

PRE DEPARTURE INFORMATION MANUAL

FOR WORKERS ON

TEMPORARY CONTRACTUAL EMPLOYMENT

TO

THE UNITED ARAB EMIRATES (UAE)

Part – I

GENERAL INFORMATION FOR OVERSEAS MIGRANTS

Definition

Emigration, in this context, means the departure of any person from India with a view to taking up any employment (whether or not under an agreement or other arrangements to take up such employment, with or without the assistance of a registered Recruiting Agent or employer) in any country or place outside India.

The Present Situation

Every year hundreds of thousands of Indians emigrate in search of job. The effect of economic liberalization in India is visible on labour migration too. One of the striking features of labour migration from India is that more than 90 percent of the total outflow is to the Middle East.

The Emigration Act

The Emigration Act, 1983, seeks to safeguard the interests and ensure the welfare of emigrants. Only the recruiting agents registered with the Ministry of Overseas Indian Affairs are eligible as per the Act to conduct the business of recruitment for overseas employment and they are required to obtain proper Registration Certificates (RC) from the Protector General of Emigrants.

The Ministry of Overseas Indian Affairs, administers the Emigration Act through the eight offices of Protector of Emigrants (POEs). The offices are located at Delhi, Mumbai, Kolkata, Chennai, Chandigarh, Cochin, Hyderabad and Thiruvananthapuram.

Service Charge

No recruiting agent shall collect from the worker the charges more than the equivalent of his wages for forty-five days as offered under the employment contract, subject to a maximum of twenty thousand rupees, in respect of the services provided and shall issue a receipt to that worker for the amount collected in this regard.

Emigration Check Required (ECR) Category

Categories of persons, whose passports have been endorsed as “Emigration Check Required” (ECR), if intending to travel to an ECR country (Listed on page 3) for employment purposes, are required to obtain emigration from the Protector of Emigrants (POEs) either directly or through the recruitment agents or through the employer concerned.

Emigration Check Not Required (ECNR) Category

Section 22 of the Emigration Act, 1983 provides that no citizen of India shall migrate unless he obtains authorization from the concerned POE in the prescribed manner and form. However, with a view to facilitating the movement of the workers, 13 categories of persons (listed later in this chapter) have been exempted from this requirement and have been placed under “Emigration Check Not Required’ (ECNR) category. Such persons

are not required to obtain any emigration clearance from the offices of POEs before seeking employment abroad.

Countries with ECR / ECNR status

There are total of 175 countries (called as ECNR countries) do not require emigration clearance, whereas 17 countries are listed as emigration check required countries, they are listed below:

List of Countries for which Emigration Clearance is Required (ECR)

1. Afghanistan
2. Bahrain
3. Indonesia
4. Iraq
5. Jordan
6. Kingdom of Saudi Arabia
7. Kuwait
8. Lebanon
9. Libya
10. Malaysia
11. Oman
12. Qatar
13. Sudan
14. Syria
15. Thailand
16. United Arab Emirates
17. Yemen

List of Persons/Categories of Workers in whose case Emigration Check is Not Required

1. All holders of Diplomatic/ Official Passports
2. All Gazetted Government Servants
3. All Income-tax payers (including agricultural income tax payers) in their individual capacity
4. All professional degree holders, such as Doctors holding MBBS degrees or Degrees in Ayurveda or Homeopathy; Accredited journalists; Engineers; Chartered Accountants; Lecturers; Teachers; Scientists; Advocates etc.
5. Spouses and dependent children of category of persons listed from (2) to (4).
6. Persons holding class 10 qualification or higher degrees.

7. Seamen who are in possession of CDC or Sea Cadets, Desk Cadets (i) who have passed final examination of three year B.Sc. Nautical Sciences Courses at T S Chanakya, Mumbai; and (ii) who have undergone three months pre-sea training at any of the government approved Training Institutes such as T S Chanakya, T S Rehman, T S Jawahar, MTI (SCI) and NIPM, Chennai after production of identity cards issued by the Shipping Master, Mumbai/ Kolkata/ Chennai
8. Persons holding permanent immigration visas, such as the visas of UK, USA and Australia.
9. Persons possessing two years' diploma from any institute recognized by the national Council for Vocational Training (NCVT) or State Council of Vocational Training (SCVT) or persons holding three years' diploma/equivalent degree from institutions like polytechnics recognized by Central/State Governments.
10. Nurses possessing qualifications recognized under the Indian Nursing Council Act, 1947.
11. All persons above the age of 50 years.
12. All persons who have been staying abroad for more than three years (the period of three years could be either in one stretch or broken) and spouses.
13. Children below 18 years of age.

Guidelines for Emigration Clearance

The procedure for emigration clearance has been simplified. Emigration clearance to individuals/groups is granted on the same day on which the application is made at any of the offices of the Protector of Emigrants (POE).

Procedure for Emigration Clearance

- 1) Emigration clearance will be made on the passport when the individual approaches either directly or through a registered Recruiting Agent or through the employer concerned.
- 2) In cases in which the profession indicated in visa does not tally with the profession indicated in the passport, an affidavit may be obtained from the Recruiting Agent/Employer concerned.
- 3) No clearance may be given for Iraq unless specifically authorized by Indian Embassy in Iraq.
- 4) No emigration clearance shall be granted for recruiting Indian nationals for any Foreign Employer placed in 'Prior Approval Category' (PAC)

Applying for Emigration Clearance

The application for emigration clearance should be made in the prescribed form with prescribed particulars by the applicant directly or through a Recruiting Agent or through the employer concerned to the POE.

Documents required for Semi-Skilled Workers

Semi-skilled individuals who seek emigration clearance directly from the Protectors of Emigrants (and not through Recruiting Agents) are required to produce the following documents in original for scrutiny and return:

- 1) Passport valid for a minimum period of six months with valid visa.
- 2) Employment contract from foreign employer duly attested by the Indian Mission.
- 3) Challan towards deposit of prescribed fee.
- 4) Valid Pravasi Bharatiya Bima Policy

Documents required for Unskilled Workers

Unskilled workers and women (not below 30 years of age) seeking employment abroad as housemaids/ domestic workers shall continue to furnish (in original) the following documents at the time of obtaining emigration clearance:

- 1) Passport valid for a minimum period of six months with valid Visa.
- 2) Work agreement from the foreign employer duly attested by the Indian Mission and signed by employer and employee or Permission letter from the concerned Indian Mission/ Post.
- 3) Challan towards deposit of prescribed fee.
- 4) Valid Pravasi Bharatiya Bima Policy
- 5) Approval of the Ministry, if the female worker is below 30 years of age.

Documents required for Emigration Clearance (Through Project Exporter)

1. Valid Passport (Valid for at least 6 months)
2. Valid visa in English language.
3. Permit issued by Ministry of Overseas Indian Affairs, with effective date of validity.
4. Valid Pravasi Bharatiya Bima Policy
5. Valid Bank Guarantee

The Protector of Emigrants (POE) shall, after satisfying himself about the accuracy of the particulars mentioned in the application and in the other documents submitted along with the application, grants emigration clearance in the prescribed manner and form. In case there is any deficiency, the POE shall intimate the same by order in writing to the applicant or, as the case may be, the Recruiting Agent or employer, through whom the

applications have been made about the deficiencies and require him to make good such deficiencies within such time as may be specified in the order or reject the application.

Details of the Pravasi Bharatiya Bima Yojana (PBBY)

- The Pravasi Bharatiya Bima Yojana (PBBY) was started in 2003. The PBBY was upgraded as the Pravasi Bharatiya Bima Yojana, 2006 to provide broader coverage to the emigrant workers.
- The scheme has been further modified in 2008. The emigrant workers get a minimum insurance cover of Rs. 10 lakhs (instead of Rs. 5 lakhs) and the policy will be for the period of employment contract, i.e. either 2 years or 3 years as the case may be. The reduced premium along with other benefits have been made effective from 01.04.08.
- A comparative statement of PBBY 2006 and PBBY 2008 is as under:

Item	PBBY 2006	PBBY 2008
Minimum sum for which insured under PBBY	Rs. 5.00 Lakhs	Rs. 10.00 Lakhs
Hospitalization (Medical Expenses) Covering injuries / sickness / ailment / diseases	Rs. 50,000/-	Rs. 75,000/-
Repatriation covers for medical unfit	Actual one-way economy class air fare	Actual one-way economy class air fare
Family Hospitalization in India	Rs. 25,000/-	Rs. 50,000/-
Maternity	Rs. 20,000/-	Rs. 25,000/-
Attendant	Actual one-way economy class air fare	Actual one-way economy class air fare
Legal Expenses	Rs. 25,000/-	Rs. 30,000/-
Actual Premium to be charged (without any hidden costs)	Rs. 475/- for the contract period	Rs. 275/-for 2 years policy period. Rs. 375/- for 3 years policy period.

This policy is available from undernoted Insurance Companies:-

1. Oriental Insurance Company Ltd.
2. United Insurance Company Ltd.
3. National Insurance Company Ltd.
4. ICICI Lombard.
5. Star Health & Allied Insurance Co. Ltd.
6. IFFCO Tokyo
7. Bajaj Allianz General Insurance Co. Ltd.
8. Reliance General Insurance Co. Ltd.

Claim Procedure

Insured worker is supposed to have the copy of PBBY insurance policy with him. Name of the nominee is so mentioned on the policy, in view of the eventuality of death of insured.

In the event of claim, insured worker/claimant has to lodge a claim under the policy, with the respective insurance company's office wherefrom the policy was issued, if not specifically provided by the insurance company otherwise. While doing so, claimant has to indicate the policy number and details of accident. In the event of death, nominee has to lodge the claim.

After intimation of reported claim, insurance company intimates the insured/claimant the details of documents required to settle the claim. After processing such requisite documents, claim amount is paid to the insured worker/claimant, as the case may be.

Do's and Don't Do's

In the United Arab Emirates, laws demand that you must not move about in public without your "Bataka". "Batakas" are identity cards / labour cards issued to all expatriates soon after they settle down on their jobs.

UAE does not allow change in job sponsorship, but only after prior permission is obtained.

- The emigrant workers must get their service agreements prepared in both English and Arabic. They should not part with their passports and copies of the service contracts.
- Non-payment or delayed payment of wages could be reported to Indian missions, for redressal of grievances.
- Workers are given gratuity equivalent to 21 days' wages for every completed year of service.

Verification of the genuineness of visa/an employment documents

The matter may be referred to the Embassy of India in the destination country, if necessary, with full particulars of the sponsor company (Name, Address, Telephone and Fax No.) which issued the visa, along with Passport particulars.

Fate of Indian Nationals with 'Visit visa'

Some companies issue 'Visit Visa' (commercial 'visit visa') to meet their urgent manpower requirement for short-term work. After the work is finished, workers are allowed to come back to the home country. In case the employer needs them for further period; employer may arrange employment visa for such workers.

Visit visa is different from employment visa and it is not covered by the labour laws of the destination countries. Therefore visit visa workers do not have legal rights.

Employment Contract

Indian workers are advised to obtain written contract duly signed by the sponsor / employer company before their arrival in the destination country.

The official language of the contract recognized by the Gulf countries is Arabic. In a bilingual contract (English and Arabic), the Arabic version prevails in case of any dispute on the clauses of the contract.

Essential terms for a contract

The contract should contain all-important terms of employment as per 15(2) of Emigration Rules.

- (i) Period of employment/place of employment;
- (ii) Wages and other conditions of service;
- (iii) Free food or food allowance provision;
- (iv) Free accommodation;
- (v) Provision in regard to disposal, or transportation to India, of dead body of the emigrant;
- (vi) Working hours, overtime allowance, other working conditions, leave and social security benefits as per local labour laws;
- (vii) To-and-fro air-passage at the employers' cost; and
- (viii) Mode of settlement of disputes;

Obtaining copy of the contract while in India

As per the instructions of the Government of India, recruitment agents are expected to provide a copy of employment contract to each worker before his/her departure. To safeguard his/her own interest, an individual worker has to demand from the recruitment agent a copy of the duly signed contract before departure. Complaints may be lodged against defaulting agencies with the nearest Protector of Emigrants.

Important Documents

In addition to all the originals, copies of the following documents may be retained with the employee.

1. Employment contract,
2. Passport,
3. Visa and
4. Certificates of educational qualification

Guidelines for those Emigrating through RAs

- Be sure of your Recruiting Agent. Ask him to show his Registration Certificate issued by the Protector General of Emigrants, Govt. of India. Do not deal with him unless he is registered and the registration is valid. In case of doubt, check with any of the offices of the Protectors of Emigrants (POEs) or the Protector General of Emigrants (PGE).
- DO NOT deal with sub-agents as they are not permitted under the Emigration Act, 1983 and Rules.

- Ask the Recruiting Agent to show you the Demand Letter and Power of Attorney from the foreign employer.
- Also carefully go through the Employment Contract detailing the salary/wage levels and other service conditions.
- DO NOT pay the Agent anything other than the service charge more than the equivalent of his wages for forty-five days as offered in the employment contract, subject to a maximum of twenty thousand.
- Make payments preferably by Demand Draft or Cheque and obtain a receipt.

Complaints of overcharging or cheating can be lodged with the concerned POE or with the Protector General of Emigrants (PGE).

Check before Departure

- Ensure you have a valid Passport at least for six months. A valid Visa must be either stamped on or accompany your Passport. Always keep a photocopy of your Passport and Visa.
- You must possess a copy of the Employment Contract signed by you and your foreign employer duly attested by the registered recruiting agent.
- Insist on a copy of Employment Contract in English duly authenticated by the recruiting agent.
- Open a Savings Bank N.R.E. Account in one of the Banks in India to enable you to send your remittances from abroad.
- Get familiar with local labour laws, working and living conditions of the country of employment. Keep complete address of the Indian Embassy there, with you.

In the Country of your Employment

- Obtain a Resident Permit or Identity Card, Labour Card or BATAKA.
- DO NOT part with your Passport and copy of Employment Contract signed by you in India.
- DO NOT sign any other Employment Contract or any blank paper.
- DO NOT strike work or resort to agitations. These are illegal under UAE's labour laws. You could be arrested, imprisoned and also deported.
- AVOID all contacts that may result in AIDS – a dreaded disease.
- Keep in touch with the nearest Indian Mission and report any complaints about non-payment or delayed payment of wages or compensations or any other problem to the Indian Mission.

Customs Formalities

- Personal baggage – Customs checking is VERY STRICT. Kindly co-operate with the Customs staff at the International Airport.
- Ensure that you do not carry any narcotics or alcoholic drinks. Alcohol is strictly prohibited. Its consumption is a serious offence attracting severe punishment.
- DO NOT accept any unchecked parcel from any one. If you have to take a parcel for someone, check thoroughly that it does not contain alcohol or narcotics.

Otherwise, it may land you in serious difficulties on arrival in the country of employment.

Precautions

- You must make and keep a photocopy of all the pages of your Passport. DO NOT lose your Passport or its photocopy.
- In case you misplace your Passport, inform the nearest Indian Mission immediately giving them details, i.e. Passport number, date and place of issue, your name and date of your entry in to the country of employment. You can give these details only if you keep a photocopy of your Passport.
- DO NOT lose your copy of Employment Contract. Make photocopies and keep them with you always.
- You must have a full name, address, telephone/fax number of your foreign employer, before you leave India.
- If you have difficulty in locating your foreign employer, contact the nearest Indian Mission immediately.
- DO NOT accept temporary or permanent employment with another person or establishment other than the sponsoring Company/ establishment/ person. Employment with persons other than your original sponsor is strictly prohibited and attracts severe punishment.
- Before the Visa or Employment Contract expires, get them renewed. If you are returning to India for a short while during the tenure of your Employment Contract abroad, ensure that the validity period of Visa does not expire before you return to the country of employment.
- Ensure also that your Passport is valid. Get it revalidated from the concerned Indian Mission abroad or from the Regional Passport Office (RPO) in India, at least two months before its expiry.

Embassy of India

Embassy of India, Abu Dhabi
P.O. Box 4090
Plot No. 10, Sector W-59/02
Diplomatic Area, Off the Airport Road
Abu Dhabi, United Arab Emirates

Tel: +971-2-4492700
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Ambassador

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Labour & Welfare Wing

Second Secretary (L&W).

Email: lnw@indembassyuae.org

Consulate General of India, Dubai

Al-Hamaria Diplomatic Enclave,
PO Box No.737,
Dubai, UAE.

Telephone: 00-971-4-3971222 / 3971333

Fax: 00-971-4-3970453 & 3972297

E-Mail: cgidubai@emirates.net.ae

Web: www.cgidubai.com

Important Contacts

Ministry of Overseas Indian Affairs
Government of India
Akbar Bhavan,
Chanakya Puri,
New Delhi-110021

Telephone No 91-11-24197900
Fax No: 91-11-24197919.
Email: info@moia.nic.in

Shri Vayalar Ravi
Minister
Ministry of Overseas Indian Affairs

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Shri Karan A. Singh
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Ministry of Overseas Indian Affairs

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List of Offices of Protector of Emigrants in India

1. Protector of Emigrants, New Delhi
Jaisalmer House, Canteen Block,
Mansigh Road, New Delhi 110001.
Ph. 011 – 23382472
Fax 011 – 23073908
2. Protector of Emigrants Bombay,
Building E, Khira Nagar,
S V Road, Santa Cruz (West), Mumbai, 400054.
Ph. 022 – 26614393
Fax: 022 – 26614353
3. Protector of Emigrants Thiruvananthapuram,
Sugandh, 24/846 (1), Thycaud,
Thiruvananthapuram – 695014.
Ph. 0471 – 2741790
4. Protector of Emigrants Kochi,
3rd Floor, Putherikal Building,
Market Road, Kochi 682035.
Ph. 0484 – 2360187
5. Protector of Emigrants, Chennai,
TNHB, Ashok Nagar Shopping Complex (Annexe)
Ashok Nagar, Chennai 600083,
Ph. 044 – 24891337
6. Protector of Emigrants Chandigarh,
Kendriya Sadan, Fifth Block, Ground Floor,
Sector 9A, Chandigargh- 160017.
Ph. 0172 – 2741790

7. Protector of Emigrants Kolkata,
Room No: 18, A–Wing,
3rd Floor, M S O Building, D F Block,
Salt Lake, Kolkata 700084.
Ph. 033 - 23343407
8. Protector of Emigrants Hyderabad,
Gruhkalpa, Ground Floor
Opposite to Gandhi Bhawan,
Nampally, Hyderabad.
Ph: 040 - 24652557

Information Available on the Website of MOIA

- Revised emigration requirements
- Recruiting agents having suspended RC
- Online emigration clearance system
- List of Registered recruiting agents with valid RC at poeonline.gov.in
- Internal watch-list of recruiting agents
- Recruiting agents having cancelled RC
- Foreign employers on PAC
- Project Exporters at poeonline.gov.in
- Emigration Act, 1983
- Emigration Rules, 1983
- Pravsi Bharatiya Bima Yojana
- Redressal of Public Grievances Information on Recruiting Agents and Black Listed Foreign Employers
- Guidelines for recruiting agents/guidelines for prospective Emigrant workers.

Part – II

FACTS ABOUT THE UNITED ARAB EMIRATES (UAE)

Introduction

The federation of the United Arab Emirates (UAE) was formed in 1971, comprising the seven states (Emirates) of Abu Dhabi, Sharjah, Ras Al Khaima, Al Fujirah and Umm AL Qaiwan. It has a total area of nearly 83000 sq kilometers and a population of 2.6 million (in 2006). The UAE is situated in the eastern part of the Arabian Peninsula, between Oman and Saudi Arabia on the East and the West and Qatar on the North. Most of the land is barren and dry. The capital of the UAE is Abu Dhabi.

History

The population of the area converted to Islam in the 7th century. The area entered into a truce with the British in 1820, which was made permanent in 1853. The arrangement continued till 1971, when the British withdrew from the Persian Gulf in 1971.

Political System

Each of the member states of the UAE constitutes a sovereign country ruled by the Sheikh (tribal chief). Besides the Sheikhs, there is a federal government ruled by a Supreme Council of Rulers, made up of the seven Sheikhs. It is the Supreme Council, which appoints the Prime Minister and the cabinet. There does not exist any system of general elections or peoples representation in government.

Religion and Language

The official language of the UAE is Arabic. However, Persian, English, Hindi and Urdu are also in use. Islam is the religion of the UAE with 96 percent of the native population Muslim. Abu Dhabi is the largest member of the UAE and Ajman, the smallest.

Climate

The area is a desert land, with flat, barren coastal plains merging into rolling sand dunes of vast desert wasteland, there are a few mountains on the east where the climate is in general cooler than elsewhere in the emirates. The climate is the hottest and the most humid in the world during summer months.

Natural Resources: Petroleum and natural gas are the two most important natural resources of the area.

Economy

The UAE has an open economy with a high per capita income (of about US\$ 24000 in 2006) and an annual trade surplus. Oil and gas account for one- third of the GDP. In the past three decades, the UAE has achieved an economic miracle, transformation from and impoverished desert to a modern nation, with flourishing manufacturing, trade and tourism. It jealously guards its traditional local occupation of pearl diving. It was the discovery of oil and natural gas in 1958 that brought immediate wealth to the area

(Particularly to Abu Dhabi and Dubai) and heralded a process of rapid progress to the entire region ever since then.

Agricultural land forms only about 1% of the land area and it is cultivated with dates, watermelon and vegetables; poultry and dairy-farming and fishing also form part of the primary sector activities in the area. While agriculture contributes less than 3 % of the GDP, the contributions of industry and services have been 52 % and 45 % respectively. The important industries are petroleum-refining, fish-processing, petro-chemicals, construction materials, boat building, pearl refining and handicrafts. The UAE maintains strong trading relations with Japan, South Korea, India, China, Thailand, Germany, France, the UK and the USA.

Dirham is the national currency in the UAE. One Dirham is equal to 100 Fils and about Indian Rs. 11. The total labour force of the UAE is about 2.8 million of which three-fourths in the age group of 15-64 years, are expatriates, mostly from the south and south East Asian Countries. Agriculture absorbs only about 7percent of the labour force, while industries and services employ 15 percent and 78 percent respectively (2000 estimates).

Transport and Communications

Roadways are the principal means of transportation within the UAE. Railways and waterways do not exist. There are several important ports and harbours in all the member countries of the UAE. There are more than 40 airports with facilities for internal and international flights.

Communication facilities are well developed in the UAE with abundant telephone main lines and mobile cellular telephones in use. Radios and televisions also exist in large numbers. Internet services and websites are also well developed.

Entry Requirements

A single visa is valid for all the seven member countries (emirates). To enter the UAE, passport is required. AIDs test is required for work and residence permits. Tests are conducted after arrival in the UAE. Another medical test usually conducted for workers is XRAY for Tuberculosis. Candidates found unfit in any of these tests fail to get their residency permits and are immediately repatriated. Such candidates suffer losses in terms of paying commissions to agents and any other expenditure that they may have done to get UAE residency. Hence it is advisable to get these tests done in India to avoid such losses and stop the process if found medically unfit.

Public Conduct

Women are found in employment in most professions and in commercial activities such as banking and retail trade. Loud speech and guffaw are considered crude and vulgar.

Government

Each of the seven emirates of the UAE is a sovereign principality ruled by the head of the leading family of the tribe that settled there. Each ruler has the title, Emir (Prince or commander) and the style of sheikh (chief). The head of the UAE is the ruler of Abu Dhabi. Traditionally the prime minister of the UAE is the ruler of Dubai. Ministers are appointed from among all the ruling families.

Medical Facilities

Modern medical facilities and medicines are available in most cities of the UAE, but not in all the outlying areas. Information on vaccinations and other health precautions such as safe food safe water and protection from insect bite is available from the Centres for Disease Control and Prevention.

Medical Insurance – is now compulsory under UAE Labour Laws for all expatriates and is the sole responsibility of the employer, not employee. The insurance is annual and expenditure towards each renewal every year has to be borne by the employer.

Socio-cultural Activities

The expatriate population in the UAE has developed several social and cultural activities. They have established schools and built temples, churches and *gurudwaras*.

Criminal Laws

Penalties for breaking the law are severe in the UAE. Persons violating the UAE laws, knowingly or unknowingly, may be expelled, arrested or imprisoned. Penalties for possession and use of, or trafficking in, illegal drugs are severe and usually invite lengthy jail sentences and heavy fines. Paedophiles and child pornographers are also heavily punished. Drug trafficking is an offence for which death sentence may be awarded. Crimes of fraud and non-payment of bills may result in imprisonment and fines. Drinking alcohol without proper permit is illegal and might result in arrest, fines and imprisonment.

Labour Laws

Expatriates are allowed to stay in the UAE only as long as their work permits and residence visas are valid. Employers have no right to retain the passport of employees. The UAE does not provide residency or citizenship to foreign nationals. If an employer has cheated an expatriate, the victim has the right to sue the employer for compensation, supported by ample evidence of having been cheated. Employees have the freedom to resign from jobs if they so wish. Employers are not entitled to force employees to refund the visa fee or other expenses, except in certain specified cases. The labour contract entered into by an employer should be endorsed by the Ministry of labour for it to become legally valid for all purposes. There is no such thing as open visa even though many sponsors sell visas for high amounts and many culpable aspirants for jobs buy such visas. Changing of jobs is permissible with the consent of the employer under whom a person works. Expatriate workers cannot appeal against termination of their jobs. But they may claim compensation for the loss of work. It is illegal for employers to accept money from employees for transferring their sponsorship. Break of contract by an employee is illegal and the employer concerned is entitled for compensation from the employee. An employee who has acquired a residence visa in Dubai is eligible to apply for a family visa, but only in Dubai and likewise for each emirate. However, there are certain conditions that have to be met for getting residency permit for family. To apply for family residency, the salary of the employee needs to be Dirhams 3000/- plus accommodation or Dirhams 4000/- and above. Again, all work designations on the residency visa are not entitled for family status.

Complaints may be made by employees against employers, to the ministry of labour and Social Affairs if the employer makes unlawful deductions from employees salary.

In cases of submission of false identity of nationality, of forged documents, of causing huge loss to the employer, of disobedience, of failure to discharge basic duties, of divulgence of secrets and confidential matters, of punishment by courts of law for misconduct, of drunkenness during working hours, for assaults on the employer, supervisory personnel or colleagues and of unauthorized absence from work, the employees are liable to punishment.

Employers are liable to defray the cost of returning home or to the place of new employment, due to termination of work contract. A worker, who has completed one year of continuous service, is entitled to severance pay on the termination of employment.

Engineers and professionals are allowed to change job after two years of continuous service under an employer, if they have valid residence visas and no objection certificates from the sponsor.

For women employees, maternity leave of 45 days is permissible, if they have been in continuous employment of their present employers for a period of not less than one year. For persons who have not completed the stipulated period, half-pay maternity leave may be granted.

An employee may leave his/ her present job if his/her employer fails to comply with the obligations under the contract, if the employer or his legal representatives assault the employee, and if the employer fails to give the employee regular salary.

Employers are not allowed by law to take custody of the passports of employees. Expatriates are not allowed to work without work permits, residence visas and labour contracts. Employers are not permitted by law to force their employees to review employment contracts.

Housemaids are not protected by the UAE's labour laws.

While an employee gets promotion, he/she should make a new contract with the consent of the employer and it should be endorsed by the Ministry of Labour and Social Affairs.

In the case of limited contracts (in terms of time), the party which terminates the contract should give compensation to the other party. In unlimited contracts, either party can terminate the contract at any time, with proper notice. If an employer fails to pay salary to employees even after court orders in favor of the employees, the court orders may be executed by attaching the properties of the employer and selling them.

Overtime – All workers are entitled to get overtime for extra hours or for working on weekly offs or public holidays as per UAE Labour Laws. The Labour Law stipulates that workers get overtime at the rate of double their salaries. The labour contract signed at the time of getting Labour Card in the UAE usually covers overtime as per the Law and any worker not getting overtime as per the Law can complain against the employer.

Leave entitlements – are again covered in the individual labour contract signed at the time of getting labour card. As per the UAE Labour Laws, each worker is entitled to get 30 days paid leave annually after completing one year of service plus a return air ticket to home country at the time of availing the leave. Many companies practice the norm of

clubbing together the annual leave for 2 years, wherein the worker gets 60 days of leave after completing 2 years of service.

Driving License – there are certain visa designations that cannot apply for driving license in the UAE. Heavy vehicle drivers coming to the UAE need to pass Heavy vehicle driving test before beginning to work as drivers and Indian driving license is not recognized for driving in the UAE.

Social Customs in Arab Countries

Arab customs are, generally, very different from those in the west, and you should be aware of what you're expected to do and not to do. Acquaintance with local customs and social behaviour will make your adaptation more easy. And being a foreigner, this adaptation is inevitable for you. Apart from criminal actions and behaviour, there are certain unwritten rules that you must observe in order to avoid offending local sensibilities.

Dress

There are different ways of dressing for local and expatriate women. Outside the home, Arab women dress according to religious custom i.e. they must cover most of the body, from head to foot. The traditional black overgarment (*abaya*) is ankle length with long sleeves and a high neckline, and the hair is covered. Some Arab women (especially Saudis and those with strictly religious husbands) are totally covered, including their face and hands. This is to protect women from unwanted attention. In Saudi Arabia even foreign women must wear an abaya outside the home and the religious police will stop any woman with uncovered head and direct her to cover it immediately. In other states, foreign women can wear western clothes but should always dress conservatively.

Arabs prescribe clothes worn by a woman, revealing shoulders, arms and legs, will be regarded as being of 'easy virtue'. In the home, Arab women often adopt western dress, particularly younger women, and there are no restrictions on dressing for foreign women in private.

Arab men wear the thobe (a loose, ankle-length robe). It can be worn for all occasions, including social and business. The traditional head covering is the *guthra* (a white or red and white checkered cloth) held in place by the *agal* (a black 'rope'). Arab men wear casual dress on very informal occasions or at the beach, but Saudi men are strongly encouraged to wear national dress at all times.

Foreign men are not expected to wear Arab garments. Men should avoid wearing shorts and sleeveless shirts in public. However, suits are rarely worn in the Gulf, except for important business meetings and related social events. Standard dress in the office is a shirt (usually long-sleeved), tie and lightweight trousers.

Forms of Address

It is important to greet local people in the correct way. It is important to address a person by his full name, particularly on formal occasions and in correspondence. The general formal address is Sayyed (sir) for men and Sayeeda or Sayeedity (Madam) for women,

followed by the person's full name. Rulers are addressed "Your Highness (Your Majesty). Senior members of the ruling families are called your Excellency followed by Shaik and their full name.

Greetings

The most common greeting in the Gulf is *Salam alaykum* ('Peace be upon you'), and the correct reply to which is *Wa alaykum as-salam* ('And upon you be peace'). Other common greetings and the accepted replies are:

Greeting	Meaning	Reply
<i>Ahlan wa sahlán</i>	Hello	<i>Ahlan bik</i>
<i>Sabah al-khayr</i>	Good morning / afternoon	<i>Sabah an-nur</i>
<i>Masa al-khayr</i>	Good evening	<i>Masa an-nur</i>

Note that *tisbah ala-khayr*, meaning 'good night', is said on parting, as in English, and the reply is *wa inta min ahlu*.

You should always shake hands when greeting and parting from Arab men. In the case of Arab women, you should be guided by the woman's behaviour: many Arab women won't shake hands with non-Arab men, although educated women might. This is normal even with close friends whom you meet frequently.

If the handshake you receive when leaving somebody is longer than the one you received when meeting him, it indicates that you've made a good impression.

Incidentally, newcomers should note that refusals or protracted reluctance to meet people are frowned upon.

Note also that you shouldn't approach Arab women, look at them or talk to them unless you've been properly introduced.

After handshaking, it's customary to enquire after the other person's health and other matters, and you should expect similar enquiries to be directed at you.

(Don't enquire after the health of the female members of an Arab's family, however, but restrict your questions to those regarding the family in general or the sons.) This can take a long time, as neither party wishes to be the one to draw matters to a close.

Foreigners aren't expected to know or use all the subtleties this ritual involves, but you will make a good impression if you learn at least some of the standard expressions and use them in the correct way.

Whether in face-to-face conversation or speaking to people on the telephone, don't talk business straight away; if you do so, Arabs will assume that you're impatient or not interested in them personally.

Hands & Feet

You should accept refreshment whenever it's offered, but note that you should always use your right hand for drinking and eating, as the left hand is regarded as unclean (as

it's used for 'toilet purposes'). Similarly, you should avoid showing the soles of your shoes or feet, which implies that you think the other person is 'dirt', which is obviously highly offensive. You should therefore keep your feet flat on the ground and not cross your legs.

Invitations

If you're invited to the home of an Arab, you should always accept.

You should generally take every opportunity to become acquainted with local people and avoid the natural tendency to stay within the social and physical confines of your foreign 'ghetto'.

Your Arab host will be interested in you and your views. However, you should avoid politics and religion as subjects for discussion; your opinions might be regarded as ill-informed or even offensive, even if they seem acceptable to you from a western perspective.

When you enter the *majlis*, the reception room for visitors, you should always remove your footwear, unless the host indicates otherwise (you should therefore ensure that there are no holes in your socks!).

If you're with a female companion, she will be whisked off to join the women.

You will almost certainly be offered something to drink and perhaps eat; accept the offer.

Arabs are almost always polite and expect the same from those they meet, and believe that sharing a meal with a person positively affects the relationship.

It's certainly worth learning enough Arabic to communicate the pleasantries, greetings and responses of the country you're living in.

You will enjoy people's reaction and your hosts invariably offer encouragement to those who attempt to speak their language. It's important to note, however, that the Arabic language has a special significance, having been designed to carry the word of God, so it's important to use it respectfully.

You should also never call at an Arab's house without warning him that you're coming. If the women of the family are present, this won't be appreciated.

You should also avoid expressing admiration for any of your host's possessions, as tradition dictates that he must then offer it to you. Although this tradition isn't followed by everybody, it can nevertheless cause embarrassment. What's more, the correct response is for the recipient to give an even more valued gift in return, so think twice before admiring an Arab's Rolls Royce!