

# The New Oman Labour Law

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# Agenda

- 1 Scene-setting
- 2 Pre-Employment and Immigration
- 3 During Employment
- 4 Post Employment
- 5 Next Steps

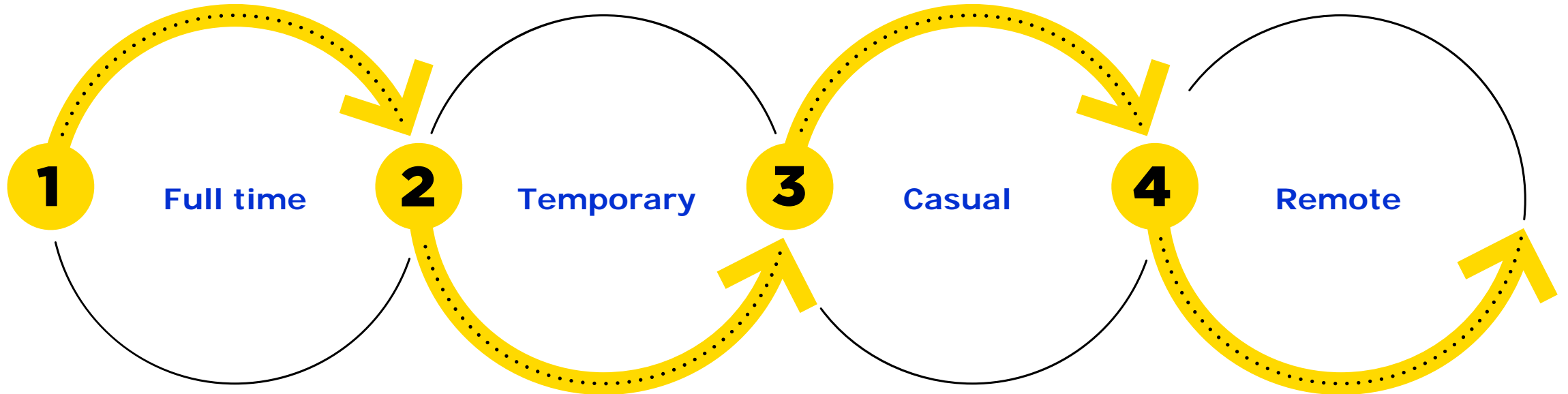
# Setting the Scene



# Pre - Employment



# Types of Employee



# Pre-Employment Considerations

## Advertising

- Prohibition on advertising jobs which refer to creed, colour, remuneration packages or which may demean human dignity

## Documents

- Arabic Language (+others)
- Performance appraisal system (25+)
- Grievance system (50+)

## FTCs

- No automatic unlimited transition
- Unless over 5 years service

## Rest Areas

- 25 or more female employees → separate rest place for female employees



## During Employment

# The New Leave Landscape

	Old Law	New Law
<b>Emergency Leave</b>	6 days	Removed
<b>Maternity Leave</b>	50 days (one years' service)	<ul style="list-style-type: none"><li>• 98 days (no prerequisite service)</li><li>• One year unpaid child leave care (social contribution obligations apply)</li><li>• One hour daily nursing break</li></ul>
<b>Paternity Leave</b>	-	7 days to be taken within 98 days of DOB
<b>Unpaid Leave</b>	-	Subject to employer's agreement (social contribution obligations apply)
<b>Sick Leave</b>	10 weeks	182 days:  100% -> 21 days; 75% -> 22nd to 35th days; 50% -> 36th to 70th days; 35% -> 71st to 182nd days.
<b>Annual Leave</b>	No cap on carry over	30 day cap



# Working Hours and Overtime

## Old Position

8.5 - 9 hours per day (+3)



- 25% uplift during the day
- 50% uplift during the night
- 100% uplift on rest days or TOIL

## New Position

8 hours per day (+4)



### **NORMAL:**

- 25% uplift for daytime hours
- 50% for night-time hours
- 100% uplift on rest days or TOIL

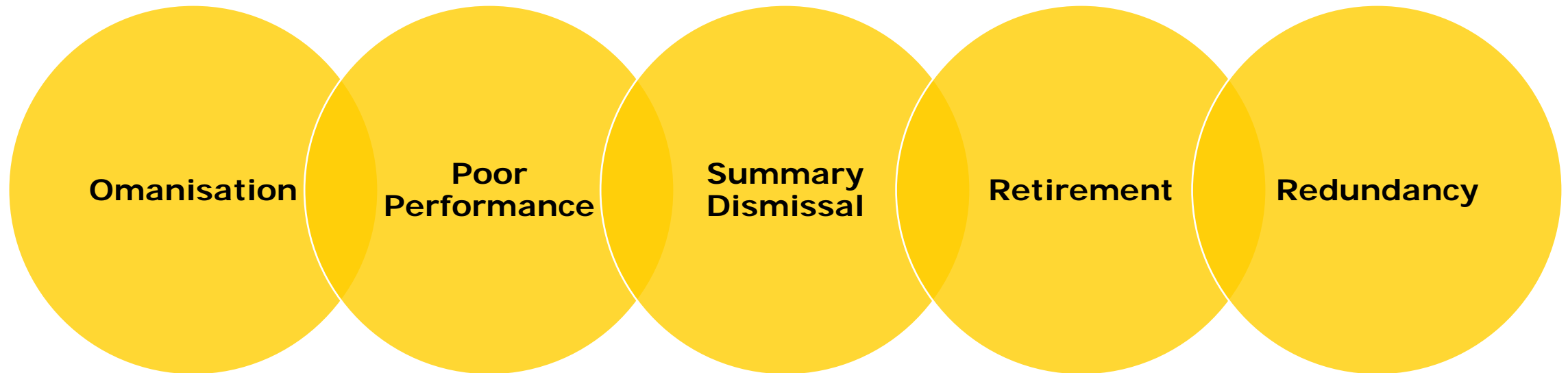


### **EXTRAORDINARY:**

- 50% uplift for daytime hours
- 75% for night-time hours
- 200% uplift or two x TOIL on rest days

# Post Employment

# How can employment be terminated?



# Redundancy

*"Complete or partial closure of, bankruptcy of, or reduction the size of the activities of the establishment, or replacement of the production system with another in a way that affects the size of the workforce"*

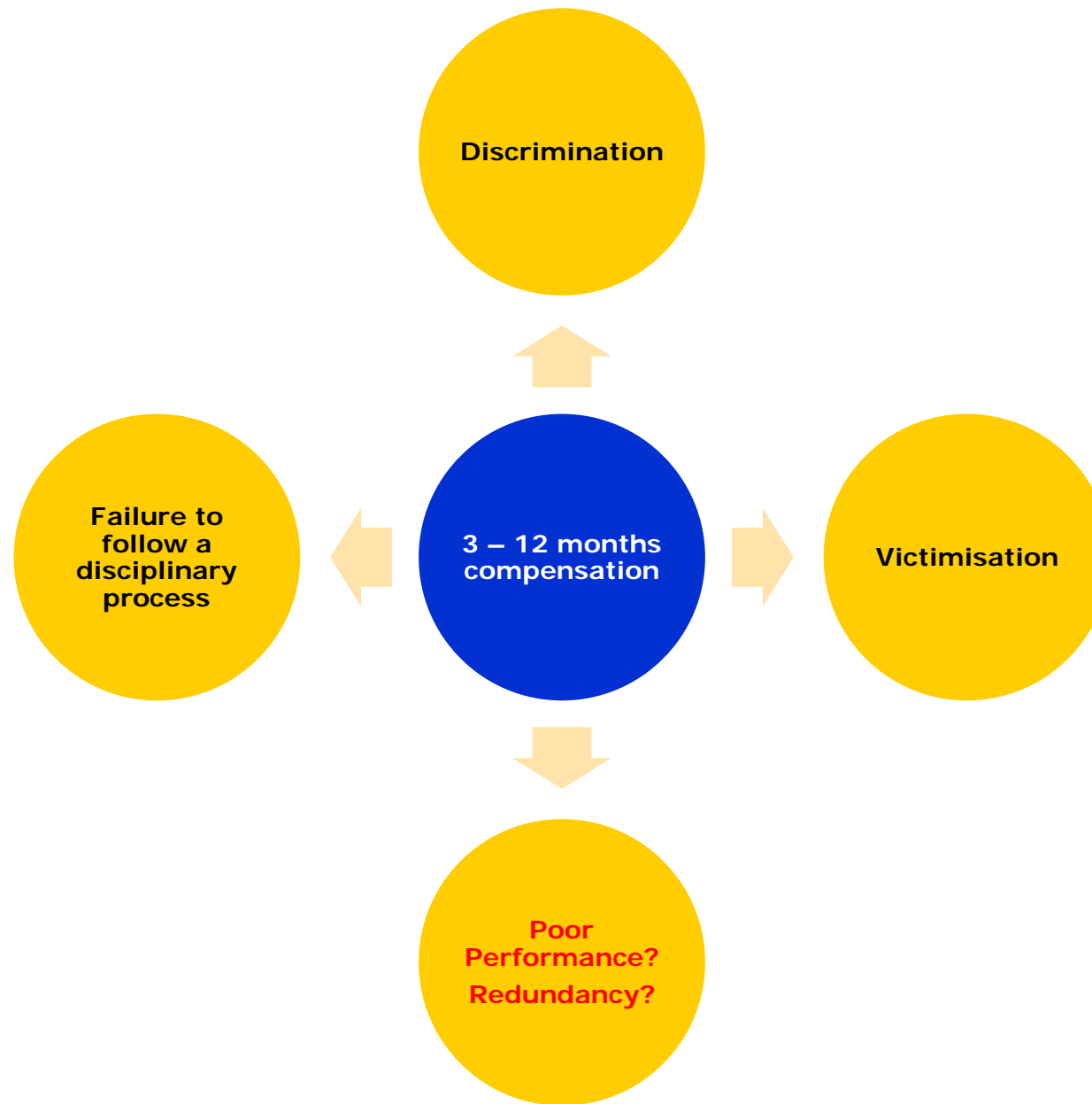
*"In cases other than the complete closure or bankruptcy of the establishment, the contract of the Omani worker who has the same competence and experience as the non-Omani who works with him in the establishment, shall not be terminated"*

*"If the establishment has an economic reason"*

# Summary Dismissal: Article 40

False identity or forgery	makes a mistake resulting in substantial material loss (3 days -> 30 days)	disobeys instructions respecting safety of employees and workplace
AWOL >10 non-consecutive days or >7 consecutive days	discloses confidential information	offence involving honour, trust, or a misdemeanour at work
under the influence or offence against public morals	assaults the employer/colleagues	breach of the employment contract

# Arbitrary Dismissal



# End of Service Gratuity

	Old Law	New Law
<b>Calculation</b>	Years 1 – 3: 15 days Year 4 +: 30 days	30 days per year
<b>Basis of calculation</b>	Basic salary Calendar days	Basic salary Calendar days
<b>Forfeited when terminated summarily?</b>	✓	✓
<b>Savings Fund?</b>	✗	✓ (TBC)

# Other considerations

Non-Competes

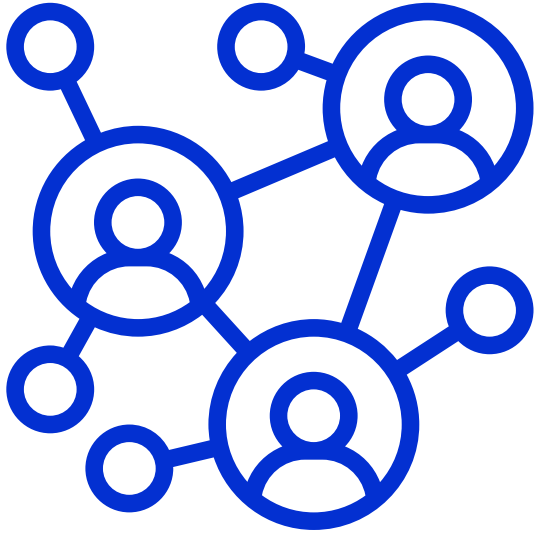


Collective Labour Disputes



## Next Steps

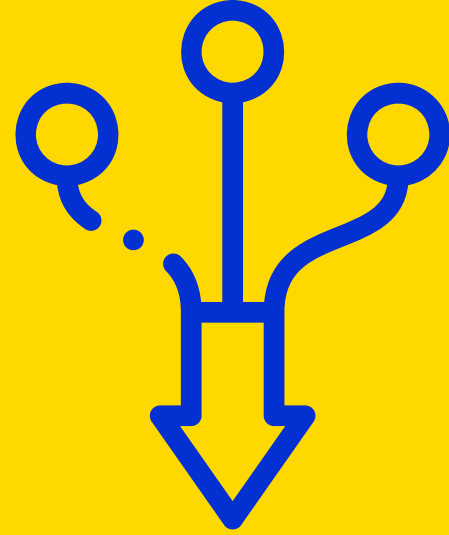




**Employment  
Contracts**

**Next**

**Steps**

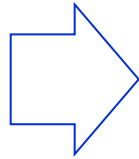


**Policies**

# Timeline

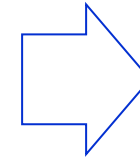
## **Employee communication**

- Present updates and changes.
- Q&A.
- New contracts to be prepared and sent.



## **Employee's receipt of new contract**

- All employees to check receipt of new employment contract.



## **Sign and return employment contract**

- Employee records to be updated by HR.

# Get in touch



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