

Minister's Office
Ministerial Decision

The Minister of Human Resources and Social Development,
Based on authorities duly granted to him.

Having reviewed the Articles (11 bis, 229, 230 & 231) of the Labor Law issued by the Royal Decree No. (M/51) dated 23/ 08/ 1426 H. as amended by the Royal Decree No. (M/24) dated 12/ 05/ 1434 H. as amended by the Royal Decree No. (M/46) dated 05/ 06/ 1436 H.; and as amended by the Royal Decree No. (M/14), dated 22/ 02/ 1440 H;
Having reviewed the Implementing Regulations of Labor Law and annexes thereto issued by the Ministerial Decision No. (70273) dated 11/ 04/ 1440 H.; having reviewed the Ministerial Decision No. (88478), dated 01/ 05/ 1439 H; having reviewed the Ministerial Decision No. (39787), dated 27/ 02/ 1440 H. on feminization and localization for open, closed and independent markets for women items; having reviewed the Ministerial Decision No. (39860) dated 27/ 02/ 1440 H. on the standardized regulation on women work environment; and having reviewed the Ministerial Decision No. (803), dated 12/ 02/ 1434 H. on regulating the reimbursement of labor wages for entities registered by the Ministry of Labor and Social Development. He.

decides as follows:

First: Without prejudice to any heavier penalties provided by any other law, there has been approved as follows:

1. Table of violations and respective penalties that do not exceed half the maximum limit for the two penalties provided in the two sub-paragraphs (A & B) of the paragraph (1) of Article (229) of the Labor Law as per the following form:

(A): The Table:

Ser. No.	Violation Description	Penalty	
		Fine amount (SAR)	Closure period
1	Failure of the entity to use Arabic language in employment contracts,	(5,000)	-



	data, records and files of workers and instructions issued by the employer.		
2	Failure of the employer to keep at the main office the following: statements, records and files (hard or soft copies): <ul style="list-style-type: none">- List of workers names- List of workers' wages- Record of Fines imposed against workers- Record of Attendance and Departure- Records of Medical examination of workers- Employment files per each worker.	(5,000)	-
3	Provision of misleading information and/or data to the Ministry by the employer, which results in obtaining any ministerial privilege or service or work visa.	(25,000) Multiplied by the number of workers who benefited from services or by multiplicity of visas.	-
4	Selling or mediating to sell the work visas.	(50,000) Multiplied by number of visas.	-
5	Employment of female workers by the employer within 6 weeks subsequent to giving birth.	(10,000) Multiplied by the number of workers.	-
6	Failure to provide a private and separate partition for female workers in the workplace other than those	(25,000)	-



	provided for clients and the public reception area according to the General Rules for Employing Female Workers in all Activities under the Ministerial Decision No. (39860).		
7	Failure to provide adequate security or e-security system appropriate for all entities recruiting women.	(20,000)	-
8	Failure to provide seats for female workers in the workplace in order for breaks within the working hours.	(5,000)	-
9	Failure to provide a partition for female workers for prayers and breaks and failure to provide private rest rooms according to the General Rules for Employing Female Workers in all Activities.	(20,000)	-
10	Recruitment of only one female worker per shift in case of recruiting male and female workers in the same workplace.	(15,000)	-
11	Failure to comply with the General Rules for Employing Female Workers in all Activities related to receiving clients according to the Ministerial Decision No. (39860).	(10,000)	-
12	Failure to provide a certified regulation for the entity.	(15,000)	-
13	Failure to open file for the entity in the labor office or failure to update the entity's data.	(10,000)	-
14	Enabling the non-Saudi worker by the employer to work without work permit or renewal thereof.	(20,000) Multiplied by the number of workers.	-



15	Enabling the non-Saudi worker by the employer to practice a profession other than that one written in his work permit.	(10,000)	-
16	Recruitment of the accompanying individuals and/or fellow citizens without valid permit per terms and conditions specified by the Ministry.	(25,000) Multiplied by the number of workers.	-
17	Withholding the passport, residence or medical insurance card of the worker by the employer.	(2,000) Multiplied by the number of workers	-
18	Forcing the worker to incur fees or costs that shall be afforded by the employer.	(10,000) Multiplied by the number of workers	-
19	Registering a Saudi person by the employer within the entity workers without his knowledge or consent	(25,000) Multiplied by registration cases	-
20	Recruitment of non-Saudi workers in professions that are restricted to Saudis.	(20,000) Multiplied by the number of workers	-
21	Recruitment of male workers in professions that are restricted to Saudi female workers.	(10,000) Multiplied by the number of workers	-
22	Failure by the entity that hires (50) workers and more to qualify or train at least (12%) of its Saudi workers annually.	(50,000)	-
23	Submission of false (malicious) notice of a worker's absence from his entity by the employer.	(20,000)	-



		Multiplied by the number of workers	
24	Recruitment of the worker by the employer without written or notarized employment contract under the ministerial decision regulating this matter.	(10,000) Multiplied by the number of workers	-
25	Recruitment of the employee forcibly by the employer.	(15,000) Multiplied by the number of workers	-
26	Failure by the employer to either give the worker, after expiration of the work relation, a service certificate or include within the certificate any provision that may distort the worker's reputation or decrease job opportunities before him.	(5,000) Multiplied by the number of workers	-
27	Failure by employer, after expiration of the work relation, to return to the worker all certificates or documents retained by the employer.	(5,000) Multiplied by the number of workers	-
28	The employer's disposal of the fines imposed on workers in a manner that does not serves their benefit or without recourse to labor committee of the entity or the consent of the Ministry in case of absence of a labor committee for the entity.	(10,000)	-
29	Non-payment of workers' wages in the mature date or payment of the same in currency other than the official currency or the withholding the worker wage in whole or in part	(3,000) Multiplied by the number of workers	-



	by the employer without a legal ground.		
30	The employer's non-compliance with submitting the wages protection file monthly.	(10,000)	-
31	Not granting the worker a day off per week or increasing the working hours more than those specified in Article (98) without counting it as an overtime.	(10,000)	-
32	The entity's non-compliance with the holidays duly specified for workers.	(10,000) Multiplied by the number of workers	-
33	Employer's failure to abide by protection, occupational safety and health rules, procedures and levels thereof within the entity, and to take the relevant precautions needed for protecting the workers against risks and diseases resulting from work and used machines by using their means of protection.	(25,000)	-
34	Failure by the employer to display the labor safety instructions in a visible place within the entity.	(5,000)	-
35	Worker's failure to comply with or maintain the dedicated preventive measures, or to implement instructions set forth to maintain his health and protect him against injuries and diseases.	(1,000)	-
36	Employer's failure to take the relevant precautions for protection against fire hazards, including developing the evacuation plans, securing escape	(15,000)	-



	corridors and routes and preparing tools and firefighting equipment.		
37	Failure of the employer to examine his workers for infection with any occupational diseases as set forth in the occupational disease lists provided for in the social insurance law at least one time per annum.	(3,000) Multiplied by the number of workers	-
38	Leaving the worker exposed to the direct sunlight or under the harsh climate conditions by the employer without taking the precautions necessary for such conditions in the cases, times or periods specified under the Minister's decision.	(2,000) Multiplied by the number of workers	-
39	non-provision of first aid cabinet with the medicine valid for use and other conditions requiring the first aids.	(1,000)	-
40	Employer's failure to abide by the requirements of Occupational Safety and Health Administration (OSHA).	(20,000)	-
41	Recruitment of women or minors in hazardous, harmful or forbidden works, industries or professions.	(10,000) Multiplied by the number of workers	-
42	The employer's non-compliance with the controls set forth for regulating the women's work in a night shift in all activities.	(15,000) Multiplied by the number of workers	-
43	Employer's employment discrimination against the job applicant in a manner detrimental to the application of the equal opportunity principle.	(20,000) Multiplied by the number of workers	-



44	Lack of a place for children care or kindergarten at the entity that employs (50) female workers or more where their children amount to (10) children or more.	(25,000)	-
45	Lack of written instructions, which oblige the female workers to abide by Sharia hijab controls.	(5,000)	-
46	Non-imposition of a penalty against the female worker failing to comply with entity's instructions regarding the Sharia hijab controls.	(2,000) Multiplied by the number of workers	-
47	Failure by the employer to provide the preventive and therapeutic health care for the worker or his family members, subject to the Cooperative Health Insurance Law.	(10,000) Multiplied by the number of workers	-
48	Employment of children under fifteen years old without observing Article (167) of the Labor Law.	(20,000) Multiplied by the number of children	-
49	Employment of minors during the unauthorized night shifts in accordance with Article (163) of Labor Law.	(10,000) Multiplied by the number of workers	-
50	Forcing minors to work beyond the daily hours specified in Article (164) or to work during the weekly rest days or public holidays.	(10,000) Multiplied by the number of workers	-
51	Failure to meet conditions of employment of minors as set forth in Article (165).	(10,000)	-
52	Non-display of work organization regulation upon adoption thereof in a visible place within the entity or by any other means in a manner	(10,000)	-



	guaranteeing the knowledge of its provisions by all those subjects thereto.		
53	Employment of those who are under (18) or women in mines or quarries.	(10,000) Multiplied by the number of workers	-
54	Employment of workers in mines or quarries without undergoing a general medical checkup.	(3,000) Multiplied by the number of workers	-
55	Employment of workers in underground mines or quarries for more than (7) hours a day.	(5,000) Multiplied by the number of workers	-
56	Lack of a record for registering workers before entering to and upon exiting from the mine or quarry.	(10,000) Multiplied by the number of workers	-
57	Non-entity of rescue point near the mine or quarry provided with all necessary first aids.	(10,000)	-
58	Failure by the employer and his representatives to facilitate assignments of the Ministry's inspector and competent authorities' staff or to cooperate with them to apply the Labor Law.	(10,000)	-
59	Non-payment of the worker's wage or non-liquidation of his entitlements- at maximum- from the date of expiration of the work relation and within a period of at most (2) weeks if terminated by the worker.	(10,000) Multiplied by the number of workers	-



60	Employer's non-compliance with the daily rest periods granted to the worker.	(5,000) Multiplied by the number of workers	-
61	Non-entity of an investigation committee within the entity to investigate cases of conduct violations in the work environment.	(15,000)	-
62	Failure by the entity to investigate and recommend the imposition of a disciplinary penalty on persons found guilty within (5) working days from receiving the complaint (notice) or failure to impose the disciplinary penalty on the violating worker in the event of conduct violations in the work environment having submitted the committee's said recommendation within (30) days as of the entity of the worker's guilt.	(25,000) Multiplied by the number of aggrieved workers	-

(B): Table of the violations by the authorized person in accordance with rules for the activity of recruitment from abroad and provision of labor services:

Ser. No.	Violation Description	Penalty		
		Fine Amount (SAR)	Closure Period	Remarks
1	The authorized person's performance of an activity or provision of a service for which he is not authorized.	(10,000)	-	Multiplied by the number of cases during a single visit



2	The authorized person's performance of the authorized activities after imposing the penalty of closure, suspension or cancelation of the authorization.	(10,000)	-	Multiplied by the number of cases during a single visit
3	The authorized person's provision of labor services to third parties without registering such services with the Ministry adopting the respective laws.	(10,000)	-	Multiplied by the number of cases during a single visit
4	The authorized person's non-compliance with contract forms adopted by the Ministry.	(10,000)	-	Multiplied by the number of cases during a single visit
5	Relocation of replacement by the person authorized to carry out activities of recruitment of the labor assigned with service provision to another service without the Ministry's approval.	(5,000)	-	Multiplied by the number of cases during a single visit
6	Failure by the person authorized to carry out the recruitment activities to request the renewal of the authorization prior to expiration of the period specified by the Ministry.	(5,000)	-	-



7	Change by the person authorized to perform recruitment activities of the place where the activity is carried out without notifying the Ministry within a period of not less than (30) days.	(5,000)	-	-
8	Non-compliance by the person authorized to carry out recruitment activities with the costs determined by the Ministry or the costs established on the website adopted by Ministry.	(10,000)	-	Multiplied by the number of cases during a single visit
9	Mediation by the person authorized to perform recruitment activities in recruiting workers without the employer's knowledge.	(25,000)	15 days	Multiplied by the number of cases during a single visit
10	Failure by Owner of the recruitment office to personally manage the office or lack of the necessary requirements to his deputy	(10,000)	-	-
11	The authorized person's failure to comply with the period specified for practicing the authorized activity, as of the date of obtaining the authorization.	(10,000)	-	-
12	Failure by the person authorized to carry out recruitment activities to dedicate or establish call center	(10,000)	-	-



	and channels for receiving complaints from workers, employers or clients.			
13	Failure by the person authorized to carry out the recruitment activities to respond to the requests and inquiries of the Ministry.	(10,000)	-	Multiplied by the number of cases during a single visit
14	Failure by the person authorized to carry out the recruitment activities to complete the bank guarantee within the period specified as of the notice date.	(10,000)	-	-
15	Failure by the authorized person to submit an annual report on his performance in accordance with the standards set by the Ministry.	(10,000)	-	-
16	Failure by the authorized person to notify the worker, he mediated in his recruitment, of all terms set forth by the employer or provide him with the contract that he would conclude with the second party.	(5,000)	-	Multiplied by the number of cases during a single visit
17	Failure by the authorized person to bear the costs needed for the recruited worker's return to his home country in the cases specified under the contract.	(5,000)	-	Multiplied by the number of cases during a single visit



18	Failure by the authorized person to provide an accommodation for the workers in accordance with the terms set forth by Ministry.	(25,000)	-	-
19	Non-obtainment by the authorized person of the worker's written consent before relocation of his services prior to submitting his services to third parties.	(5,000)	-	Multiplied by the number of cases during a single visit
20	Entity of an evidence against the authorized person proving dealing with brokers inside or outside the county.	(10,000)	-	Multiplied by the number of cases during a single visit
21	Non-compliance by the authorized person with practicing the activity in an independent place without practicing any other activity in the same place.	(25,000)	-	-
22	Failure by the authorized person to electronically notarize the contractual relation concluded by and between the authorized person and the clients to whom the domestic worker's service is provided in accordance with laws of Ministry of Labor and Social Development.	(10,000)	-	-



23	Non-compliance by the authorized person with meeting the workers he mediated in recruiting them at the port of arrival or providing them with accommodation during the contract term.	(5,000)	-	Multiplied by the number of cases during a single visit
24	Announcement or promotion by the authorized person of any of the provided services in a manner that violates the Ministry's standards or any other laws.	(10,000)	-	Multiplied by the number of cases during a single visit
25	Leasing, by the person authorized to carry out recruitment activities, the authorization to a third party or granting a third party the right of usufruct for practicing the activity either directly or indirectly.	(10,000)	-	Multiplied by the number of cases during a single visit

2. Table of violations encountered by penalties that exceed the half maximum limit for the two penalties provided for in the two subparagraphs (A & B) and the penalty provided for in the subparagraph (C) of paragraph (1) of Article (229) of the Labor Law per the following form:

Ser. No.	Violation Description	Penalty	
		Fine amount (SAR)	Closure period
1	Practicing the activity of employing Saudis without obtaining an authorization from the Ministry.	(10,000)	Final closure

2	Practicing the activity of mediation to recruit workers or provide the labor services without obtaining an authorization from the Ministry.	(10,000) Multiplied by the number of persons whom he dealt with during the violation period	Final closure
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Second: In the event of re-committing the same violation, the above penalty imposed against such violation shall be doubled.

Third: The violator shall remove the violation within one month as of the date of penalty imposition; otherwise, violation shall be deemed recurrent. Accordingly, the penalty may be doubled.

Fourth: In the event of removing the violation and committing another one of the same types after twenty-four months as of the date of imposing the penalty, violation shall be deemed as firstly committed not recurrent.

Fifth: If the entity or the employer commits a violation of the same type against a number of persons resulting in multiplying the fine prescribed thereon, violation, then, is not considered as recurrent.

Sixth: An accreditation center shall be established and authorized to apply the penalties provided for in the two tables set forth under paragraph (First) of clause (1) of this Decision to the violators, pursuant to the Implementing Regulation of Labor Law.

Seventh: The Ministry shall file lawsuits before the Labor Courts against persons committing the violation mentioned in the table provided for in paragraph (2) of clause (First) of this Decision.

Eighth: The administrative decision issued to impose the penalty for the violation committed may be challenged before the competent authority that is formed for this purpose in the Ministry within thirty (30) days as of the date of notification.

Ninth: The fine imposed on the violator as provided for in the tables (1 & 2) shall be applied within sixty (60) days as of the date of notifying him of the administrative decision or final judgment. In the event of failure to be applied within the determined period, the ministerial services shall be suspended until paying the fine amount. Execution of the administrative decision by imposing the fine provided for in the two tables No. (A & B) under paragraph (1) of clause (First) may not be suspended if challenged before the competent committee within the Ministry or appealed before the competent administrative court unless under its decision to suspend the execution thereof.

The administrative decision entailing imposing the closure penalty provided for in the two tables No. (A & B) under paragraph (1) of clause (First) after sixty days as of the date of notifying the violator of such administrative decision, and unless he timely challenges or appeals against the same before the competent administrative court, then, the penalty shall be suspended until the issuance of a final judgment.

Tenth: The fines imposed on violators shall be collected by deduction of the workers' dues owed by the employer as Labor Law.

Eleventh: This decision shall supersede any previous decision to the contrary to the provisions hereof.

Twelfth: This decision shall be reviewed and amended when necessary and as per the requirements of labor market.

Thirteenth: This decision shall be published in the official gazette and come into force as of the date of publication thereof.

Fourteenth: The Vice Minister of Labor and Social Development shall take the necessary procedures to disseminate and enforce this decision.

Best Regards,

**Minister of Human Resources and Social Development
Eng. Ahmed Bin Suleiman Al-Rajhi**

(Signed)