

CIRCULAR: EHS/CS/01/15

Dated 07/06/2015

To: All Clients, Companies, Owners, Developers, Business Units, Contractors, Sub-Contractors & Consultants Operating- under the Jurisdiction of Ports, Customs & Free Zone, Trakhees.

SUBJECT: ANNOUCEMENT OF SUMMER MIDDAY BREAK BY MINSITRY OF LABOUR

Following the Ministerial Decree No. 401 of 2015 dated 18.05.2015 (copy attached), Trakhees EHS, hereby advise all the concerned to strictly comply with Ministerial Decree requirements effectively from 15th June 2015 to 15th September 2015 and no any kind of work under the direct Sunlight and in Open area shall be carried out/performed between 12.30 PM and 03.0 PM to reduce Heat Exhaustion, Heat Stress, Heat Stroke and related illnesses:

- Sufficient quantity of clean and Cool Drinking Water must be available for all workers at all times.
- Water scheduling must be done and a regular supply of Isotonic solutions must be provided to all the workers.
- Risk Assessments to include scenarios of Heat Stress/Stroke should be prepared and communicated to all workers.
- Training must be given to all workers and staff over the topic of "Heat Stress" and record must be maintained.
- Clean Rest Area must be available on all sites and adequate Ventilation/cooling shall be provided.
- Ministry of Labour announcement for mandatory midday break during peak hot hours must be strictly implemented. (12.30 to 3.00 PM from 15/06/2015 to 15/09/2015)
- Emergency plan and medical facilities must be made available to deal in case of heat stress & Heat Stroke related illnesses.
- Special attention must be given for the workers working under direct sun light and in confined spaces (employee rotation and exposure timing must be followed).
- All the above requirements must be fully complied along with the provisions stipulated in the Ministerial Decree (copy attached). Failure to fully comply with the above specified requirements shall result in imposing appropriate penalties/sanctions without prior notices.

Sincerely,

Eng. Madiha Salem
Director – EHS
Environment, Health & Safety – Trakhees
Ports Customs and Free Zone Corporation

United Arab Emirates
Ministry of Labour
Office of the Minister

**Ministerial Decree No. 401 of 2015
Concerning the Determination of Midday Working Hours**

The Minister of Labour:

- After reviewing the Federal Law No. (1) of 1972 regarding the capacities of ministries and the authorities of the ministers, as amended;
- The Federal Law No. (8) of 1980 regarding the regulation of labour relations, as amended;
- The Federal Decree No. (50) of 1982 regarding the authentication of the International Labour Convention No. (1) of 1919 of determining working hours;
- The Ministerial Decree No. (40) 2014 regarding the fees of the services that provided by the Ministry of Labour;
- The Ministerial Decree No. (32) 1982 regarding the protective means and measurements for labor protection from risks at work;
- The Ministerial Decree No. (1178) of 2010 on the controls and standards of institution classification; and
- According to the proposals of the Undersecretary;
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Resolved as follows:

Article (1)

The working hours are determined for the works performed under the sun and in open areas provided that labor shall not be present at the working site after 12:30 PM. No business shall be resumed before 3:00 PM. The employer shall provide an appropriate shelter for such Labour to rest therein during this period.

Article (2)

The total daily working hours shall not exceed eight hours during for both morning and evening shifts of work. If any laborer works more than eight hours during the same day, these extra working hours shall be considered as overtime for which the laborer shall be entitled to receive an extra pay in accordance with the provisions of the law.

Article (3)

Every employer shall display the daily working hours schedule in visible place at the work site according to the terms of this Decree provided that such schedule is drawn up in the language understood the laborer in addition to Arabic.

Article (4)

Every employer shall provide the appropriate protective means for protecting workers from injuries and occupational diseases that may occur during working hours as well as from the injuries that may result from using machines and other work tools. The employer shall also follow all other protective techniques set forth according to the applicable Law and ministerial decrees. The Labour shall follow the instructions issued for protecting them from any risks; they shall not take any action that may impair such instructions.

Article (5)

The works that must be continued without stopping for technical reasons shall be excluded from the provision of the Articles (1) and (2), provided that the employer provides the following:

1. Cold drinking water in proportion to the Labour number and the conditions of safety and public health.
2. Perfusion materials and means such as salts, lemon and others as approved by the health authorities in the UAE.
3. First Aid at the work site.
4. Appropriate industrial cooling solutions.
5. Protective sunshade from direct sun rays.

The Undersecretary shall issue a list of the works to which the provisions of this Article shall apply; and take the necessary actions to put this Decree into force.

Article (6)

Without prejudice of the penalties set forth in the Law, Decrees, and Executive Regulations:

1. Each facility not complying with the provisions hereof shall pay a fine at the amount of five thousand (5000) UAE Dirhams per laborer, with a maximum of fifty thousand (50000) in the event of plurality of laborers caused to work in breach of the provisions of this Decree.

2. In addition to the provisions of Paragraph (1) of this Article, if any facility breaches the provisions of this Decree; the Inspection Sector shall submit a memorandum to the Minister containing a statement of such breach and the number of laborers caused to work during midday To consider suspending or ceasing such facility business along with lowering its classification, based upon the gravity of the breach according to number of the laborers involved or repeated breach.

Article (7)

The following persons shall be held liable under the provisions hereof:

1. The employer who causes his Laborers to work in contradiction with the provisions hereof.
2. Who engages a laborer he/she is not legally permitted to engage and employs him/her in contradiction with the provisions of this decision.

Article (8)

This Decree shall be effective as of 15.06.2015 up until 15.09.2015; the respective authorities shall put this Decree into force.

In witness whereof, we issued this Document in Abu Dhabi on 18.05.2015 A.D

/Signature/

Saqr Ghubash

Minister of Labour

/A seal of the Ministry of Labour, Minister's Office - Abu Dhabi, the United Arab Emirates/