

**Ministry of Manpower**  
**Ministerial Decision**  
**No. 127 / 2020**  
**Regulating the Recruitment of Non-Omani Workforce in Construction Work and Brick**  
**Factories**

According to the Labor Law promulgated by Royal Decree No. 35/2003,

And to Royal Decree No. 76/2004 defining the terms of reference of the Ministry of Manpower and adopting their organizational structure,

And based on what the public interest demands.

**It was decided**

**Article (1)**

The permit to recruit a Non-Omani workforce in private sector establishments engaged in construction work shall be in accordance with the following:

1. The employer must be a dedicated full-time manager of the establishment, and insured with the Public Authority for Social Insurance, and registered with the Public Authority for Small and Medium Enterprises Development, with the exception of the following:
  - a. Establishments operating in the implementation of Government Projects.
  - b. Establishments registered with International Grade.
  - c. Establishments that employ (100) One Hundred or more workers.
2. The employer must submit - through the electronic licensing system of the Ministry of Manpower - the following documents:
  - a. Copy of the Municipal License and Rental Agreement.
  - b. Copy of the Contract for the Implementation of Construction Works, which includes the duration, the work to be performed, and the contract value. The contract must be translated into Arabic language from an accredited translation office in the Sultanate if it is written in another language, and provide a copy of Project Implementation Order if the contract relates to the implementation of a Government Project.
3. The employer must abide by the Omanization percentages prescribed for the establishment, as following:

- a. The Omanization percentage must not be less than (10%) for the establishments in which the number of Non-Omani manpower is limited (99) ninety-nine workers or less.
  - b. The Omanisation percentage shall not be less than (12%) for the establishments in which the number of Non-Omani workforce is more than (99) ninety-nine workers.
4. Employing an Engineer or Technician, according to the number of the Non-Omani workforce as follows:

| <b>Number of Workforce in the Establishment</b> | <b>Number of Engineers or Technicians to be appointed</b>              |
|---|--|
| From (1) worker to (5) workers                  | -  |
| From (6) workers to (14) workers                | One (1) Technician<br>or<br>One (1) Engineer                           |
| From (15) workers to (28) workers               | One (1) Engineer and One (1) Technician<br>Or<br>Two (2) Engineers     |
| From (29) workers to (57) workers               | Two (2) Engineers and One (1) Technician<br>Or<br>Three (3) Engineers  |
| From (60) workers and above                     | Three (3) Engineers and One (1) Technician<br>Or<br>Four (4) Engineers |

5. There shall not be labor violations or expired work permits in the establishment.
6. Payment of the prescribed fees.

### **Article (2)**

Subject to Article (1) of this decision, it is stipulated that a non-Omani workforce may be employed for the profession of Engineer or Technician in private sector establishments working in construction sector by appointing an Omani workforce in the same number and in the same profession to obtain the permit.

An exception is made for SMEs owned by full-time employers to manage them, registered with the Public Authority for Small and Medium Enterprises Development, and insured with the Public Authority for Social Insurance.

### **Article (3)**

The permit to employ Non-Omani workforce in private sector establishments operating in Brick Factories shall be in accordance with the following:

1. The employer must be a full-time manager of the establishment, and insured with the Public Authority for Social Insurance, and registered with the Public Authority for Small and Medium Enterprises Development, with the exception of the following:
  - a. Establishments operating in the implementation of Government Projects.
  - b. Establishments registered with International Grade.
  - c. Establishments that employ (100) One Hundred or more workers.
2. The employer must submit - through the electronic licensing system of the Ministry of Manpower - copy of the Municipal License and Rental Agreement.
3. The employer must abide by the Omanization percentages prescribed for the establishment.
4. There shall not be labor violations or expired work permits in the establishment.
5. Payment of the prescribed fees.

### **Article (4)**

Cancels all that contradicts this decision or contravenes its provisions.

### **Article (5)**

This decision shall be published in the Official Gazette, and it shall be enforced from the day following the date of its publication.

**Issued on: 30<sup>th</sup> March, 2020**

**Abdullah bin Nasser bin Abdullah Al Bakri**  
Minister of Manpower