

IN THE NAME OF ALLAH, THE MOST BENEFICENT AND MERCIFUL

KHALIFA BIN ZAYED AL NAHYAN
PRESIDENT OF UNITED ARAB EMIRATES

**FEDERAL DECREE LAW # 9 FOR THE YEAR 2011
REGARDING AMENDMENT OF SOME PROVISIONS OF
FEDERAL DECREE LAW # 11 FOR THE YEAR 2008 REGARDING
HUMAN RESOURCES IN FEDERAL GOVERNMENT**

We, Khalifa Bin Zayed Al Nahyan, President of the United Arab Emirates

Having reviewed the Constitution ;

and Federal Law # 1 for the year 1972 regarding competence of Ministries and the powers of Ministers and the laws amending thereto ;

and Federal Law # 7 for the year 1999 for issuance of Pensions Law and Social Insurance and the laws amending thereto ;

and Federal Law # 23 for the year 2005 regarding rules for preparation of General Budget and final account and the law amending thereto ;

and Federal Decree Law # 11 for the year 2008 regarding Human Resources in Federal Government ;

and Federal Law # 8 for the year 2011 for re-organization of Accounting Chamber ;

and based on what is offered by the Chairman of the Board of Directors of Federal Authority for Government Human Resources and approval of the Cabinet ;

We have issued the following law :-

First Article

Texts of Articles – 1, 10, 11, 12, 13, 16, 19, 20, 23, 26, 29, 30, 31, 33, 37, 39, 40, 41, 44, 51, 53, 58, 59, 61, 63, 74, 94, 97, 98, 99, 101, 102, 105, 107, 108, 110 & 116 of Federal Decree Law # 11 for the year 2008 regarding Human Resources in Federal Government replaces with the following texts :-

Article – 1

In application of the provisions of this Decree Law, the following words shall have the meanings assigned against each unless the text stipulates otherwise :-

State	:	United Arab Emirates
Government	:	Government of United Arab Emirates
Cabinet	:	Cabinet of the United Arab Emirates
Ministry	:	Any Ministry established as per Federal Law # 1 for the year 1972 regarding competence of the Ministries and powers of the Ministers and the laws amending thereof or as per any other laws
Minister	:	Chairman of the Ministry
Authority	:	Federal Authority for Government Human Resources
Competent Authority	:	Authority entrusted with the powers of appointment
Budget	:	General Budget of the Government
Employee	:	Each occupying one of the positions mentioned in the Budget
Jobs Budget	:	Budget approved for jobs and grades prescribed for the employees and the privileges
Total Salary	:	Basic Salary in addition to Bonuses and Allowances obtained by the

		Employee
Violations Committee	:	Committee formed in each ministry to look into functional irregularities of the employee
Department of Human Resources	:	Concerned Administrative Unit in the Human Resources at the Ministry
Year	:	Gregorian Year
Month	:	Unit time amounting to thirty days
Medical Committee	:	Medical Committee to be formed as per a resolution of the Minister of Health

Article - 10

Occupy public positions vacant in each Ministry by appointment as per one of the following types of Contracts :-

- 1) Appointment Contract for full time ;
- 2) Appointment Contract for part time ;
- 3) Appointment by Temporary Contract ;
- 4) Appointment by a Special Contract ;

and determine the executive rules of the provisions of this Decree Law for each type of the said Contract ;

Article - 11

May be appointed for part time Contract for a total lump sum monthly salary and the degree of vacancy and the employees shall be subject to the provisions related to determination of executive rules of this Decree Law regarding the extent of their entitlement to the rewards and functional benefits ;

Article – 12

The Ministry may appoint its employees for a monthly lump sum salary which is exclusive of any bonuses and related benefits prescribed for full time employees as per a Temporary Contract not exceeding three months may be extended for a similar period and at the end of that period it may appoint such employees permanently in a position which suits with their qualifications, their experience and abilities provided that the calculation shall be done for the duration of Contract within the interim periods of service and pay them the end of service benefits as per the provisions of this Decree Law.

Article – 13

1. The Minister may appoint any of the distinguished Experts with the Ministry it requires as per Special Contracts in any of the senior posts vacant with it which shall not exceed two years of that Contract which may be extended for two more years ;
2. The Minister shall have the power to approve the financial functions and privileges granted to the holders of Special Contracts to suit the special needs and his Ministry which shall not exceed the ceiling schedule of Special Contracts determined by the Authority in coordination with the Ministry of Finance provided it should be approved by the Cabinet ;

Article – 16

1. With exception to the provisions of Article – 10 of this law, it shall have the powers for appointment in the following positions in the following manner :-

- a) The posts of Undersecretary and Director General in independent Authorities with Federal Decree based on approval of the Cabinet ;
- b) Posts of Assistant Undersecretary and Executive Director in independent Authorities as per a resolution of the Cabinet ;

provided that appointments to these positions shall be approved by the competent Minister.

2. The competent Minister or his authorized representative shall have the powers to approve Appointment Contracts in other remaining positions ;

Article - 19

1. With exception of appointment on the posts of Undersecretary and Director General of independent authorities, subject to the appointed employee for the first time for a probationary period of three months which can be extended for a similar period after which the evaluation of performance will be made by the immediate Superior in accordance with clear basis and in the light of outcome of this assessment, his service is either permanent or terminated ;
2. During the probationary period, the employee may be terminated if he is proved to be incompetent or unfit to carry out his duties or because of his performance is unsatisfactory as per a resolution of the competent Authority of appointment provided he is granted a notice for a period of five working days, moreover the Employee may resign from his job during the probationary period after notice to the Ministry during similar notice period ;

3. The employee shall abide prior to commencement of his duties to the legal oath as per the formula annexed to this Decree Law ;

Article – 20

1. All Ministries shall have a schedule of uniform grades and salaries issued by the Cabinet upon proposal of the Authority as per the following principles :-
 - a) Specify to each degree of job prescribed for it and determine the degree linked to the job ;
 - b) Evaluation and job description shall be in accordance with a regulation issued by the Cabinet upon proposal from the Authority ;
 - c) Approval of gross salary ;
2. With exception to the provisions of first paragraph of this Article, the Ministries and Federal Authorities that have functional cadres of their own to be prepared by these Authorities in coordination with the Authority and the Ministry of Finance with the Schedule of Degrees and Salaries to be issued by the Cabinet ;

Article – 23

1. The employee may be transferred from his job to any other vacant jobs both within the Ministry or to another Ministry on a condition not to prejudice with the grade and gross salary of the employee ;
2. The employee may be transferred to another Ministry with functional degree and financial allocations ;
3. Shall have powers to transfer in accordance with the following :-

- a) Posts of Undersecretary and Assistant Undersecretary of the Ministerial decision in the case of transfer within the Ministry and the competent Authority appointed in the case of transfer outside the Ministry ;
- b) Remaining jobs as per a decision of the competent Minister or his authorized representative in case of transfer within the Ministry and with the consent of each of the two Ministers in the event of transfer to any other Ministry ;

Article - 26

Appointment of the Employee may be as per a decision of the Minister or his representative to perform the duties of a vacant or missed post by the incumbent for a period of six months and may be extended provided that the job for which is appointed shall be equivalent to the degree of appointment of the employee or higher with maximum two degrees, upon end of the period of appointment, the employee may be transferred or promoted to the job for which he has been appointed in accordance with the provisions of the transfer and promotion stipulated in this Decree Law and its Executive Regulations ;

Article - 29

1. The Minister may return the employee to any Federal or Local Ministry within the State for a period not exceeding one year after which the Employee shall be returned to the work place or transfer to the Authority, moreover as per a resolution of the Cabinet the Employee shall be transferred to any of the Arab, Foreign or Regional Authorities and Organizations for a period not exceeding one year to be extended and in all matters a written consent is required by the Employee for return or extension ;

2. The employee shall receive the total salary, leave and other dues from the Authority to which he is deputed and in case of a seconded employee to Regional or International destinations outside the State, the Employee will collect gross pay from the Ministry in which it works, in addition to any amounts or benefits received from the entity to which he is deputed and the Cabinet may grant the employee additional benefits, if necessary and in all cases, the seconded employee may not deserve any leaves from the Ministry in which he works ;
3. Period of secondment shall be calculated within the period of service of the employee and his performance is evaluated in coordination with the Authority to which he is seconded, provided that the employee shall be subject to Performance Management System Applied by the Government ;
4. The Ministry is entitled to fill in the vacant job due to secondment and upon return of the employee from such secondment he shall be returned to the job without compromising to the degree or total salary ;
5. The Minister may approve secondment of any of the employee :
 - a) Local Governments for a period not exceeding one year, renewable for one further year shall assume secondment including the salaries and full dues of the employee ;
 - b) Arab or foreign Governments or Authorities and Arab, foreign or Regional Organizations for a period not exceeding one year, renewable for one further year to be coordinated with the Ministry of Finance in the

event the Ministry bears any financial expenses or costs ;

6. Regulations shall specify the provisions and controls related to secondment ;

Article - 30

1. Performance of the employee is measured in accordance with Performance Management System issued by the Cabinet upon proposal of the Authority and the System determines particularly the following :-

- a) Basis and levels of standards and measuring the performance of the employee ;
- b) Levels of performance for which the employee is entitled for periodical allowance ;
- c) Performance levels required for promotion ;
- d) Procedures of grievance from the results of appraisal of annual performance ;

2. Performance Management System aims to achieve the following :-

- a) Establish a scientific approach to reward outstanding achievements and results ;
- b) Development of Employee performance and their abilities and skills through regular assessment in consistent and the objectives of the Ministry ;
- c) Reconcile the objectives of individual employees with the objectives of the Ministry ;
- d) To encourage individual achievement and team spirit ;

- e) Promote learning and continuous development ;

Article - 31

1. Performance of employees on an annual basis by the Administrator to be with direct participation of employees in the process of their performance review ;
2. Annual assessment of the Employee who is under the Performance Management System is the standard basis under which benefits are calculated on the dues of employee, periodic upgrade and annual bonus ;
3. Performance Management System determines the conditions and requirements of the bonuses stipulated in this Decree Law ;

Article - 33

The Minister may decide to grant the employee a cash reward related to any of the proposals which may contribute towards the development of performance in the Ministry in which he works in accordance with the principles proposed by the Authority and approved by the Cabinet

Article - 37

1. Promotions of the employee shall be through the following methods :-
 - a) Promotion to vacant jobs ;
 - b) Promotion to the post which falls vacant due to a greater degree because of restructuring or re-distribution of duties and responsibilities ;

2. The employee shall be promoted to a higher position and grant him a top class job based on the Performance Report submitted by it ;
3. Employee may be granted promotion by giving the employee a salary attached to the commencement of linking the grade of secondment or grant him 10% from the basic salary to the degree of secondment whichever is higher ;

Article - 39

The Minister may grant approval to promote the distinguished Employee with exception to :-

Including not more than two degrees and two jobs for a vacant post, to grant the employee an initial salary linking to the degree to which he is promoted to or grant equivalent to 20% of the basic salary whichever is higher provided in this case the employee shall have skills and capabilities which fit the requirements of new functions as per the appraisal system and job descriptions

or by granting exceptional financial promotion not exceeding 25% of his basic salary in the same degree ;

Article - 40

1. Executive regulation of the law shall specify the conditions, regulations and the extended promotions ;
2. It shall not be taken into account when considering the Regional promotion order only if equal to performance evaluation ;

3. No employee may be promoted of any type even after expiry of twelve months from the date of last promotion ;
4. A decision for promotion shall be issued by the competent Authority for appointment ;
5. It is not permissible to link promotion and periodical increment on one date and based on the annual performance evaluation ;
6. No promotion may be granted retroactively ;

Article - 41

Ministries are obliged to maintain trained and qualified Human Resources, moreover the Ministries are obliged to train the employees and develop their knowledge and skills and their employment in jobs which they occupy or in senior positions planned for them to assume their responsibilities and duties and in accordance with the Training and Development System to be issued by the Cabinet in accordance with proposal of the Authority.

Article - 44

The Ministries in accordance with the provisions of the legislation adopted for this purpose may :-

1. Sponsor U.A.E. National High School Graduates to study some of the professional and technical disciplines ;
2. Take care of some of the U.A.E. National employees working with them to complete their University studies and higher or for Professional Certification and approve the same as per their needs ;

Article - 51

1. Be permitted for sick leave under a certified Medical Report from a Medical Officer for a period not exceeding five days of continuous work at a time and for a maximum period of fifteen working days in a year and if the period of disease for which it has been permitted of such leave shall be under a Medical Report issued by the Medical Committee ;
2. If the employee exceeds the maximum sick leave which is fifteen working days in a year, the Ministry may refer the employee to the Medical Committee to decide on his health condition ;
3. Review the status of the employee whether he is sick again if it continues for more than six months and the Medical Committee in this case which has decided to extend this leave for a period not exceeding six months or to recommend additional services to end unfitness ;

Article - 53

1. Grant the concerned employee in a permanent job with a total salary of maternity leave for two months ;
2. A female employee after the end of maternity leave for a period of four months from the date of her return to work shall leave the place of work for a period of two hours in a day to nurse her Child whether for those leaving at the start of official working hours or at the end and in all cases, two hours shall be calculated from working hours of paid salary ;

Article - 58

The Minister or his delegate may grant the U.A.E. National full time employee exceptional total salary to perform any works or tasks for the representation of the State in the National Teams or Sports Activities, cultural or any other similar reasons not directly related to the work of the Ministry, which employs the employee based on request of the concerned Official Authorities with these fields and for the period specified by it.

Article - 59

1. The Minister or his delegate may grant the U.A.E. National employee exceptional total leave salary for a period not exceeding two months to accompany the patient for treatment outside the State as per recommendation of a Medical Officer and the Minister or his delegate may extend this leave on a Medical Report regarding the condition to be approved by the U.A.E. Embassy ;
2. The Minister or his delegate may grant the U.A.E. National employee the exceptional total leave salary for a period not exceeding two months and can be extended so as to accompany his wife or any other of his relatives in the event of treatment within the State ;

In all cases, the regulations shall specify the conditions for granting and extension of such leave and the degree of relationship required to obtain the same not as per the provisions related thereto, whether the leave is within or outside the State ;

Article - 61

The Minister or his delegate may grant the U.A.E. National employee paid salary study leave in full time system within or outside the State in order to obtain a qualification higher than Secondary School Certificate for a period equivalent to the period of education programme that corresponds with the qualification required by the Ministry in future ;

Article - 63

- 1) The Minister or his delegate may grant the U.A.E. National employee registered in any of the Distance Learning Programmes within or outside the State or the U.A.E. National employee's regular evening studies within the State in one of the recognized Institutes or Schools the total leave salary for performance of quarterly and annual examinations which are limited in accordance with the approved Examination programme ;
2. U.A.E. National employee may be granted additional leave prior to commencement of examination no later than five working days if the exams are convened within the State and not more than ten working days if the exams are convened outside the State provided that the total leave shall not exceed 22 working days in a year ;
3. U.A.E. National employee may be granted leave for a short course for two hours per day to attend classes in any approved course until the end of such programme ;

Article - 74

1. Determine the days and Official working hours for the Government as per a resolution of the Cabinet ;

2. The Minister may approve a regulation governing flexible continuation in accordance with the requirements of work within the approved number of hours per week ;

Article - 94

The most recent Administrative sanctions signed to the employee, if not considered, upon expiry of the periods prescribed by the Regulations for this purpose, provided that those periods are calculated from the date of issuance of penalty and is dropped in case an Employee re-commits any violation prior to its expiry.

Article - 97

An employee may submit to the Appeals Committee a grievance in writing from the Administrative Sanctions by the Authority on irregularities imposed on it or any resolutions or other Administrative Procedures with exception of grievances of Performance Evaluation governing in accordance with the provisions of the Performance Management System and the decisions of the Committee categorically in the complaints submitted to it regarding sanctions to draw attention and written notifications ;

Article - 98

1. An employee may object the decision of Appeals Committee issued in non sanctions of the notice and draw attention of both letters as well as to submit written objection to the Authority within a period not exceeding three weeks from the date of his notification to the decision and the decision of Appeals Committee will only be considered as final ;

2. The Authority proposes a system to consider the objections submitted to it and shall be submitted to the Cabinet for approval ;

Article - 99

The employee shall submit to the Department of Human Resources any complaint related to the work environment and management regarding review of complaints submitted to it and decide to refer the same to the relevant Committees in case it is required ;

In all cases, the employee may not object to working hours or job category or salary and bonuses

Article - 101

The service of employee shall be terminated for any of the following reasons :-

- 1) Resignation ;
- 2) Age of retirement ;
- 3) Death ;
- 4) Lack of fitness ;
- 5) Functional incompetence ;
- 6) Issuance of a Federal Decree ;
- 7) Decision for dismissal by the Cabinet ;
- 8) Dismissal for violating the decision related to Administrative violation or termination as per a Judicial Judgement ;
- 9) Withdrawal of the nationality of State or dropping the same from the employee ;
- 10) Non renewal or termination of the Contract prior to its expiry ;
- 11) Absence from work without acceptable justification for a period of ten consecutive working days or twenty days separately during one year ;
- 12) Restructuring

- 13) Replacement in accordance with a plan to settle the functions of non U.A.E. Nationals to be given to the employee within two months prior to its termination of service ;

Article - 102

Issuance of termination of service for the reasons mentioned in the previous Article decision by the competent Authority for appointment and with exception of the following :-

- 1) Dismissal of the employee issuing the decision by the Cabinet and upon recommendation of the Minister concerned with disbursement of gross salary for the notice period prescribed for the degree not to be calculated within the period of his service with the Ministry ;
- 2) End of service due to death, to be issued as per the decision of the concerned Minister or his authorized representative ;

Article - 105

- 1) The employee is obliged to continue his work until expiry of the notice period and the Ministry upon request of the employee may reduce the period of notice after accepting resignation and termination services directly, provided approval to pay the due notice allowance or deduct the same from his dues provided that period shall not be calculated within the period of his service with the Ministry ;
- 2) The Ministry may on its own - during notice period terminate the service of the outgoing Employee provided that he shall be paid the salaries due for this

period and this period shall not be calculated from within the period of his service with it ;

- 3) The Ministry may exempt the outgoing employee who has been approved to reduce notice period from payment of notice allowance due by him to the Ministry ;

Article - 107

- 1) Service of a U.A.E. National Employee shall be terminated on health grounds in accordance with the provisions and procedures of the General Authority for Pensions and Social Insurance ;
- 2) The Authority concerned with appointment may terminate the services of a non U.A.E. National employee if it is proved to the Authority that he is medically unfit to carry out the burdens of his job ;
- 3) Provided in all cases, the services of an employee may be terminated directly with payment of the equivalent total salary for the period of notice prescribed for the job degree and this period shall not be calculated from within the period of his service with the Ministry ;

Article - 108

The Authority concerned with appointment may terminate the service of an employee due to functional incompetence in the event of receiving an annual assessment in accordance with the level and time frame determined by the Performance Management System for this purpose ;

Provided in all cases to give the employee the notice period prescribed for the degree or pay the equivalent

total salary for the notice period without prejudice to his other rights.

Article - 110

The Authority concerned for appointment shall be entitled not to renew the Contract of the Employee or terminate the same at any time provided that the employee has been notified in writing with the same and in accordance with the conditions stipulated in the Contract.

Article - 116

- 1) A case related to Administrative Decisions issued in application of the provisions of this Decree Law shall not be heard after lapse of sixty days from the date of certainty knowledge of the Decision ;
- 2) A case shall not be heard related to challenge Federal Decrees issued to terminate service ;

Second Article

Articles – 60 & 62 of Federal Decree Law # 11 for the year 2008 regarding Human Resources in Federal Government are cancelled.

Third Article

Each Ministry shall execute Contracts with its employees who are working with them at the time of this Decree Law and in consistent to the provision of Article - 10 of the same and as prescribed by the Executive Regulations in this regard.

Fourth Article

This Decree Law shall be published in the Official Gazette and shall come into force from following day of its publication.

// Signed //

Khalifa Bin Zayed Al Nahyan
President of the United Arab Emirates

Issued by us at Presidential Palace in Abu Dhabi
On 21st Shawwal, 1432 Hijri
Corresponding to 19th September, 2011

The Translation of the text of Federal Law by Decree No. 14 of 2008 on human resources in the federal government for the purpose of identifying articles of the law and have no legal authority and the Arabic text in the case of disagreement.

IN THE NAME OF ALLAH, THE MOST BENEFICENT AND MERCIFUL

KHALIFA BIN ZAYED AL NAHYAN
PRESIDENT OF UNITED ARAB EMIRATES

LEGAL OATH FOR THE EMPLOYEES OF FEDERAL GOVERNMENT

I swear of the Almighty Allah to be faithful to the United Arab Emirates and its President and respect its Constitution and its laws and to be bound by the laws and regulations and systems of the entity I work with and to preserve its funds as I could and that I will carry out my work sincerely and honestly and will maintain confidentiality of work and what I may come to know regarding scientific information and secrets.

I legally take oath in presence of : _____

Name of the Employee : _____

Signature of the Employee : _____

Date : ____ . ____ . 20 ____

The Translation of the text of Federal Law No. 1 of 2009 on Human Resources in the federal government for the purpose of identifying articles of the law and its legal authority and the Arabic text in the case of disagreement.