

Rights and Duties

Rights and duties of the employer

Employer Identification

The employer is who recruit domestic labor by himself, or by licensed office to bring in, or sign him accidentally, directly or indirectly for a domestic service, and include domestic service direct personal service or indirect performed by domestic labors to the employer or any member of his/her family members for a fee.

The rights of the employer

Probation period for the domestic labor

The parties may agree to place the domestic labor on probation for a period not exceeding (ninety) days, during which the employer shall ensure the professional competence of the domestic labor and his proper personal conduct.

It is not permissible to put the domestic labor on probation for more than once with the same employer, unless the parties agree that the domestic labor shall work in a different profession.

Contracting

The work relationship between the domestic labor and the employer shall be regulated by a written contract. The Arabic text shall be the prevailing version. The contract and its translation - if any – shall be issued in three copies, with each party retaining a copy and the third one shall be deposited with the Private Recruitment Office. There should be a clear identification of the following main factors:

The employer signed the contract with the domestic service worker identified with the following core elements clearly:

- Work which is committed to domestic service worker his performance type.
- Wage Employer shall pay to the domestic service worker
- The rights and duties of both parties
- Duration of the probation period
- Duration of the contract and how to extend it

Terminate the contract during probation period without any responsibility for it

The employer may terminate the contract upon his own will during the probation period without any responsibility on him, if the domestic labor is proved to be unfit.

Upon the expiration or termination of the contract for an illegal reason

If the contract expired, or was cancelled by the employer for an illegitimate reason, or by the domestic labor for a legitimate reason, the employer shall bear the value of the ticket for repatriation of the domestic labor to his/her country.

Upon contract termination for the death of either party

The Contract shall expire by the death of the employer or the domestic labor. If the employer's family is willing to keep the domestic labor, they will have to check with the labor office to correct the name of the employer

Upon the absent of the domestic labor

When the domestic labor quits his/her work, the employer shall go to the nearest police station and do the following:

- Inform the Immigration Department about the absent of the worker to work for necessary action
- Inform the labor office to ensure that the domestic labor has no claim against the employer or vice versa. If there is a claim, then the labor office has to inform the passports department accordingly
- Provide the employer with a copy of the work absence notification form

Duties of the employer towards the domestic labor

The work agreed upon

The employer is obliged:

- Not to assign the domestic labor with work not agreed upon in the contract, or work for others, except in cases of necessity, ensuring the work is not substantially different from his/her original work.
- Not to assign the domestic labor any risky work to health or safety of his/her body, or negatively affects his/her dignity.
- Not to sublet the domestic labor, or allow him/her to work for his/her own account.

The wage agreed upon

The employer is obliged:

- To pay the agreed wage at the end of each Hijri month, unless the parties agree -otherwise- in writing.
- To pay the wage and entitlements in cash or by check, and document it in writing, unless the labor wants to transfer the wage to a specific bank account

Deduction from the wage

The wage of the domestic labor may not be deducted except in the following cases and not with more than half the wage:

- Costs of what he/she intentionally or negligently damaged.
- A down payment he/she obtained from the employer
- Implementation of a court judgment or an administrative decision issued against him/her, unless it has been stipulated in the court judgment or the administrative decision that the deduction exceeds half the wage.

Domestic labor housing

The employer is obliged to provide a suitable housing for the domestic labor.

Penalty for violation by the employer

Without disobedience to the penalties stipulated for by other regulations, the employer violating the provisions of the domestic labor regulation shall be subject to penalty as follows:

- A fine not exceeding two thousand Riyals, or being prevented from recruiting for one year, or both.
- If the violation is repeated, the employer will be punished by a fine of not less than two thousand riyals, and not exceeding five thousand riyals, or prohibited from recruiting for three years, or both.
- If the violation is repeated for the third time, the relative committee may prevent the violator from recruitment.
- The penalty shall multiply by multiplicity of violations proved against the employer.

Rights and duties of domestic labor

Domestic labor Identification

The domestic labor is a person who performs a domestic service labor directly or indirectly to the employer or any of his/her family members. During the performance of the service, the domestic labor is supervised by the employer. Domestic labor include female and male domestic workers, private drivers, gardeners, house guards and the like.

The rights of the domestic labor

Daily off-hours

The domestic labor shall be allowed to enjoy a daily rest for at least nine hours a day.

Weekly rest weekly rest

The domestic labor may get one day off per week, based on the agreement of the parties in the contract

Medical care medical care

Medical Care shall be provided to the domestic labor in accordance with the rules and regulations enforced in the Kingdom.

Sick leave sick leave

The domestic labor shall be entitled for a paid sick leave not exceeding thirty days per year upon a medical report proving his/her need for the sick leave.

Upon renewing the contract upon renewing the contract

The domestic labor is entitled for one month paid vacation upon completion of two years of service, and wanted renewal for a similar period.

End of service benefit

The domestic labor shall be entitled for end of service award of one month pay, if he/she completed four consecutive years in the service of the employer.

Duties of the domestic labor towards the employer

Work

The domestic labor is obliged:

- To perform the work agreed upon, serving the employer.
- Not to reject work or quit service without a legitimate reason.
- Not to work for his own account.

The employer's orders

The domestic labor is obliged to follow the orders of the employer and members of his family, related to the implementation of the agreed work.

Property of the employer

The domestic labor is obliged to maintain the property of the employer and his family members.

Safety of members of the employer's family

The domestic labor is obliged not to harm any of the family members, including children and the elderly.

Privacy of the employer and his family members

The domestic labor is obliged:

- To maintain the confidential information of the employer and his family members and people in the house, which come to his knowledge at work or because of it, and not to disclose it to third parties.
- Not to harm the dignity of the employer and his family members, and not to interfere in their own affairs.

Religion of the employer & his family members

The domestic labor is obliged to respect the Islamic religion, and abide by the regulations enforced in the Kingdom, as well as the habits and traditions of the Saudi society, and not to engage in any activity that is detrimental to the family.

Penalty for Violation by Domestic Labor

Without disobedience to the penalties stipulated for in other regulations, the domestic labor shall be subject to penalty for violating the provisions of the domestic labor regulation as follows:

- A fine not exceeding two thousand Riyals, or being prohibited from working in the kingdom, or both.
- The penalty shall multiply by multiplicity of violations proved against the domestic labor.

The violating domestic labor shall bear costs of his repatriation to his country. If his financial entitlements are not enough to fulfill the fines imposed on him, he shall be repatriated to his country at the expense of his country.