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## Handling COVID-19 in the Workplace: Are you aware of the latest developments?

Austrian Business Council

28.04.2020

ANDERS  
LEGAL CONSULTANCY



# ANDERS LEGAL CONSULTANCY

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ANDERS LEGAL CONSULTANCY specialises in such areas of practice important to foreign investors in the UAE:

- Corporate & Commercial, incl. Business Set Up
- Commercial Agency
- Employment
- Tenancy
- Real Estate



# Agenda

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## Part 1: Update on UAE Immigration Law

- Currently Suspended Visa Services
- Currently Available Visa Services
- Current Handling of Overstay

## Part 2: Implications of COVID-19 on UAE Labour Law

- Infection with COVID-19
- Emergency Legislation
- Effects on Employment Rights

## Part 3: Practical Considerations for Home Office

- Employer's Perspective
- Employee's Perspective



الهيئة الاتحادية للهوية والجنسية  
FEDERAL AUTHORITY FOR IDENTITY & CITIZENSHIP



United Arab Emirates

إذن دخول الكتروني - eVisa



عمل/ه  
EMPLOYMENT/I



إكسبو 2020 دبي  
دبي، الإمارات العربية المتحدة  
DUBAI UNITED ARAB EMIRATES

عام التسامح  
YEAR OF TOLERANCE

ENTRY PERMIT NO :

1234567 / 2019 / 100

إذن دخول رقم :

Date & Place Of Issue :26-JUN-2019

DUBAI

2019/06/26 تاريخ ومحل الاصدار : دبي

Part 1

## Update on UAE Immigration Law

- UAE has gradually suspended most of its visa services
  - Tourist visas and visit visas
  - Visas upon arrival
  - New residence visa applications if applicant is outside UAE
- Renewal of residence visas seems to be suspended in some free zones (e.g. DMCC)
- Emiratis forbidden from leaving UAE since 18.03.2020
- Outbound and inbound passenger flights stopped
  - Evacuation flights performed by several governments in past weeks
  - Emirates currently operating one-way flights from UAE to several destinations
    - One-way flights bookable on website of Emirates

- New residence visa applications if applicant is inside UAE
  - Only one medical centre and one Emirates ID biometric centre open
  - No physical documents to be submitted in most cases
  - No physical residence visa to be stamped into passport for time being
  - More time to be factored in for visa application process
- Renewal of residence visas (except in some free zones)
  - Medical test waived for visa renewals
  - No physical residence visa to be stamped into passport for time being
- Cancellation of residence visas
- No restrictions for diplomatic passport holders

- All residence visas expired after 01.03.2020 automatically extended until 31.12.2020, whether visa holder is inside or outside UAE
- If residence visa holder with currently valid visa is outside UAE for more than 180 days, residence visa remains valid until 31.12.2020
- Entry permit if person is currently inside UAE remains valid until 31.12.2020
  - Entry permit if person is currently outside UAE to expire on expiration date stated on entry permit
- Suspension of all fines until 31.12.2020 for all visa types (including visa upon arrival)

UNITED ARAB EMIRATES  
MINISTRY OF HUMAN RESOURCES  
& EMIRATISATION



الإمارات العربية المتحدة  
وزارة الموارد البشرية  
والتوظيف

**Ministerial Resolution No. (279) of 2020**

**Regarding the stability of employment in private sector companies  
during the period of applying precautionary measures to contain the spread  
of the Novel Corona virus**

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Part 2

Implications of COVID-19 on UAE Labour Law

- Proven or suspected infection of employee
  - Notification obligation towards MoHaP or nearest health authority
    - Fine of up to AED 10,000 and/or imprisonment
  - Considered as illness and therefore absence from work to be treated as sick leave
- Concerns of employee on attending work
  - No right to stay away from work because of general fear of infection
- Implementation of measures to prevent infection with COVID-19
  - Simple guidelines for preventive behaviour
  - Provision of disinfectants

- Restrictions on number of employees generally allowed to work in premises at same time
  - In UAE in general, 30 % according to Ministerial Resolution No. 281 of 2020 of MoHRE dated 29.03.2020
  - In Dubai, 30% in some sectors since 23.04.2020 (some businesses need to remain closed)
    - Dubai Economy issued guidelines and protocols for reopening on 22.04.2020
- Ministerial Resolution No. 279 of 2020 temporarily allows more flexible working arrangements, subject to addendum to standard employment contract in some cases
  - Measures include home office, paid leave, unpaid leave (early leave), temporary salary reduction and permanent salary reduction
  - Employer required to register surplus workers with Virtual Labour Market and continue paying housing allowance and providing housing in kind, respectively
- DMCC and DIFC published temporary regulations on employment relationships applicable in the relevant free zone

- Employees often unable to return from vacation abroad
  - Solutions include home office, paid leave or unpaid leave
- Outbreak of COVID-19 currently no reason for termination without notice or valid reason for termination with notice
  - UAE Labour Law silent on redundancy dismissals
- No regulations on short-time work (Kurzarbeit) in UAE



Part 3

## Practical Considerations for Home Office

- Ensure availability of required hardware to enable work from home
  - Avoid use of employee's private hardware
- Focus on data protection
  - Corporate VPNs
  - Paperwork
  - Confidentiality
  - Cyber security
- Monitor productivity
- Record equipment taken home

- Arrange for suitable workplace
- Stick to routine
  - Dress in office attire
  - Take regular breaks
- Establish goals for each working day
- Communicate with colleagues and supervisors on regular basis
  - Inform about absence from desk
- Maintain confidentiality
- Keep track of time

## Contact Details

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