

## **Ministry of Labour and Social Development**

### **Kingdom of Saudi Arabia**

Minister's Office

Ministerial Decision No. 605, dated 15/5/1438 H.

The Minister of Labor and Social Development

Having considered the labor regulation issued under the Royal Decree No. M/51, dated 23/8/1426 H., revised by Royal Decree No. M/46 of 5/6/1426 H. and Article 11 (repeated of Labor System) entitling the Minister to take appropriate measures that guarantee better labor market performance, and after considering His Royal Highness telegram No. 12366/MB, dated 12/11/1426 H. entitling the Ministry of Labor and Social Development to take any measures deemed appropriate on transfer of Kafalah [sponsorship], based on the needs of labor market changes, and having examined domestic workers regulations, issued via Council of Ministers' decision No. 310 of 7/9/1434 H.; and pursuant to the powers duly entrusted to him, decides as follows:

First: Male or female domestic workers and the like can be transferred from one employer to another through a decision by the Minister, or any other person authorized by him, in the following cases:

1. If the relevant employer is proved to have failed to pay the worker his due salary for three consecutive or isolated months without a reason being attributed to the concerned worker.
2. Failure to receive the domestic worker at the port of arrival and at the temporary accommodation center within 15 days from the date of his/her arrival in the Kingdom.
3. Employer's failure to produce a work permit for the employed worker or to renew an existing permit after passage of 30 days from the date set for its production or renewal.
4. Employer's leasing of his employee's services to other parties without his/her knowledge.
5. Requesting the worker to work for parties other than the employer's second-degree relatives.
6. Proving that the employed worker is assigned dangerous works that may threaten his/her health or body.
7. Proving that the employer or any of his family members have abused the worker.
8. A complaint filed by the domestic worker against the employer, and if the employer has been found responsible for delaying review of the lodged complaint, provided that the respective worker has not caused or contributed to prolonging the complaint consideration process.

9. If the employer has submitted a fake absence notices against his/her employed worker.
10. Failure of the employer or his authorized representative to appear before the competent authority for two hearings of which he/she has already been notified and failed to give affidavit about the complainant worker.
11. Recommendation by the competent authority during complaint consideration, so as to avoid any anticipated damages that may be caused to the worker.
12. If the employer has been absent due to travel, imprisonment, death or any other reason, which results in the employer's inability to pay the worker his/her dues for three consecutive months.
13. Any other individual or general cases, decided by the Minister.

Second: The new employer may employ a worker for probationary period of not more than 15 days prior to transferring his/her services to him. A (hiring) notice shall be obtained, and the employer must pay the worker concerned the amount agreed upon for the probationary period.

Third: To finalize the transfer procedure, the new employer is required to:

1. Pay the prescribed transfer charges.
2. Bear the accommodation expenses of the recruited worker during her/his stay at the assigned lodging at the rate of SR 150 per day or any part thereof, in accordance with the mechanism adopted by the Ministry.

Fourth: This Decision shall annul all other decisions that run counter thereto.

Fifth: The Deputy Minister shall take necessary action to circulate and implement this Decision.

Ali bin Nasser Al Ghafis

Minister of Labor and Social Development