

Minister's Office Ministerial Decision

The Minister of Labor and Social Development,
Based on the powers legally delegated to him.

And after having reviewed Labor Law issued with Royal Decree No. (R/51) dated 23/08/1426 H, amended with Royal Decree No. (R/24) dated 12/5/1434 H., amended with Royal Decree No. (R/46) dated 5/6/1436 H, amended with Royal Decree No. (R/14) dated 22/2/1440 H, amended with Royal Decree No. (R/134) dated 27/11/1440 H. and based upon Article (11) repeated of Labor Law and in order to improve the performance of labor market and based upon what is required by work interest, he decides as follows:

1. Adopting the following definitions in explaining the terms of this decision:

Woman work environment: it means the surrounding conditions related to transactions in any place of work.

Entities: every project managed by a natural or legal person who employs a worker or more in exchange for a wage regardless of its kind. The enterprise might be a store, independent store, a factory or otherwise in line of the enterprise definition.

Store: a place dedicated to operate a practice licensed to sell, display a commodity or more or provide or present a service(s) – for example without limitation: recreational activity, selling women supplies, and presenting meals – store usually what usually constitutes an open market, a closed market or an independent market.

Closed market: it is a complex that contains a number of commercial stores and it might contain recreational places and restaurants. It is completely or partially covered, has certain entries and exits, its doors

close and open with specific times and usually called (a mall) and also (commercial complex).

Open market: it is a center that contains commercial stores, completely or partially covered and does not have entries or exits and also called (trade center).

Independent store: it is a place dedicated to practice an activity licenses to sell, display a commodity or more or provide or present a service(s) and it is located outside closed and open markets, exists on main roads and streets and the definition of closed or open market is not applicable thereto.

Koshk: it is a small store and is not considered as a part of the main building.

Section: any place in the enterprise characterized with independency to sell a commodity, provide specialized services or a certain activity (the section can be specialized in selling more than a commodity, provides more than a services or an activity provided that the combining shall be based on similarities of the nature of commodity, services and / or activity).

Subsection: it is what is branched from the section, which is the division of the activity, services, or selling a commodity to two sections in accordance with the gender of the service, activity or commodity providers. In the event that term "section" is mentioned, it includes subsection, unless otherwise is mentioned in the decision draft.

2. this decision is applicable to all entities in all different activities employing women in a regulative manner.

3. article (34) regard work environment of annex no. (1) unified form for labor governance regulation issued with Ministerial Decision No. (70273) dated 11/4/1440 H. shall be terminated, and the following rules shall be adopted in women work environment:
 - A) Rules of employing women in night shift in all activities:
 1. Specifying the night shift from 6 PM to 6 AM.
 2. Except for the provision of article (150), women may work night shift in the following conditions:
 - A. If the work is healthy and charitable.
 - B. In the event of majeure force and emergencies.
 - C. If working the night shift was necessary to preserve the materials from rapid deterioration.
 - D. Women who occupy higher positions and leadership tasks.
 - E. While taking into account the provisions of working at night, working in open and close markets, working in independent stores with the area of 1000 square meters and more provided the existence of security guards and cyber security.
 - F. Working in enterprises, which fall under the regulation and governance of municipal and rural affairs, cities and governorates' secretariats and its affiliated municipalities in Ramadan, seasons in central areas in Hajj and Umra (for example: stores of selling female supplies, providing recreational activities and food services).
 - G. Working in other enterprises, which fall under the regulation of other government authorities in Ramadan, in Ramadan, and seasons in central areas in Hajj and Umra (for example: Hajj and Umra enterprises, transportation services and presenting recreational activities).
 - H. Working in other enterprises, which fall under the regulation of other government authorities and that in regard of only working

during presenting events to the public (for example: events during the weekends and events for certain occasions in other than seasons).

- I. Activities stated in "activity in accordance with ISIC4 classification" in the following table:

Main activity (Nitaqat)	Activity in accordance with ISC4 classification (activities mentioned herein only)
Child care centers	Child care centers
Handicap Centers	Care homes with residency for handicaps
Printing, publication and media	Radio broadcasting via air, wires or satellite Radio broadcasting via the internet (internet broadcasting stations) Broadcasting activities TV broadcasting News agencies activities, including activities of new entities and new agencies, which presents news, pictures, and news messages to media means. As for the remaining types, what is stated in paragraph (J) below shall apply thereupon.
Social and collective services	Wedding and occasions halls As for the remaining types, what is stated in paragraph (J) below shall apply thereupon.
Consulting services and works	Activities of call centers and answering customers' calls by using operators or distributing the calls automatically, via telephone integration, computer or otherwise of similar methods to receive request and provide information about products, dealing with assisting requests from customer or complaints from customers. As for the remaining types, what is stated in paragraph (J) below shall apply thereupon.

<p>Air transport</p>	<p>Navigation and metrology Ground services activities in airports Passengers' Air transport with specified and non-specified time. As for the remaining types, what is stated in paragraph (J) below shall apply thereupon.</p>
<p>Road transport for passengers outside cities and international transport</p>	<p>Passengers transport via railways between cities. Other activities for passengers' transport with railways between cities. Road transport for passengers by subway Railway stations Bus stations School seasonal transport outside cities for male and female students and male and female teachers</p>
<p>Road transport for passengers inside cities</p>	<p>Other types of road transport with times (public transport) Seasonal school transport inside cities for male and female students and male and female teachers As for the remaining types, what is stated in paragraph (J) below shall apply thereupon.</p>

J. While taking into account the permissibility of women working in all periods listed under Article (2) above, working in the remaining activities of labor market, whereas it shall not exceed 11 PM.

B) General rules for women's employment in all activities:

- 1.** No action shall be committed that would pressure woman freedom, which would constitute slowness or weakening the application of equal opportunities or equal treatment in work in a manner non-compatible with Labor Law and other local laws.
- 2.** No distinction shall be made in wages of female workers from male workers, whereas they shall receive equal pay.

3. The responsibility of preparing the work environment for women directly falls on the employer.
4. The female worker shall comply with wearing decent clothes and if the enterprise has uniform, it shall be decent and unrevealing.
5. In the entities dedicated for women only (clients are women only), a guidance sign shall be placed in a visible place indicating that the place is for women only and men entry is prohibited. Also no men shall work there and that also includes stores, independent stores, departments, sub-sections, kiosks dedicated for women (clients are women only).
6. As for work environment undedicated to receiving and meeting the public, the women place of work must be characterized with privacy and independency and a separate and appropriate section (it is not necessary that the section will be isolated), whereas it would not lead them to share their work place (the section itself) with male workers and does not prevent that – in accordance with work nature, whereas there must be private and appropriate sections for women in different areas in the same place of work with an organization and design provides privacy and independency. In all cases the place must be visible and apparent without closed doors, except for women section, which is isolated with a private entry, whereas in all cases solitude between both genders is not allowed.
7. In case the work required meeting between males and females, the meeting shall be in the places of work, whereas meeting outside the work place is allowed in official group meetings only and solitude between both genders is not allowed.
8. A sufficient security guards or an appropriate electronic security system (such as cameras) must be provided for all entities employing women, including entities in open markets and closed

markets, unless it was provided by the market owner and its coverage includes the whole market. In case there is a warehouse (storage) in the same entity, surveillance cameras (electronic security system) that cover the warehouse shall be placed, while taking into account the privacy of female and male workers.

9. Seats must be provided for female workers in order to ensure their comfortability and rest during work hours.
10. An appropriate and suitable place must be provided for female workers to perform their prayers and rest, in addition to providing bathrooms for women and that is applicable to all entities, including entities in open and closed markets. As for the independent store, what is applicable to the place of rest and prayers shall be applicable thereupon, in case the regulations of the concerned authorities do not allow the provision of internal bathrooms.
11. In case of employing males and females in the same work place, the number of females in the single shift shall not be less than two females.
12. Women may not be employed in entity dedicated for men only (clients are men only) or which most of its commodities, supplies' services or activities are for men (such as: men clothes or men recreational activities).

C) Rules of women employment in all activities, which have clients' reception:

Without prejudice to the general rules for women employment in all activities mentioned herein, the following shall be complied with:

- In the event of employment of women in entity, stores, independent stores, section, subsections or kiosks which receive

families and women in a section and men (individuals) in another section or which receive all (woman and men) without division. Women employment in in direct services, such as; table orders and cleaning and its equivalent in men section or the ones, which receives all individuals (for example: waiter and cleaner) is prohibited, whereas in all cases, the appropriate areas for women to practice their work shall be provided in case there was male employment (for example: separate or independent counters with an appropriate area).

- In the event of employment of women in open area in meeting clients or the public (for example: restaurants, airports halls, train halls, reactional activities halls, hotels or shelters), the appropriate areas for women to practice their work shall be provided in case there was male employment (for example: separate or independent counters with an appropriate area).
 - In the event of employment of women in entities related to tourism hospitality (for example: hotels, furnished apartments, shelters), women work in cleaning the facilities is generally prohibited and particularly cleaning rooms and carrying bags and the like, except for women entities (meaning female clients only, such as women shelters).
 - In the event of women in industrial activities, if the female workers only work in one stage of production – that includes the warehouses affiliated to factories – all workers in this stage shall be females.
4. The Entities, which commits a violation against any of the items hereof will subject to the penalties stated by Labor Law and relative ministerial decisions.
 5. this decision supersedes all previously issued decisions from the Ministry in regard of regulating women work and employment,



which are: 793/1 dated 225/1426 H., 2838 dated 9/9/1427 H.,
1/1/2475 / G dated 10/8/1421 H., 1/1/2473 / G dated 10/8/1432 H.,
1/1/3732 / G dated 28/8/1433 H., 1/1/3729/ G dated 28/8/1433 H.,
1/1/3731/ G dated 28/8/1433 H., 1/1/3730 / G dated 28/8/1433 H.,
2702 dated 29/5/1435 H., 790 dated 22/2/1436 H., 39860 dated
27/2/1440 H., 39787 dated 27/2/1440 H.

6. this decision shall come into force as of date of its issue date and shall be published in the Ministry's website.
7. The Vice Minister of labor sector shall take all actions necessary for its enforcement.

Minister of Human Resources and Social Development
Eng. Ahmad bin Sulaiman Alrajhi