

## Regulation of Domestic Labor and in their judgment

### Article 1

The following terms, wherever they appear in these regulations, shall have the meanings assigned to them, unless the context requires otherwise:

**Regulation:** Regulation of Home Workers and in their judgment

**Minister:** Minister of Labor

**Home:** The place where the family lives permanently or temporarily.

**Employer:** Any person of a natural nature who has recruited the home labor by himself, or through an authorized recruitment office, or contracted with him - directly or indirectly - to perform a domestic service.

**Family:** The employer and the persons who live with him in his home, and in a close relationship, or in a marriage, or takes care of them for any legal or moral reason.

**Home Service:** The direct or indirect personal service of the home worker to the employer or any member of his or her family for a fee.

**Home Worker:** Any natural person who performs a home service directly or indirectly to the employer or any member of his family and during the performance of the service under the supervision and direction of the employer or his substitute, such as home worker (man) or home worker (woman), the gardener or the housekeeper and the like, and when we use the term of the home worker in this regulation, it means the home worker and the like.

**Remuneration:** What the home worker receives at the end of the month in return for the work agreed upon in the contract. **Committee:** The Committee provided for in this Regulation, which shall determine the dispute arising from its application. **Parties:** Employer and home worker.

### Article 2

It is not permissible for the employer to assign home worker to work other than that agreed upon in the contract, or to work with third parties.

### **Article 3**

The working relationship between the home worker and the employer shall be governed by a written contract and shall be based on the Arabic text of the contract.

The contract shall be edited and translated, if any, from three copies, each party shall keep a copy and the third shall be kept in the National Recruitment Office.

### **Article 4**

The contract shall include - in addition to other conditions agreed upon by the parties and in a way not inconsistent with the provisions of these regulations - the following major elements:

1. The type of work that the home worker is committed to perform.
2. The wage which the employer is obliged to pay to the home worker.
3. Rights and duties of the parties.
4. Probation period.
5. Duration of the contract and how to be extended.

### **Article 5**

The parties may agree to keep the home worker under probation for a period not exceeding ninety days, during which the employer shall verify the professional competence of the domestic worker and the safety of his or her personal conduct.

The employer has a right to terminate the contract by his own will during the probation period without any responsibility against him, if it is proved that the home worker is insufficient.

The home worker may not be placed under probation more than once by the employer, unless the parties agree that the domestic worker shall be employed in a different work than his first work.

### **Article 6**

The home worker is obliged to do the following:

1. To perform the agreed work, and to take care of the employer.
2. To follow the orders of the employer and his family members related to the agreed work.
3. To preserve the property of the employer and his or her family members.
4. Shall not harm the family members, including children and the elderly.

5. To preserve the secrets of the employer and family members and persons in the home, which is be seen during work and not to disclose it to others.
6. Shall not refuse to work or leave the service without legitimate reason.
7. Shall not working for his own account.
8. Shall not scratch or touch the dignity of the employer and the family members and shall not interfere with them.
9. Shall respect the Islamic religion and abide by the regulations in force in the Kingdom and the customs and traditions of Saudi society and not to engage in any activity harmful to the family.

## **Article 7**

The employer shall abide by the following:

The home worker shall not be assigned to work other than the agreed work except in cases of necessity provided that the work which he is assigned does not differ primely from his original work.

The home worker shall not be liable to any hazardous work that threatens his health, his integrity or touch his human dignity. The home worker should receives his agreed wage at the end of Hijri month unless the parties agree in written to the contrary.

The wage and its dues shall be paid in cash or by check and shall be documented in writing unless the home worker wishes to transfer it to a specific bank account.

Provide adequate housing for the home worker.

Allow the home worker to enjoy daily rest for at least nine hours a day.

He or she should attend or on behalf of others in front of the committee on the dates specified by it to at the claims filed against him.

The home worker shall not be hired or allowed to work for his own account.

## **Article 8**

The home worker is permissible to obtain a weekly rest day as agreed by the parties to the contract.

## **Article 9**

The home worker is permissible to obtain a weekly rest day as agreed by the parties to the contract.:

It is not permissible to deduct from the wages of the home worker except in the following cases, and not exceeding half of his/her wage:

1. Costs of intentionally or negligently inflicted damage.
2. An advance payment from the employer.
3. Execution of a judicial ruling or administrative decision issued against him unless it was stated in the judgment or administrative decision that the deduction exceeds half of the wage.

## **Article 10**

The home worker shall be entitled to a paid month's leave if he / she has spent two years and wishes to renew for a similar period.

## **Article 11**

The home worker shall be entitled to a paid sick leave not exceeding thirty days per year based on a medical report indicating his need for leave.

## **Article 12**

The health care shall be provided to the home worker in accordance with the regulations and instructions in force in the Kingdom.

## **Article 13**

When the home worker leaves the job, the employer must inform the nearest police station of his or her home and police station shall do the following:

To inform the Passport Department of leaving the worker job in order to take the necessary action.

To inform the Labor Office to ensure that the worker has no case against the employer or the employer against the worker and if there is any case , the labor office must inform the Passport Department.

Providing the informer with a copy of notification of leave the worker job.

## **Article 14**

The contract ends with the death of the employer or the home worker. If the employer's family wishes to continue the home worker, the employer must visit the labor office to correct the name of the employer.

## **Article 15**

If the contract is terminated or was terminated by the employer for an illegal reason or by the home worker for a legitimate reason, the employer must bear the payment of the ticket to return the home worker to his country.

## **Article 16**

The home worker is entitled the indemnity equivalent to one month's salary if he has been employed by the employer for four consecutive four years.

## **Article 17**

Without prejudice to the penalties stipulated in the other regulations, the employer who contravenes the provisions of these regulations shall be punished as follows:

A fine of not more than two thousand riyals or not allowing him of recruitment for one year or both.

If the offense is repeated, he shall be punished by a fine of not less than two thousand riyals and not more than five thousand, or to prevent him from recruiting for three years or both.

If the offense is repeated for the third time, the Committee may prevent the violator from recruitment for ever.

The penalty shall be multiplied by the number of irregularities fixed on the employer.

## **Article 18**

Without prejudice to the penalties stipulated in the other regulations, the home labor who violates the provisions of these regulations shall be punished as follows:

A fine of not more than two thousand riyals or prevent him from working in the Kingdom permanently or both. The fines shall be multiplied by the number of irregularities fixed on the home worker.

The cost offending home worker should bear the cost of returning to his country if he does not have financial dues that meet the fines, he shall be deported to his country at the expense of the State if the result from the application of article Nineteenth of these Regulations are not sufficient.

## **Article 19**

The fines provided for in this Regulation shall be transferred to a bank account to contribute to the disbursement thereof to the sheltering and deportation of home workers as well as the deportation of workers in accordance with a mechanism approved by the Minister.

## **Article 20**

Without prejudice to the provisions of other regulations, the Labor Offices shall have the right to receive complaints and to detect violations committed by the domestic worker and the employer and submit a list of claims against them or against one of them to the Committee.

## **Article 21**

A decision of the Minister of each Labor Office of the Ministry of Labor for consist of a committee of one or more of Chairman and two members, one of whom shall be a legal adviser from the Ministry of Labor to look at and investigate financial claims arising between home workers and employers. Violations of these regulations which do not have a criminal character, study them, dismiss them and apply the penalties stipulated in these regulations.

The Committee shall be guided by the procedures set forth in the Shari'a Procedure Law.

The Committee shall inform the requested Party and the dispute shall be examined by the presence of the parties or the person acting on their behalf. The party concerned shall be present even if it is absent from the meetings.

The Committee tries to resolve the dispute amicably between the parties within five working days beginning from the date of submission of the claim to the Committee, if the friendly settlement could not be considered by the Committee and can decide on it at the same meeting or in a second meeting within ten working days. Committee and its members.

The Committee shall issue its decision in the dispute submitted to it unanimously or by majority within a period not exceeding ten days from the date of registration of the application and if amicable settlement not happen, the committee can look into on the same meeting or in another session within ten working days and shall issue a decision signed by the Chairman and members of the Committee

The Minister shall issue a decision stating the working procedures of this Committee, the duration of its membership, the manner of its renewal, the method of preparation of its minutes and the remuneration of its employees.

The person against whom the decision was issued shall have the right to appeal to the Labor Court within ten days from the date of its receipt

## **Article 22**

The Minister shall issue the decisions necessary for the implementation of these Regulations and shall come into effect from the date of their entry into force.

## **Article 23**

These Regulations shall be effective sixty days after the date of their publication in the official newspaper.