



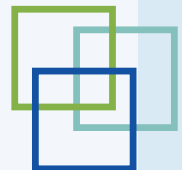
International
Labour
Organization

Travel Smart - Work Smart

A guide for Pakistani migrant workers in the United Arab Emirates



Promoting safe migration and protecting migrant workers' rights
ILO Country Office for Pakistan



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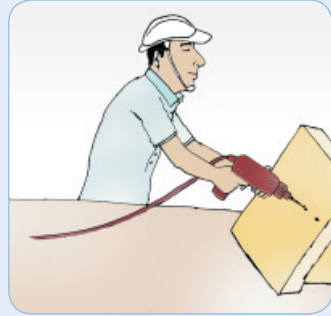
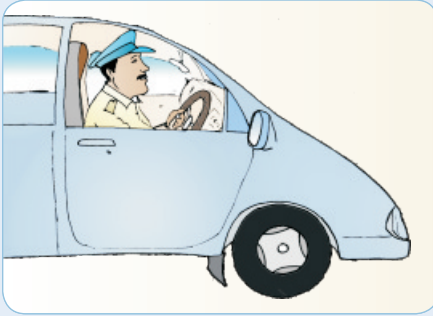
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Are you heading for work in the United Arab Emirates?



The information provided in this booklet can help you feel more secure
and
help you work safely and successfully.
And it can help you avoid exploitation or abuse!

**Always remember, the best person to safeguard
your interests is you!**



So Travel Smart and Work Smart!

Be informed - be aware

Every day, many people - just like you - enter the United Arab Emirates (UAE) for work. Most of them encounter no major problems. But some are exploited by their employers, have their wages withheld or find themselves a kind of prisoner, with no one to call for help.

There are ways to avoid this. If you are being abused, there are people in the UAE who can help you.



Know your rights

Irrespective of your legal status, you are entitled to respect and protection of your human rights - to live free from harassment and exploitation.

This booklet will inform you about your rights - and your responsibilities - while you are working in UAE. The information can help you protect yourself from people who want to take advantage of your situation as a migrant.

To start, know the following!

- * You may enter the UAE for work only through the *kafala* system.

What is the *kafala* system?

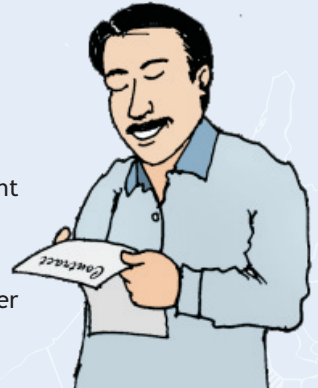
To work in UAE, the migration policy requires sponsorship through the *kafala* system. Under this system, a local citizen or company (the *kafeel*) must sponsor a foreign worker in order for their work visa and residency to be valid. According to this law, a migrant worker cannot leave or enter the country without the employer's permission. The employer is responsible for all aspects of a migrant worker's stay and has the right to withdraw sponsorship under the conditions explained further on in this booklet.



Before you leave Pakistan, you will sign a foreign service agreement (FSA), which includes the terms and conditions of your work in the UAE. Read it carefully or ask someone you trust for help to review the agreement (which is your contract) before you sign it. Your employer in the UAE will also require that you **sign a contract on his official letterhead stationery** before he can proceed on your behalf to obtain your residence permit. Read that second contract cautiously before signing and compare all text against the FSA you signed before your departure. If there are changes in the terms and conditions between your FSA copy and the second contract, ask the employer to explain why it is different and what does it mean. If you disagree with the change and/or find the new terms unacceptable, use the telephone numbers provided at the back of this booklet to call someone for assistance.

Make sure, at the minimum, that your contract includes the following details.

- * Your name and your identity card number
- * Work address
- * Your employer's name and address
- * Your job category
- * Your salary and benefits
- * Standard workday hours (not more than eight hours per day)
- * How overtime is calculated
- * Holiday, medical or maternity leave and other days-off entitlements
- * Any deductions to be made
- * Your duties
- * Details for terminating your contract



All the specific conditions of your job should be explained in the contract. In the UAE, accommodation is often provided for free to low-skilled migrant workers. If accommodation is included in your employment contract, it should be of a standard that meets your basic needs. Transportation to and from your workplace is also often provided for free by employers. In some cases, employers also provide workers all their meals or one meal or food for free. You need to study your employment contract to see which of these benefits applies to your situation.

* **There are two types of employment contracts in the UAE.** The UAE provides a fixed-term contracts and unlimited-term contracts for foreign migrant workers. A fixed-term contract has a commencement and completion date, whereas the unlimited contract has a commencement date only. The fixed-term contract is signed for a period of two years and can be renewed with mutual consent of employer and worker.

* **Duration of your residence permits is linked to your employment contract.** Authorities in the UAE issue residence permits that are linked to the duration of the employment contract. Thus, the residence permit will be valid for a maximum of two years, but it will be extended with the renewal of the work visa.

* **It is difficult to change your employer in UAE.** You need to know if you are hired by an employer who is registered under the Emirates Ministry of Labour and Social Affairs or operating in one of the **free zones** (established by the UAE Government to promote businesses and investment in the federation). If you are employed in one of the free zones, you can change your employer anytime. In any other case, it is difficult.

If you want to change your employer and you are working outside a free zone, you must obtain a “no-objection certificate” (called the *tanazul*) from your current employer and an “acceptance letter” from your new employer. Your new employer will then apply for your residence permit. However, if the current employer declines to give you the no-objection certificate, he can terminate your current contract and have your residence permit withdrawn. Be careful! If this happens, you will be banned from working in the UAE for a period of six months and will have to leave the UAE immediately.

* **You can be repatriated (deported or returned) from the UAE. Returning you to Pakistan in such a case is done for one of the following reasons.**

* Your contract is finished and is not renewed.

* You are having serious medical problems.

* You are involved in criminal activities.


* **Your employer may make deductions from your salary.** Deductions may be made to recover advances paid to you in excess of your entitlements (such as leave days), social insurance premium fees due from you, any debt to be recovered in the execution of a legal court judgment or any amount as settlement of damages that you deliberately caused to the equipment or infrastructure of your employer. However, the percentage amount deducted shall not exceed one half of the wages due to you, unless the Commission for the Settlement of Labour Disputes finds that it is possible to increase the deduction.




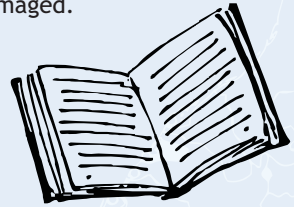
Your rights as a migrant worker in the UAE


As a registered migrant worker in UAE, you have the right to complain and seek protection if any of your rights are violated or if your employer has exploited you. If you think you have been cheated, wronged or treated in a way that discriminates against you - see the contact details at the back of the booklet and seek assistance.

The following explains some of your rights as a migrant worker.

 **You have the right to keep the original of your personal documents with you, including passport, visa and employment contract.** Employers in the UAE often insist on keeping their employees' passports. This is especially the case for workers in the labour category. Because these documents are important to you, make sure to keep a photocopy of all these documents with your family back home as well as with you in the UAE. If you have a telephone that takes photos, you should also take pictures of all your documents in case your paper copies are lost or damaged.

 In the UAE, you should be given an **Emirates identity card** and a **labour card**. Always keep the Emirates identity card on you when you go to a public place or travel within the UAE. It is your legal identity information document and is thus important for you.



 **Your working hours are regulated, and you have the right to overtime compensation.** A workday consists of eight working hours, and a workweek is 48 hours (unless you have signed a contract stating something different). This applies to all months of the year except the month of Ramadan when actual working hours are not to exceed six hours a day or 36 hours a week, excluding the time reserved for prayer, rest and meals. However, the working hours may be increased to nine hours per day for persons employed in trades, hotels, cafeterias and as guards. Persons who hold executive or administration positions are expected to work long hours without overtime pay. Any clause for the overtime rate that you agreed to in your contract (by signing the contract) will prevail. So be careful!

- * If you work for additional work hours, then you are entitled to overtime payment of the normal hourly wage plus not less than 25% per hour. However, if your overwork time falls between the hours of 9 pm and 4 am, you are entitled to the wage of the normal work hour plus not less than 50% per hour.
- * If you work on a rest day or on a feast day, your employer must pay you the wages for the regular or additional work hours plus 50%. However, employees cannot be asked to work for two consecutive rest days unless their wages are calculated on the daily basis.

* **You have the right to refuse overtime work.** A workday is eight hours and a workweek is 48 hours. If you agree to work more than the normal working hours, your employer is required to pay you overtime (normal working hours pay plus additional 25% of the basic wage; if you working overtime between 9 pm and 6 am, you are entitled to normal working hours pay plus an additional 50% of your basic wage). During Ramadan, normal working hours are reduced by two hours.

* **You have the right to rest time** after no more than five consecutive hours of work. Rest time and meal breaks are not calculated in working hours.

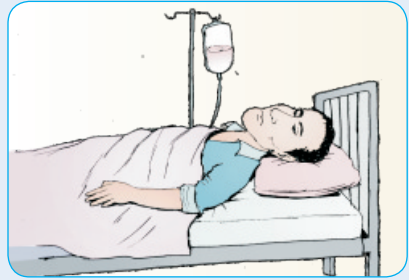
* **You have the right to working days off.** If you have completed one year in service with the employer, you are entitled to an annual vacation (holiday leave) of 30 days with full wages payable in advance.

* **You also have the right to one day off each week.** You can refuse to work on your day off. If you agree to work on your day off, you are entitled to be paid equivalent to your over time hourly wage.

* **You have the right to public holidays.** You are also entitled to days off with full pay on the designated holidays, provided that such holidays do not exceed 10 days a year.



* **You have the right to take medical leave.** But you must obtain a medical certificate from the doctor and inform your employer immediately, preferably on the same day. Remember that no medical leave is accepted without a medical certificate.



* **You have the right to receive your income during a period of illness once you have completed your probation.** According to the UAE Labour Law, you are entitled to a maximum of 90 days sick leave - the first 15 days with full wages, the next 30 days at half pay and then the final 45 days without pay. However, if your sickness results from the consumption of alcohol or narcotics, then you are not entitled to any paid sick leave.



* **You have the right to be paid the following provisions outlined in the Labour Law.**

- * Wages of daily rate workers are paid at least once a week.
- * Wages of monthly rate workers are paid once a month.
- * If the work is performed by piece and it requires a period exceeding two weeks, a payment proportionate to the work completed by the worker must be made to the worker every week. The full balance of the wages is to be paid within the week immediately following the delivery of the work.
- * In cases other than those mentioned here, wages are to be paid to the worker in a mutually agreed time period.

* **You have the right to leave your workplace during your free time.** However, always keep your Emirates identity card, mobile phone and some money with you. It will help you to contact your employer or colleagues in case of emergency.





You have the right to be paid for work completed even if you are arrested, if you quit your job or if you are fired. Your employer cannot withhold your wages under any circumstances. However, do not forget that your entitlement to maximum benefits are due once you complete your contractual probation period. Workers who have completed service of a year or more have the right to claim for pay for unused leave days. If there is problem receiving this compensation or any other related issue, you can contact the UAE Ministry of Labour and Social Affairs or the Community Welfare Attaché at the Pakistan Embassy or Consulate through the telephone numbers provided at the back of this booklet.

NOTE: If you are a domestic worker, some of the rights explained in this booklet may not apply to you (because domestic work is still excluded from labour law coverage in the UAE). You need to negotiate benefits with your employer. Although the labour laws do not cover you, you are entitled to termination notice, unpaid wages protection and the payment of your wages to be made into a bank account in your name.

How to defend your rights

- * **If your employer violates the terms and conditions of your employment**, you can file a complaint with the UAE Ministry of Labour and Social Affairs (*to proceed with the application filed with the Ministry of Labour and Social Affairs, you must pay 100 dirham as registration fee*). In case the employer and/or employee are not happy with the decision of the Ministry, the issue can be taken to the local and federal courts. Any issue related to employment contracts, wages, working hours, leave, safety and protection, medical and social care, labour inspection, occupational diseases, penalties and employment can be taken to the local and federal courts.
- * **Workers employed in the free zones** (where businesses are registered with the Free Zone Authority and not with the UAE Ministry of Labour and Social Affairs) **are sponsored by the free zone management and not by their employer**. Hence, in case of complaints, they can file their applications against their employers to a court.
- * Your employer can only **dismiss you** for a serious reason, such as theft, physical assault, drug use or being absent from work for seven consecutive days without informing the employer or not providing a valid reason. Before your employer can dismiss you from work, he must first give you a warning letter and must conduct a domestic enquiry.
- * The UAE Labour Law **does not permit workers to create unions, bargain collectively or strike**. Anyone who tries to form a union can be dismissed, imprisoned or, in the case of migrant workers, deported. So abstain from participation in any such initiative (even though it goes against your rights as a worker generally; it is not your right according to UAE law).
- * **Make sure you keep photocopies of personal documents, including passport, visa and employment contract** with you in the UAE. If you have a mobile that takes photos, you can also take pictures of all your documents in case your hard copies are lost.
- * **Stay in regular contact with your family**. Tell your family the name, telephone number and address of your employer. Agree that if they do not hear from you within a certain amount of time they must seek help from local authorities. Make sure your family has details and copies of your identification documents (passport, visa number and work permit) and your contract. Also, provide them with copies of your insurance certificate and Overseas Pakistanis Foundation membership card (which is issued on demand) that you have obtained after registering with the Bureau of Emigration and Overseas Employment.



Your responsibilities as a migrant worker

- * If you want to take leave from your job (for personal reason or vacation), make sure you inform your employer beforehand. Taking an extended leave without telling your employer could be cause for terminating your contract.
- * If you are sick and cannot go to work, inform your employer as soon as possible and obtain a medical certificate.
- * Many workers die from cardiac arrest due to simultaneous exposure to extreme heat and extreme cold. If you work outdoors, do not turn the air conditioner very high immediately after returning to your room.
- * Take precautions to avoid contacting HIV and other sexually transmitted diseases.
- * Respect your host country's culture, food customs and dress code.
- * You should be respectful to women and never tease them, ogle or stare at them.
- * Never participate in drug selling or drug abuse or any other criminal activity; never physically abuse anyone (including a friend or girlfriend/boyfriend) or bully someone on the basis of ethnic, cultural, physical, religious or sectarian differences.
- * You must make an effort to learn the basic norms and laws of the UAE, including traffic rules. You must always use the zebra crossing or the overhead bridge to cross a road.
- * You must abide by the rules and regulations of your workplace. The regulations typically are displayed in a visible area in the workplace.
- * You must check the expiry dates of your documents, including passport, residence permit and ID card. To renew your passport, go to the Indian Embassy; for other documents, inform your employer well in advance of their expiration date.
- * If you experience problems at work, talk to your family, a friend, your employer, the Community Welfare Attaché at the Embassy or Consulate of Pakistan, the recruitment agent or the Protector Office of your area in Pakistan. The telephone numbers of the Embassy or Consulate and the Protector Offices are provided at the back of this booklet.

Know your status

Am I a regular migrant worker?

A regular migrant worker in the UAE has an authentic passport with employment visa stamped on it, the Emirates ID and labour card.

Your rights a regular migrant worker

- * **You have the right to travel anywhere within the UAE.** However, it is best to inform your employer if you plan to travel and always keep your Emirates ID with you.
- * **When your contract finishes, if you are dismissed or if you do not obtain a medical certificate upon first entering the country, you might be repatriated back to Pakistan.**
- * **You are covered by a health insurance protection scheme under the UAE Labour Law, and your employer must pay the premium fee on your behalf (but it should not be deducted from your wages).** However, the situation may change in practice in case of small businesses having fewer than 10 employees. Before signing your contract, you need to clarify this point.
- * **As a registered migrant worker, you are also insured in Pakistan for the two-year period of your employment contract with the State Life Insurance Corporation of Pakistan.** You can renew your insurance with them when it expires.
- * **You can send your remittances to your family through formal banking channels.**



If you are stopped or arrested by the police

- * If the police stop you, give your name, employer's name and address and show your residence permit, if asked.
- * Do not allow the police officer to put his or her hands into your pockets or bags. If asked to search your possessions, voluntarily take out your belongings yourself one by one in front of the officer, stating the name of each item as it is removed. When your pockets and bags are empty, turn them inside out.
- * Only a female officer can do a body search on a female. It must be carried out with decency. The officer is not allowed to touch your private parts.
- * The police can arrest you on suspicion of committing a crime (such as theft, murder or selling drugs), for breaking the immigration rules (overstaying, staying without regular status) or for not being in possession of your identity card. You can be arrested for other activities that are considered illegal and punishable as per the Islamic (Sharia) law, including public intoxication or other alcohol-related offences, homosexuality, intimacy in public between a man and a woman, or any attempt to convert a person's religion.
- * Ask why you are being arrested - but do not resist.
- * If you are arrested, you have the right to make a telephone call to a relative, a friend, your employer, the Community Welfare Attaché at your embassy or anyone you think will be of help in this situation.
- * If you have been detained at a police station, you might be released pending a trial if you deposit your passport with the police or if a friend deposits their passport as a guarantee. Please remember that if you deposit your passport to release a friend from detention and they do not turn up for the trial, it will put you in trouble. You will not be arrested, but you will be stuck in the UAE until you get your passport back from the police, which could take a long time.
- * Try to avoid admitting to anything or signing any documents that you do not understand.

You are under arrest when the police say, “You are under arrest” or handcuff you, if they do not allow you to leave or they want to take you back to the police station. If you are not under arrest, you may walk away or refuse to follow an officer back to the police station or anywhere else.

If you are taken to a court

- * You have the right to be represented by a lawyer. Ask for assistance from your work colleagues or relatives. Ask for an interpreter. You should also contact the Community Welfare Attaché at the Pakistan Embassy or Consulate.
- * Take time to understand the charges and the punishment (penalties) of the charge.
- * DO NOT plead guilty if you do not understand the charges.

Special notes for female migrant

- * You are entitled to the same wage as male migrants performing the same job.
- * In case of maternity, you are entitled to take leave for a period of 45 days with full pay, which includes the period before and after the delivery, provided you have served the employer for at least one year. Maternity leave is granted with half pay if you have not completed one year of service. After returning to work from maternity leave, you may take two rest breaks no longer than 30 minutes (each) per day to nurse your baby for a period of 18 months - in addition to rest breaks given to all workers.

Special notes for young migrant

- * Children younger than 15, including migrants are not allowed to work in UAE. If you are underage and on your own (unaccompanied, or not with a family member) seek help, such as with the Community Welfare Attaché. Do not lie about your age if the authorities ask you (and do not falsify your age in any document).

Ways to keep safe

- * Be careful of anyone who befriends you with promises of an easy job with good pay - they could be lying to you.
- * Be careful of anyone who offers to help you find other work or offers you a better job - this may put you in trouble with the current employer, and your legal status may be jeopardized.
- * Be careful of anyone other than your employer who demands to keep your passport or ID - this leaves you vulnerable because you need these documents to move around. An Emirate ID is the document required for your free mobility in the UAE. Do not give it to anyone, which will put yourself in a vulnerable situation.
- * Do not trust strangers! Even friendly ones - male or female. However, do try to make some friends among other migrant workers.
- * Learn your way around. Find the locations of the nearest market, mosque, police station, hospital and Labour Office. These places can offer you sanctuary if you are in trouble.
- * Do not trust a broker who tells you he can register you with the authorities or get you a work permit. If you are already legally registered with your employer in the UAE and hold a valid work permit for 2 years with the business registered with Ministry of Labour and Social Affairs, it is your employer's duty to help you renew it.



Everyone is entitled to receive help - regardless of his/her situation!

If you do not understand anything in this booklet or if you need help but are afraid to approach the authorities, you may contact the Community Welfare Attaché at one of the following addresses or telephone numbers **without fear of arrest or deportation**.

Embassy of Pakistan in Abu Dhabi - UAE

Postal address: P.O. Box 846, Diplomatic Enclave, Abu Dhabi
Visiting address: Plot #2, Sector W. 59 Diplomatic Enclave, Abu Dhabi
Tel: (+971-2) 444-7800
(+971-2) 444-9334 (Counselor Community Welfare)
Fax: (+971-2) 444-7172

Working hours: (Sunday-Thursday) 8 am - 4 pm

Consulate General of Pakistan in Dubai - UAE

Visiting & postal address: Consulate General of Pakistan
Near Burjuman Metro Station, Bur Dubai, Dubai
P.O. Box 340

Working hours: (Sunday-Thursday) 8 am to 3 pm

Tel: (+971- 4) 396-6651 (Community Welfare Attaché)
(+971- 4) 397-1748 (Counselor Community Welfare Attaché)
Fax: (+971- 4) 397-1975

24-hour line: 00971-4-397-3600
(It will help connecting to the right personnel in case of an emergency.)

In case of any emergency, call the following numbers

Department	Number
Police and emergency	999 (emergency) 901 (non-emergency)
Fire department	997
Water or electrical emergency	991
Ambulance	998/999



Seeking help

Phoning home: If you are living in the UAE and want to telephone home (to your family, employment agent or to a government office), first you must dial an international access code - from the UAE, dial 00 - then dial your country code for Pakistan - 92 - and then your local area code and number.



For Issues related to your foreign service agreement and visa

Contact your Regional Protector Office in the Bureau of Emigration and Overseas Employment in Pakistan or the Office of Director General of the Bureau of Emigration and Overseas Employment (in Pakistan) through the following telephone numbers.

Designation	Contact Address
Director General	Emigration Tower 10 – Mauve Area, G-8/1 Islamabad Tel: +92-51-9107272
Director of Operations	Emigration Tower 10 – Mauve Area, G-8/1 Islamabad Tel: +92-51-9107261
Protector of Emigrants – Peshawar	Amanullah Khan Plaza, 2nd Floor, Opposite GPO, Lala Ayub Lane, Saddar Road Peshawar Cantt Tel: +92-91-9212050
Protector of Emigrants – Malakand	Bahadar Khan Plaza, Main Bazar, Bathhella Malakand Tel: +92-93-2412483
Protector of Emigrants – Karachi	14-J, Block No. 6, Near KFC, Nursery, PECHS Karachi Tel: +92-21-34531941
Protector of Emigrants – Quetta	Quarry Road Quetta Tel: +92-81-9202436
Protector of Emigrants – Rawalpindi	20-B1, Summer Plaza, Chandni Chowk Rawalpindi Tel: +92-51-9290439-40 Tel: +92-51-9290569
Protector of Emigrants – Lahore	117-G Block, Model Town Lahore Tel: +92-42-99230338 Tel: +92-42-99230488
Protector of Emigrants – Multan	House No. 136, Rehmat Colony, Near Lodhe More , MDA Road Multan Tel: +92-61-9210200

For issues related to your welfare or other overseas Pakistanis

Contact the **Overseas Pakistanis Foundation (OPF)** on the following 24-hour helpline number:

+92-51-111-040-040

You can also submit your complaint with the “Grievance Commissioner Cell for Overseas Pakistanis” in Federal Ombudsman Secretariat at the following website;

<http://overseas.federalombudsman.gov.pk/>



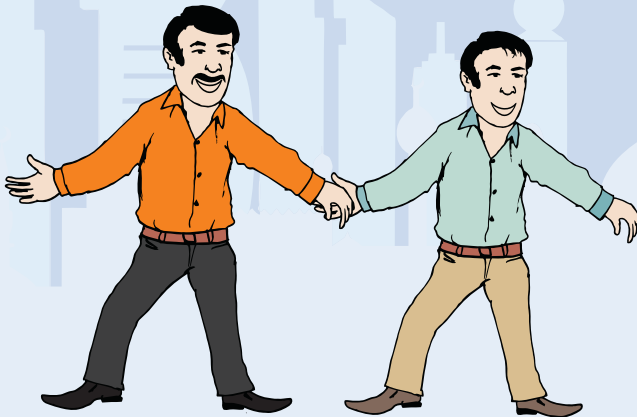
You have rights – and responsibilities!

Knowing these can help you avoid abuse and
make the most of your time in UAE.

Be aware!

This guide gives you advice on how to live and work safely
in UAE and what to do if you need help.

Travel Smart – Work Smart!



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