

TITLE NINE COLLECTIVE LABOR DISPUTES

Article 154 –

The collective labor disputes shall be any dispute arising between an employer and the workers thereof , whose subject is related to the common interest of all or some of the workers in an establishment , a profession or a craft , or a professional sector .

Article 155 –

Should a dispute occur between one or more employers and all or some of the workers thereof , and both parties fail to settle it amiably , they shall follow the following procedures :

1 – The workers shall submit their complaint or claim in writing to the employer , and shall send at the same time a copy thereof to the Labor Department .

2 – The employer shall reply in writing to the complaint or claim of the workers within seven working days as of the date of the receipt thereof . He shall at the same time send a copy thereof to the Labor Department .

3 – Should the employer fail to reply to the complaint within the set period , or should the reply thereof not lead to the settlement of the dispute , the competent Labor Department shall , either at its own initiative or upon the request of a party to the dispute , mediate an amicable settlement .

4 – Should the claimant be the employer , his complaint shall be submitted directly to the Labor Department which shall mediate an amicable settlement .

Article 156 –

Should the mediation of the competent Labor Department not lead to the settlement of the dispute within ten days from the date of its knowledge of the dispute , the Department shall

refer the dispute to the competent conciliation committee for the settlement thereof , and shall notify the parties thereof .

Article 157 –

A conciliation committee shall be formed in every Labor Department by virtue of a decision issued by the Minister of Labor and Social Affairs .

Article 158 –

Each party to the dispute shall follow – up the dispute before the conciliation committee until a settlement is reached . The committee shall issue its decision by the majority of votes , and such within two weeks from the date of the referral of the dispute thereto .

Such decision shall be binding to both parties should they agree in writing before the committee to accept the decision thereof . Should the parties fail to reach such an agreement , any or both thereof may appeal against the decision of the committee before the Supreme Arbitration Committee and such within thirty days from the date of the issuance of the decision , otherwise the decision shall be deemed final and enforceable .

Article 159 –

The rescission of the employment contract or the dismissal of the representatives of the workers which are members of the conciliation committee shall not prevent from the continuation by such representatives of the exercise of their task , unless the workers elect other representatives .

Article 160 –

A Supreme Arbitration Committee shall be formed in the Ministry of Labor and Social Affairs for the settlement of collective labor disputes . Such committee shall be composed as follows :

1 – The Minister of Labor and Social Affairs as chairman . The Undersecretary or Director General of the Ministry shall replace the Minister in the event of his absence .

2 – A judge of the Federal Supreme Court appointed as member by virtue of a decision issued by the Minister of Justice upon the nomination of the general assembly of the Court .

3 – A highly experienced person in the field of work , known for his objectivity , appointed as member by virtue of a decision issued by the Minister of Labor and Social Affairs .

Two alternate members may be appointed from the same categories of the two principal members , to take their place in the event of their absence or inability to serve .

Principal and alternate members shall be appointed for a renewable period of three years , and such by the same means of appointment .

Article 161 –

The Supreme Arbitration Committee shall have jurisdiction to settle in a final and conclusive manner all disputes referred thereto by the parties concerned . The decisions thereof shall be taken by the majority and shall be grounded .

Article 162 –

The Council of Ministers shall , upon the proposal submitted by the Minister of Labor and Social Affairs after consultation with the Minister of Justice , issue a decision regulating the litigation proceedings and any other rules necessary for the efficient progress of work of the Conciliation Committee and the Supreme Arbitration Committee in view of settling the collective labor disputes .

In view of carrying out the functions thereof , such committees shall be entitled to peruse papers , documents , records and other evidence and compel the custodians thereof to submit same to them , to enter the establishment and conduct required investigation and take necessary measures for the settlement of the dispute .

Article 163 –

As amended by Federal Law no . 12dated 29/10/1986 :

None of the litigant parties to a dispute which final decision is rendered by a committee set forth in the present Title may file such dispute again , except with the mutual agreement of the two parties concerned .

Article 164 –

The committees set forth in the present Title shall apply the provisions hereof , the effective laws , the provisions of Islamic law , and any rules of customary law and principles of equity , natural law and comparative law consistent therewith .

Article 165 –

The decisions of the Supreme Arbitration Committee for the settlement of collective labor disputes shall be applied in collaboration with competent authority of each emirate .