

What Has Been Announced?

The UAE authorities have announced that for public sector employees, the working week will be reduced to four and a half days, with the weekend running from Friday afternoon to Sunday. The new working week will apply in Federal Government departments from 1 January 2022. The authorities have also confirmed that all schools and universities will operate from Monday to Friday on a four and a half day working day basis.

Do the Changes Extend to The Private Sector?

Officially, no. There have been no formal announcements from the Ministry of Human Resources & Emiratization (MOHRE) that the changes will extend to the private sector nor any indication that the shift to a Monday-Friday working week will be formalised in an official circular. Private sector employers are therefore not currently obliged to change their working patterns.

Potential Impact on The Private Sector?

Interestingly, this announcement for the public sector comes shortly after the recent enactment of the Federal Decree Law No. 33 of 2021, a new Labor Law in the UAE (the **New Labor Law**) which comes into force on 2 February 2022. The New Labor Law no longer specifies Friday as being the weekly rest day for employees and therefore, private sector employers will have the necessary flexibility to effect changes to work patterns as needed. In light of this and given operational hours for schools, universities and the courts will be restricted to working hours during Monday to Friday (and no longer Sunday) going forward, we expect the majority of private sector employers will align their respective weekly work schedules to those within the public sector from 1 January 2022.

In the absence of a formal ruling or circular by MOHRE, our view is that we do not envisage many private sector employers implementing a four and a half day working week in practice (and certainly not where a reduction in salary has not first been agreed to with the employee). With the increased flexibility introduced under the New Labor Law, which acknowledges flexible worker roles, our view is that employers will shift towards a full five day Monday to Friday working week with scope for employees who wish to attend Friday congregational prayers, to work from home, remotely or be provided with an extended break to attend prayers.

We have produced a helpful summary of the New Labor Law including a comparative overview of the key differences between the current Labor Law and the New Labor Law, which can be accessed by clicking [here](#).



What Actions Need to be Taken?

There are no actions for those employers who do not wish to change or reduce their working week (as there is no corresponding legal obligation to do so).

However, for those employers (and we anticipate this will be the majority of companies in the private sector), who wish to adjust the working week pattern for their employees to a Monday-Friday schedule and in some cases, may wish to implement adjustments to working hours/introduced remote working arrangements, the following should be considered:

• Contractual/Policy Amendments

- Changes to the weekly work pattern is likely to constitute a change to the employee's terms and conditions of employment and would need to be agreed with the employee. This may require amendments to individual employment contracts / company policies to ensure employees' respective working hours/work patterns are accurately reflected. In the UAE, the general principle is that changes to the employment contract must be agreed between an employer and each affected employee and confirmed in writing.

• Consultation/Risks?

- Whilst there is no strict obligation to consult with employees prior to introducing a contractual change, it may be prudent to consult from an employee relations perspective.
- We would also flag that under the New Labor Law, it is prohibited to discriminate an individual on the basis of religion and gender (amongst a number of other protected characteristics). Employers will therefore need to be mindful of this when considering remote working and extended rest break requests for Muslim employees who need to attend congregational prayers on a Friday (particularly in light of the UAE being an Islamic country and general public policy towards Friday prayers). Employers will also need to give consideration to requests from employees who need to work remotely to facilitate childcare / accommodate travel from schools, as the school day is expected to be a half day on Fridays as of 1 January 2022.
- If an employee refuses to agree to a change to working hours / adjustments to the weekly work schedule, the employer will need to consider whether it is appropriate to terminate the employment relationship (and consider the basis for doing so under the New Labor Law).

How We Can Help

Please get in touch with our team if you have any questions around how best to approach a shift towards a Monday-Friday working week, both from an employee relations and logistical perspective. We are on hand to assist with reviewing your existing employment agreements and HR policies to accommodate any proposed changes to weekly working patterns and would also be happy to discuss further your respective obligations under the New Labor Law.

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