



Human Resources and  
Social Development

Minister's Office

# Controls to Improve the Contractual Relationship of Domestic Workers and their Equivalents



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## Article 1:

### Definitions:

The following words and phrases, wherever mentioned in these controls, are meant by the meanings shown beside each of them unless otherwise required by the context:

The Ministry: Ministry of Human Resources and Social Development.

The Competent Sector: The executive general supervision of domestic workers in the Ministry of Human Resources and Social Development.

Domestic Employer: Any person of a normal nature who has recruited the domestic worker himself, or through a licensed recruitment office or contracted them, directly or indirectly, to perform a domestic service.

Domestic Worker: Any person of a normal nature performing a direct or indirect domestic service to the employer, or any of their family members, being under the supervision and instruction of the employer or those in their place, such as a female/male domestic worker, private driver, gardener, or a housekeeper and their equivalents. The phrase 'domestic service worker' means the domestic worker and their equivalent when used in this regulation.

The Company: A company licensed to practice the activities governed by the provisions of "the rules of practicing the recruitment activity and providing labor services"

Both Parties: Employer (person, institution), domestic worker.

Committee: The committee provided for in the regulation of domestic workers and their equivalents.

## Article 2:

### First: Objective:

These controls aim to develop workers' transportation and absence mechanisms to enhance the contractual relationship, based on:

Paragraph (2) in article 7 of the Labor Law issued in the Royal Decree no. M/51 on 23/8/1426 AH, and its amendments which stated that "1- the following shall be exempted from the implementation of the provisions of this Law:

The employer's family members, namely the spouse, ascendants and descendants who constitute the only workers of the facility.

Players of clubs and leagues, and their coaches.

Domestic workers and their equivalents.

Private agriculture workers, herders and their equivalents.

Sea workers who work on ships with less than 500 tons of cargo.

Non-Saudi workers who came to perform a specific task for a period that does not exceed two months.

2- The Minister issues a regulation or more, in coordination with the concerned authorities, for the groups mentioned in paragraphs (A), (C), (D), (E) and (F) from paragraph (I) of this article; that include the other private rights, obligations and provisions relevant to each group.”

The cabinet decision no. 12366/M B on 12/11/1426 AH, on the delegation of the Ministry of Labor and Social Development to take any action it deems appropriate for transferring the service in accordance with the changing labor market requirements.

The regulation for domestic workers and their equivalents no. 310 adopted by the Council of Ministers on 7/9/1434 AH, and its amendments.

The ministerial decision no. (212875) dated on 29/11/1443, to approve the transfer of the domestic worker’s services to another employer without the approval of the current one.

The (first) item of the ministerial decision no. (212875) on 29/11/1443, which stipulated that “by implementing the provisions of the fifth article of the domestic workers’ and their equivalents regulation, the Ministry applies procedures allowing the domestic worker to finally quit at the end of the contractual relationship.”

Second: Applicability:

These controls apply to the following groups:

The domestic employer

The domestic worker

Human resources and recruitment companies

Recruitment offices

## Absence from Work

### Article 3

A domestic employer shall file an absence report to the absent domestic worker, the controls and conditions below are required to be observed:

Controls for the domestic employer:

If the absent domestic worker’s residency is valid, having the border number is enough if the report was during their probation period.

The domestic worker is not on the job.

The absent worker has a verified contract on “Musaned” platform.  
No claim against the employer by the Domestic Workers’ Disputes Committees.

The employer is allowed to withdraw the absence report within (15) days from submitting it, after which the report is considered final and cannot be withdrawn.

The employer is not allowed to withdraw the report if submitted within the first (90) days since the worker entered the Kingdom of Saudi Arabia.

The domestic worker’s information is dropped from the current employer after (60) days from submitting the absence report, and is not included within their workers’ information.

B- Controls for the domestic worker:

No request for service transfer registered on “Musaned” platform.

No final exit visa issued to the worker.

The domestic worker coming to work in the Kingdom of Saudi Arabia with a new domestic contract within (60) days after the absence report, is allowed to request a final exit visa starting from the date of submitting the absence report, with the worker’s status as absent from work in the related ministry and authority systems.

The domestic worker is allowed to transfer their services to a new employer, or request a final exit visa starting from the date of submitting the absence report after two years from his first entry to the Kingdom of Saudi Arabia, within (60) days after submitting the report, with the worker’s status as absent from work in the related ministry and authority systems.

In case the worker failed to submit a request to transfer services or a final exit visa, they are considered violating the residency system.

#### Article 4

The Ministry is allowed to do the following while processing the domestic worker’s services transfer to a new employer:

Extending the grace period in case there was a refused request being processed one day or more before expiration, as the new employer is not eligible to the recruitment requirements.

Searching for a new employer, whether natural or legal, according to the status in paragraph (A), after the worker approves that the legal employer be represented in the form of a human resources company or as a licensed recruitment of it by the Ministry.

## Workers' Transportation

### Article 5

First: The necessary conditions when transferring the domestic worker's services according to the following:

Controls for the new domestic employer:

The employer's eligibility based on the controls of granting individual visas for recruiting domestic workers and their equivalents.

Verifying work contracts for all domestic workers on "Musaned" platform.

Adherence to transfer the domestic worker's wages via the payment channels associated with the Wage Protection Initiative on "Musaned" platform.

No claim against the employer at the Domestic Workers' Disputes Committees.

Controls for the new company employer:

No penalties or violations imposed on the company by the Ministry.

3) Controls for the domestic worker:

1) The domestic worker's residency is valid.

2) The domestic worker has a verified work contract on "Musaned" platform.

3) The domestic worker ended the contractual relationship with the current employer.

4) No claim against the domestic worker at the Domestic Workers' Disputes Committees.

Second: The transfer of domestic workers' services requires the new domestic employer to do the following:

Pay the planned services transportation fees.

Bear the specified recruitment and operational costs on the electronic platform approved by the Ministry.

Third: The Ministry may transfer the domestic worker services to another employer without the approval of the current one in the following cases:

Proving the employer has been not paying the worker's wages for three consecutive or sporadic wages without reason regarding the worker.

Not picking the domestic worker up from the intermediary recruitment office or shelter homes within (15) days from notifying the employer of her arrival by the office.

The employer not obtaining a residence permit for the domestic worker, or not renewing it 30 days after obtaining or renewal expiration.

The employer renting the worker's services to others.

Assigning the worker to dangerous tasks that threaten their health and body's safety.

Proving the ill-treatment towards the domestic worker by the employer or any of their family members.

The worker filing a claim against the employer, while the employer caused the prolonging of its consideration, unless the worker also caused or contributed to its prolonging.

The employer or their representative failed to attend before the Domestic Workers' Disputes Committees for 2 sessions when notified.

Based on a recommendation from the concerned authority during the claim review, avoiding any potential damage to the domestic worker.

If the employer is away for travel or imprisonment or any other cause, which resulted in not meeting the domestic worker's wages.

Proving the transfer of the domestic worker's services to another employer without their knowledge.

Terminating the contract by the employer during the probation period.

## Article 6

These controls do not apply to the domestic workers coming to work in the Kingdom of Saudi Arabia with a new domestic contract, unless the contractual relationship with the current employer ended on their first entry to the Kingdom of Saudi Arabia.

## Article 7

The Ministry may make the necessary regulations for the cases in which the current employer deserves financial compensation, and how to calculate it through the electronic platform approved by the Ministry.



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