



FRENCH BUSINESS COUNCIL
Dubai & Northern Emirates



– Covid - 19 –

What are the impacts from employment and immigration perspectives in the UAE?

With you today



Céline Farhat – *Senior Associate*
Covering the HR and employment
aspects



Karin Luzolo – *Legal Consultant
& BD Manager*
Covering the immigration aspect

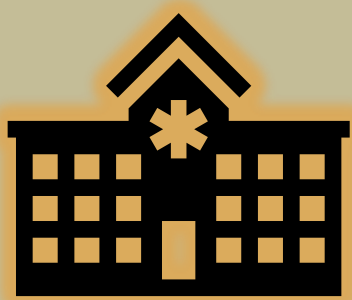


Romain Astruc– *Partner*
Moderator

AGENDA

- 1. HR Solutions according to UAE Labor Law** **Celine Farhat**
- 2. Employment Solutions according to UAE Labor Law** **Celine Farhat**
- 3. Immigration** **Karin Luzolo**
- 4. Q&A**

Introduction



**Preventive
Measures**



**Travel Restrictions
Bans & Screenings**



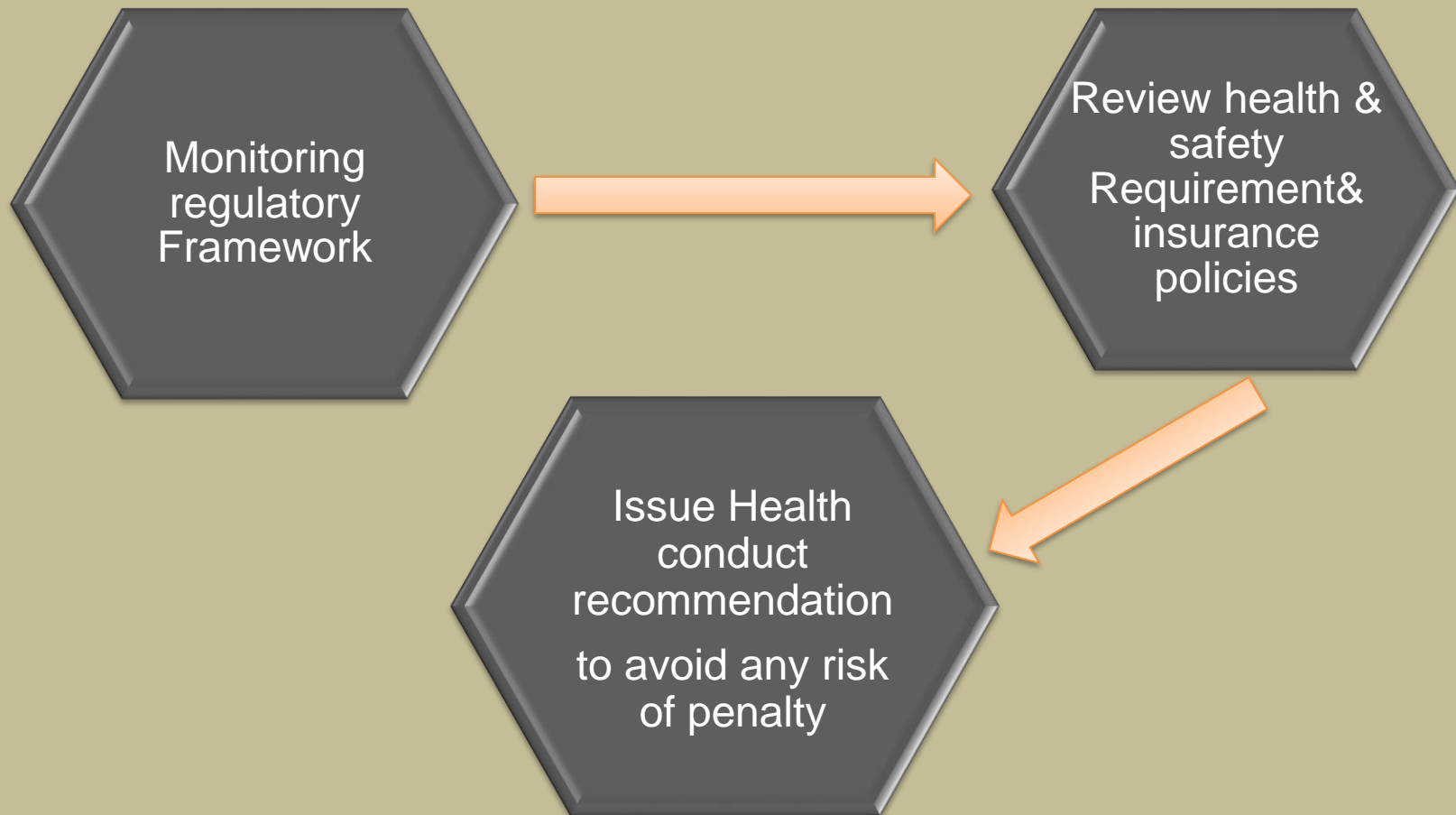
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HR Solutions according to UAE Labor Law

Human Resource Solutions



Human Resource Solutions



Human Resource Solutions



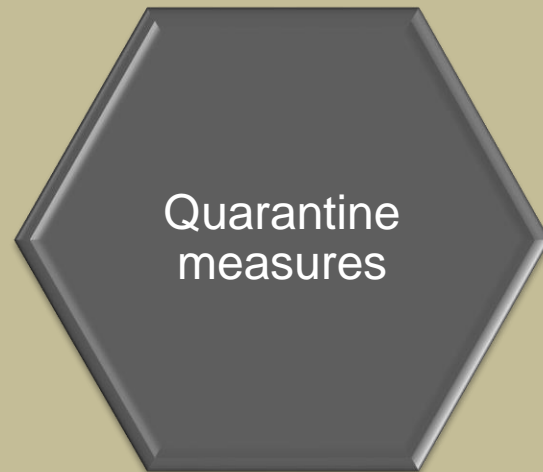
- Depending on each sector and constraints of the business some practice which initially required travelling, delivering or meeting will have to be adapted or reviewed.
- Trainings to be implemented by companies to prepare the workforce on how to use efficiently the new tools in place.

Human Resource Solutions



- Guarantee that each employee has working facilities such as computer, telephone, printers, internet connection...
- Implement internal guidelines to guarantee efficient remotely working time (strict timing, regular internal video calls to maintain dynamic, to be dressed up...)

Human Resource Solutions



- Legal obligation for the companies to protect the health and safety of their employees
- Employees under quarantine to be considered under sick leave or not.
- Distinction to be done if the quarantine is a result of sickness or a result of the government measure imposed
- If the employee is affected by the Covid-19, he shall be paid under sick leave according to the terms of article 83 of UAE Labor Law

Employment Solutions according to UAE Labor Law

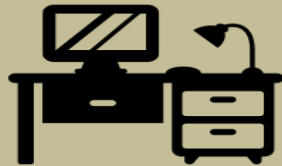
Employment Solutions

Recommended Solutions according to UAE Labor Law no. 8 of 1980 as amended
(UAE Labor Law) until any official measure is taken:

1. Home Office
2. Annual Leave
3. Unlawful Solutions:
 - a) Reduction of Salary
 - b) Unpaid Leave
4. Termination

Employment Solutions

1. Home office



- For companies which are not forced to shut down their work place and when business can still be operated remotely, home office has been highly recommended.
- Internal measures to be implemented by each company to guarantee efficient work so that none of the parties are in breach of their contractual obligations.

Employment Solutions

2. Annual leave



- According to the terms of article 76 of UAE Labor Law, the employer is allowed to request its employees to take their annual leave at a certain time.

Employment Solutions

3. Unlawful solutions

- Require the clear consent and written agreement of the employee:



- Reduction of work/salary



- Unpaid leave

Employment Solutions



4. Termination

- Unless of cases of termination for cause as defined within article 120 of UAE LL, the termination shall be for a valid reason
- Covid-19 not yet qualified as a legitimate justification for termination – risk that termination is qualified as arbitral by the judge which would entitle the employee for compensation of up to 3 months salary.
- Financial aspects to be taken into consideration by the employer: notice period, End of Service Gratuity, untaken holidays, compensation for early termination of a limited contract...

Agenda – Immigration

1. Travel restrictions & suspensions
2. Government actions
3. Impact & recommendations
4. Outlook

Travel restrictions & suspensions

Local airlines

- Several destinations including European countries (inbound / outbound)
- Emirates has suspended all passengers' flights on 22 March
- Reversed the announcement on same day to allow operation to selected destinations

General Civil Aviation Authority (GCAA)

- Suspension of all inbound and outbound flights, incl. transit effective as of today for 2 weeks. 1

Government actions

					
Suspension of ferry services with Iran	Travel ban for Iran nationals to UAE (except of residents)	Ban on use of ID card upon entry	Travel ban on UAE nationals travelling to Iran and Thailand	Suspension of issuance of all visa types to all foreigners	Suspension of visa on arrival

Government actions cont.



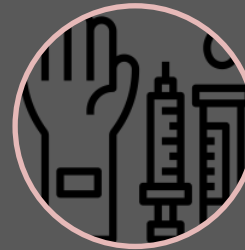
UAE citizens travel
ban for travelling
abroad



suspension of all
types of labour
permits (exempts
for intra-corporate
transfer and EXPO
2020 permits)



Entry ban of UAE
resident



GCC nationals
undergo COVID-19
medical test and
house quarantine
for 14 days



Entry ban for all
GCC nationals until
pre-examination
mechanism are
approved

Impact & recommendations



Decisions	Impact / issues	Response
Home quarantine	<ul style="list-style-type: none"> • 2 weeks - imposed for people coming from high –risk countries listed by WHO 	<ul style="list-style-type: none"> • Abide to the law otherwise you can risk fines or criminal charges
Entry ban for all UAE residents for 2 weeks (effective 19th March 2020)	<ul style="list-style-type: none"> • UAE residents outside the country what action to undertake? • 6 months period ; expiry of visa validity; • WPS issues 	<ul style="list-style-type: none"> • Coordinate return with employer if on business travel Contact UAE embassy/Register with "Twajudi Residents" • Cancellation and re-application once situation stabilises (employer should consider EOS agreements) • Contact MOHRE & Financial Institution
Suspension of the issuance of all types of labour permits effective March 19th until further notice (exempts for intra-corporate transfer and EXPO 2020 permits)	<ul style="list-style-type: none"> • What happen to pending application after the announcement and associated relocation costs. 	Depends on the application – <ul style="list-style-type: none"> • Inside country pending, new , renewal applications are still accepted. • All outside country applications are not being processed. Employer and employee should find fair arrangements for relocation costs.
GCCA shuts down all inbound and outbound flights (2 weeks)	<ul style="list-style-type: none"> • I am a tourist/ business traveler and still in the UAE and cannot get flights out to my home country and my visa is expiring, What to do? 	<ul style="list-style-type: none"> • Visa on arrival may stay for 90 days or 30 days before expiry of these days contact Immigration to avail alternative in country extension of tourist visa on exceptional basis. Same applies for tourist / business traveler on issued tourist visa.

Outlook



3 months – plan



Alternative working models



Employee shall coordinate return plan with employer



For free consultation on COVID -19 related matters please contact or visit our website:

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