deposit receipt include a detailed report which indicates the manner in which the abovementioned sums were calculated.

The competent court shall distribute the sums deposited to the survivors of the deceased worker in accordance with the provisions of the Muslim Sharia or the Personal Status Law which is in force in the country of the deceased worker. If three years have elapsed after the day of deposit without identifying the person to whom the entitlements shall be paid, the court shall have to refer the sums to the country's public treasury.

Section 11

A domestic worker shall undertake the following:

1. Abide by the country's laws, social customs and traditions, as well as religious and moral values.
2. Carry out the work agreed upon, and any other tasks which are required to be done on his /her own, in honesty and precision.
3. Safeguard an employer's secrets, money and property, and those residing with him/her, his/her visitors, avoid any harm to an employer's interests, and pay particular attention to all of the above.
4. Follow an employer's instructions and orders, and those residing with him in an optimum manner, unless they are in violation of the law or the labour contract, or expose his life, money, or the life or money of third parties to danger.
5. Safeguard the objects which were handed to the worker for his/her work, and handle such objects in accordance with the nature of their use, and their return to the employer upon finishing his/her service.
6. Avoid any work with others, be it remunerated or not, contrary to the provisions of the law or regulations which are in force in the State.
7. Treat well an employer, his/her family, and persons residing with him/her, and refrain from harming them especially children, and the elderly.

Section 12

The maximum hours of work shall not exceed ten hours a day, unless there is an agreement to the contrary, interrupted by periods for worship, rest and food. Such periods shall not be included in the calculation of the hours of work.

Section 13

A domestic worker shall be entitled to a paid weekly rest holiday, which is not less than twenty four consecutive hours. The timing of the weekly rest shall be determined based on the agreement between both parties as indicated in the labour contract.

Article 14

A domestic worker shall be entitled for every year spent in service, to paid annual holidays, whose duration is three weeks. A worker can divide such holidays, select its timing and the place where it shall be taken, unless there is an agreement to the contrary, and provided that this is not in conflict with the worker's interests.

A domestic worker shall also be entitled, for every two years in service, to a return air ticket to his/her country of origin or place of residence to go on holidays or the remaining holidays.

A worker shall only be entitled to a one way ticket back to the country of origin or place of residence if the return trip is final.

Section 15

An employer shall be responsible for paying the end of serve bonus to a domestic worker who spent at least one year in service as of the date on which the law entered in force, at the end of service, in addition to any other entitlements. This bonus shall be determined in agreement between both parties provided it shall be at least a three week wage for each year spent in service. A domestic worker shall be entitled to fractions of the year multiplied by the period spent in service.

An employer shall be entitled to deduct from the bonus the sums which are owed to him/her by the worker.

Section 16

An employer may dismiss a domestic worker without warning, and without granting him/her an end of service bonus for the year in which he/she was dismissed, if a worker has not fulfilled the duties specified in the provisions of this law or the labour contract.

Section 17

A worker may end the labour contract before the end of its duration while safeguarding his/her full right to the end of service bonus in any of the following cases:

1. If an employer has not met his/her obligations specified in the provisions of this law or in the labour contract.
2. If an employer, or a person mandated by him/her, has cheated at the time of concluding a contract with a worker, with respect to the terms of employment.
3. If an employer or a member of his/her family aggresses a worker, which harms the worker physically or his/her life.
4. In the event of a serious danger which threatens a worker's safety or health, provided that an employer was cognizant of the danger, and had not sought to remove it.

Section 18

Disputes which arise between an employer and a worker, related to the application of the provisions of this law or the labour contract are provided for in chapter eleven bis of the above- mentioned Labour Law.

Section 19

A compensation shall be paid to a worker for any accident at work in accordance with the provisions of the abovementioned Labour Law.

Section 20

The lawsuit which claims any rights resulting from the provisions of this law, or from the terms of the labour contract shall be no longer valid after the lapse of one year as of the date on which the contract ends, or is terminated for any reason or because of leaving work.

Section 21

Without violating any harsher penalty which is specified in another law, the following shall be imposed:

1. A maximum fine of five thousand Riyals shall be imposed on any person who violates any of sections nos. 3 (1), 4, 7, 9, 12, 13, 14, and 15 of this law.
2. A maximum fine of ten thousand Riyals shall be imposed on any person who violates any of sections nos. 5, and 8 of this law.

Section 22

All persons who are prescribed by this law shall be required to regularize their situation in accordance with its provisions within six months as of the date of the law's entry in force.

The Minister may extend this timeline for a similar period.

Section 23

The Minister shall issue the necessary decisions in order to implement the provisions of this law.

Section 24

All competent bodies, each within its mandate, shall put to effect this law which shall be published in the Official Gazette.

Tamim bin Hamad Al Thani

Emir of the State of Qatar

Issued at the Emir's Diwan on 22 August 2017