

Oman

This factsheet provides a review of existing laws and regulations pertaining to employment of migrant workers in Oman and has been written by the International Labour Organization [Regional Fair Migration in the Middle East Project](#) with support from DLA Piper. It was developed to increase accessibility to country-specific laws for a wide variety of stakeholders. Building Responsibly does not endorse this factsheet as best practice, and it should not be used as a substitute for legal or labor counsel. Instead, it is intended to be a practical reference point and a tool to support the work of Building Responsibly as it seeks to raise standards and employ best practices on worker welfare issues worldwide. For more information, please see the [Building Responsibly Principles](#).

This summary is based on the provisions of the Labour Law, Royal Decree 35/2003 (referred to hereafter as the 'Labour Law') and Ministerial Decisions issued by the Ministry of Manpower. This summary does not cover specific provisions relating to employment of minors and provides only limited information on the specific requirements around the employment of Omani or GCC nationals.



1. RECRUITMENT AND WORK PERMITS

1.1. Are workers allowed to pay recruitment fees?

No. Recruitment agencies are prohibited from charging fees to workers.¹

1.2 How are recruitment agencies regulated?

Recruitment agencies must apply to the Oman Ministry of Manpower to obtain a license to exercise the activity of recruitment of non-Omani manpower. There are a number of requirements that apply in order to obtain a license, including that the applicant must be of Omani nationality and the rate of Omanization must be at least 80 percent among the agency's staff.²

1.3 Is there a requirement for written contracts?

Yes, for foreign workers.³ The contract must be issued in Arabic in duplicate form, one copy for each party.⁴

1.4 Is there a requirement for the written contract to be in a language that the worker understands?

No. However, if the contract is written in a language other than Arabic, at least one copy in Arabic shall be attached to it and approved by the two parties to the contract.⁵ Both versions have the same weight of evidence.

1.5 Is it legal for an employer to keep a workers' passport?

No. Confiscation of a worker's passport is prohibited.⁶

1.6 What are the procedures for obtaining the work permit?

A permit is issued by the Ministry of Manpower, valid for two years, after payment of mandatory recruitment, employment, and renewal of permit fees.⁷

1.7 What is Omanization and what are the requirements for companies?

Under Omani law, there is a complex system of quotas for Omani nationals, though this generally does not extend to unskilled jobs.

Employers who do not meet required local hiring percentages will be fined 250 to 500 Omani Rials (OMR) for each local worker needing to be hired, and penalties are doubled if a company does not reach the required hiring ratio within six months.⁸

Priority is given to the recruitment of Omani nationals.

1.8 Are there other employment related restrictions?

There are specific restrictions for women's employment.⁹

- It is prohibited to employ women in hazardous or jobs or industries.
- Night shifts for female workers are subject to specific restrictions. Women are not permitted to work between 9 p.m. and 6 a.m. except in cases specified by ministerial decision.
- Women workers cannot be fired during their maternity leave.



2. SPONSORSHIP

2.1 How do workers and employers terminate a contract?

The employment contract expires in the following cases:

- expiry of its period or completion of the work agreed upon,
- death of the worker,
- disability of the worker to perform his/her work,
- resignation or dismissal of the worker or abandonment of the work in accordance with the provisions of the Labour Law, and
- sickness of the worker to an extent that compels him/her to discontinue his/her work for a continuous or an interrupted period of not less than 10 weeks during one year.¹⁰

The employer may terminate the contract without notice or end-of-service gratuity if the worker:

- resorts to forgery to be hired;
- commits a mistake that causes serious damage to the employer;
- does not abide by safety and security instructions, made in writing and displayed at the workplace;
- is absent from work more than 10 days a year and more than seven consecutive days without justification;

- discloses business secrets;
- is convicted of a crime committed at the workplace;
- is found intoxicated at the workplace;
- assaults the manager or the employer;
- commits serious breaches to his contractual obligations.

In the case of unlimited-term contracts, either party can terminate the labor contract, giving the other party a 30-day notice for workers paid on a monthly basis and a 15-day notice for others, unless otherwise stipulated in the contract.

When an employment contract is terminated or expires, the employer is required to pay an end-of-service benefit equivalent to 15 days' remuneration for each of the first three years of service and one month's remuneration for each additional year for workers who do not benefit from the Social Insurance Law.

2.2 Protected grounds for dismissal

An employer may not dismiss a worker when he is on leave or public holiday.¹¹

2.3 What is the process for the worker to transfer to another employer?

Migrant workers who have not completed their two-year service period may only transfer to a new employer with the permission of their current employer. After completing two years of service, the worker needs the approval of both his former employer and the Directorate General of Labour before seeking new employment.

In 2016, the Royal Oman Police confirmed that rules regarding returning to work for a new employer had been tightened. Any foreign worker who leaves his/her employment in Oman will not be permitted to work for a new employer for at least two years, regardless of whether they have completed their contract and have permission to transfer job from their former via a No-Objection Certificate (NOC).¹²

To change jobs, migrant workers must therefore remain in Oman and secure the permission of their current employer.

2.3 Can workers leave country without permission of the employer?

Yes. There is no requirement for an exit permit to leave the country.



3. WAGES

3.1 Is there a minimum wage?

There is a minimum salary for Omanis in the private sector, currently 325 OMR, comprising 225 OMR as a minimum basic salary and 100 OMR as minimum allowance. However, there is no minimum salary for migrant workers.

3.2 How is payment to be made?

Wages must be paid at least on a monthly basis through the Wage Protection System to an accredited bank, within seven days from the end of period when wages become due.¹³

3.3. What are the penalties for late payment of wages?

Late payments are subject to a penalty of 100 OMR per worker.¹⁴

3.4 Are deductions from pay permitted?

If a worker purposely or due to his/her gross negligence causes the loss or damage or destruction of any equipment, machinery, or products owned by the employer, the latter can, following an investigation, deduct up to 25 percent of the worker's monthly wage.¹⁵

The employer can deduct up to 15 percent of a worker's wages towards repayment of any money borrowed by him/her during the contract period but cannot charge any interest on such loans or wages paid in advance.¹⁶

Omani law admits the possibility for an employer to impose fines on workers for offenses of misconduct, provided it does not exceed the equivalent of a five-day wage.



4. WORKING CONDITIONS AND OCCUPATIONAL HEALTH

4.1 What are the working hours?

Working hours are nine hours per day and 45 hours per week, except during Ramadan when the working hours are decreased to six hours per day or 30 hours per week for Muslim workers.¹⁷

Workers are entitled to a half-hour break per day for every six consecutive hours of work. Workers are entitled to two consecutive days of break per week. It is prohibited to work outdoors from June 1 to August 31 between 12:30-3:30 p.m.

4.2 What are the regulations on overtime?

Overtime compensation depends on whether the overtime is performed during weekly working days, weekly rest, or national holidays. Overtime compensation is equal to 125 percent of the basic hourly rate for hours worked during working days, 150 percent for hours worked at night, or time off equal to the amount of overtime worked.

The total number of working hours cannot exceed 12 per day, basic and overtime combined.¹⁸

4.3 What are the requirements on personal protective equipment? Is there a requirement for an OSH policy?

The employer must provide work clothes and personal protective equipment which suits the nature of work performed and should take measures, including the following, to promote the usage of personal protective equipment¹⁹:

- Work uniform and personal protection equipment must comply with the specified standards of safe use of each means, in accordance with the actual exposure to hazards.
- Raise workers' awareness and train them on the best ways of using and preserving such equipment.
- Prepare a guidance document for the use and maintenance of work uniforms and personal protection equipment intended to protect users from pollution by chemicals or bio-hazards.
- Post clear, visible signs in languages workers understand in all hazardous areas where entry is prohibited unless personal protective equipment is provided.
- Set up a system for keeping, maintaining, cleaning, and sterilizing all work uniforms and protective equipment used for work in a way that facilitates using them in emergencies.

4.4 What are the requirements on access to water, toilets and washing facilities on site?

The employer has to make sure that the conditions prevailing in the workplace are sufficiently safe for the workers' health, particularly concerning drinking water. This includes²⁰:

- Providing sufficient drinking water within easy reach for workers.
- Providing tightly closed water tanks made of strong non-corrosive materials connected to two pipes, access and ventilation. Tanks must be cleaned at least once a year.
- Distributing water in the establishment through a network of proper, non-corrosive pipes.
- Marking the pipes and tanks used for non-drinking water in a different color.
- Providing a reasonable number of water coolers proportionate to the number of workers.
- Keeping drinking water containers tightly closed, changing the water on a daily basis and washing and cleaning the containers at least twice a week.
- Carrying out bacterial analysis of the groundwater every six months and doing chemical testing once a year in a public laboratory to verify its validity. The testing results shall be recorded in a special register which must be kept for this purpose.

Employers must also ensure that:

- A shaded area is provided during breaks;
- First aid tools are provided;
- Water for washing and other uses is provided and is covered in order to remain cool;
- An air-conditioned bus is available near the work site;
- The employer complies with any other conditions that the Ministry may require.²¹

4.5 What are the requirements in labor accommodation?

Detailed standards on accommodation are set out and include the following requirements²²:

- The surface height of the building's floor should not be less than 20 centimeters from the level of the exterior surroundings of the accommodation.
- There must be enough outlets for ventilation and lighting. All windows must be covered with netted thin wires.
- An area of four meters must be allotted in sleeping rooms for the worker's bed, leaving at least one meter between each bed. A cupboard shall be provided for each worker to keep his clothes and personal belongings. Beds shall not be put one over the other or in places other than the sleeping rooms.
- Bedsheets shall be kept clean.
- The wooden buildings or tents designed for the workers to sleep in must be made of fire-resistant material.
- Adequate air conditioning units must be provided.
- Living places with drinking water and one toilet for not more than 10 workers must be provided.
- Food serving, cooking, and storage places must be well-lit, ventilated, and all windows shall be covered with thin wire netting.
- A separate place must be designated for female workers.

4.6 What are the regulations regarding occupational safety and health (OSH)?

If an employer employs 10 or more workers, he must set up an OSH program adequate to the nature and size of the establishment.

If an employer employs 50 or more workers, he shall assign a qualified supervisor to handle the OSH tasks, set up a plan for OSH, periodically inspect all work sites, conduct assessments of protective measures

against hazards in the work environment using adequate equipment, register the results in a special record, check on accidents, work injuries, and occupational diseases and investigate the reasons behind them, if any.

The supervisor must follow up on the provision of first aid materials and basic healthcare for workers, including taking the injured to medical centers or hospitals if required.

The supervisor shall also be involved with the professionals in implementing training programs for workers to protect them against the hazards of the work environment and voice his opinion on the purchase of machinery or materials and shall prepare guidance and warning signs on all OSH-related matters within the establishment.²³



5. ORGANIZING AND COLLECTIVE ACTION

5.1 Are trade unions permitted?

Yes. Trade unions are lawful and are regulated in Oman.²⁴



6. ACCESS TO COMPLAINTS MECHANISMS

6.1 What are the mechanisms for individual complaints?

Workers must lodge a dispute through a designated body established in the Department for Settlement of Labour Disputes at the Ministry of Manpower. The claim may be filled online at the Ministry's website. Once a labor complaint is filed, the employer's right to cancel the employment visa is suspended until final settlement of the complaint. The parties are called for hearings before the designated labor officers, who mediate between the parties and can issue a binding award if the parties agree. In case of either party's disagreement, the case is transferred to Court and the regular judicial procedures follow.²⁵

6.2 What are the mechanisms for collective complaints?

The same provisions as for individual complaints apply to collective complaints.²⁶



7. SUBCONTRACTING REGULATIONS

7.1 How is subcontracting regulated?

No specific provisions are identified in the Labour Law, although secondment of workers exists in practice, such as through sourcing migrant labor via a Manpower company.



8. ACCESS TO MEDICAL CARE

8.1 What medical care must the employer provide to workers?

In conditions where workers may be exposed to occupational diseases, the employer must submit workers to medical examination to assure their physical, mental, and psychological capacity to work. The

examinations must be in line with the nature of work and the kind of disease the worker is exposed to.²⁷

There is currently no mandatory legal requirement for the provision of medical insurance to migrant workers.

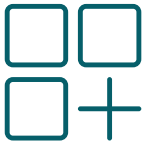


9. SOCIAL SECURITY

9.1 Is there mandatory social security for migrant workers?

No. However, all Omani workers do need to be registered with the insurance fund administrated by the Public Authority of Social Insurance (PASI) within one month of the worker joining the company.²⁸

Workers who do not benefit from the Social Insurance Law are legally entitled to end-of-service benefits amounting to 15 days' salary for each year of service for the first three years and one month's salary for each additional year, provided that a threshold level of one year's service has been completed.²⁹



10. OTHER

10.1 Disciplinary action

Employers are not permitted to take disciplinary action against workers accused of an offense more than 15 days after the date on which the offense was discovered.³⁰

1 Ministerial Decision No. 1 of 2011 on Issuing the Regulations for Recruiting Non-Omani Workforce, Article 23. Labour Law, Article 20.

2 Ministerial Decision No. 1 of 2011 on Issuing the Regulations for Recruiting Non-Omani Workforce, Article 2 and 3.

3 Labour Law, Articles 18 and 21. Omani law admits the absence of a written contract which is not mandatory for nationals and its existence can be proved by the employee by all means. Written contracts are mandatory for foreign workers.

4 Labour Law, Article 21.

5 Labour Law, Article 21.

6 Ministerial Decision 2/2006, issued by the Ministry of Manpower.

7 Ministerial Decision No. 340 of 2016 Regarding the Fees for Issuing and Renewing Permits for Non-Omani Workforce, Articles 2 and 3. Labour Law, Article 18.

8 Labour Law, Article 114.

9 Labour Law, Articles 81 to 86. Royal Decree 113/2011, Amendments to some provisions of the Labour Law.

10 Labour Law, Article 43.

11 Labour Law, Article 38.

12 Oman Decision No. 63/1996 on the Issuance of the Implementing Regulation of the Foreigners Residence Law, Article 17.

13 Labour Law, Article 53.

14 Labour Law, Article 116.

15 Labour Law, Article 35.

16 Labour Law, Article 58.

17 Labour Law, Article 68. Royal Decree 113/2011, Amendments to some provision of the Labour Law.

18 Labour Law, Articles 70 and 96. Occupational Safety Regulations governing by the Labour Code, Ministerial Decision 286/2008, Part II, Chapter 3, Article 18.

19 Occupational Safety Regulations governing by the Labour Code, Ministerial Decision 286/2008, Part II, Chapter 3, Article 18.

20 Occupational Safety Regulations governing by the Labour Code (Ministerial Decision 286/2008), Part II, Chapter 1, Article 16.

21 Article 16/3-3 of Ministerial Resolution No. 286/2008 as amended by Ministerial Resolution No. 322/2011.

22 Occupational Safety Regulations governing by the Labour Code (Ministerial Decision 286/2008). Part II, Chapter 1, Article 16. Labour Law, Article 103.

23 Occupational Safety Regulations governing by the Labour Code (Ministerial Decision 286/2008), Part I, Chapter II, Article 11.

24 Labour Law and Ministerial Decision 500 of 2018 on the Regulation Governing the Formation, Registration and Functioning of Trade Unions and Federations and the General Federation of Oman Trade Unions.

25 Labour Law, Article 106

26 Labour Law, Article 104.

- 27 Occupational Safety Regulations governing by the Labour Code (Ministerial Decision 286/2008), Part III, Chapter I, Articles 19 and 20.
- 28 Oman Sultani Decree No. 72/1991 on the Issuance of the Social Insurance Law.Social Insurance Law 1992.
- 29 Labour Law, Article 39.
- 30 Labour Law, Article 30.