



United Arab Emirates

Federal Authority for Government Human Resources

Study of Leaves without Pay in Ministries & Federal Entities 2012

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▶ **Executive Summary:**

The Federal Law No (9) for 2011, amending certain provisions of Decree Federal Law No. (11) for 2008 on Human Resources in the Federal Government, and the Cabinet Resolution No. (13) for 2012 on the Executive Regulations of HR Law, different types Vacations and details, including leave without pay, covered different types of leaves, including leave without pay

▶ **Scope of Study**

- This analysis of current situation of leave without pay relies on data extracted from the Human Resource Management Information System (HRMIS) – ‘Bayanati’ -
 - From January 1, 2011 until December 31, 2011
 - From January 1, 2012 until December 31, 2012
- The study covers 15 ministries and 3 federal bodies subject to HR Law and its Executive Regulations, and operating ‘Bayanati’ System. These entities are employing a total workforce of about 35,604 employees.
- The study covers leave without pay in the Federal Government sector

▶ **Legal Reference**

The legal reference of leave without pay implemented during 2012, in 15 ministries and 3 federal bodies subject to Decree Federal Law No. (11) for 2008 on Human Resources in the Federal Government as amended, and whose data is available in ‘Bayanati’ System is: Article (88) of the Executive Regulations of HR Law as amended which reads as follow:

1. The Minister, or whoever he authorizes, may grant an employee an unpaid leave for a period not exceeding thirty days per year provided that the employee has genuine reasons to request such a leave.
2. Requirements for granting unpaid leave:
 - The employee must have exhausted his annual leave balances
 - Granting of such leave does not affect the workflow
 - Any other conditions determined by the management
3. Unpaid leave shall not be counted as part of the employee's period of service, or reckoned towards annual leave entitlements.
4. Weekends and official holidays occurring during an unpaid leave are considered an integral part thereof.

► Scope of Implementation

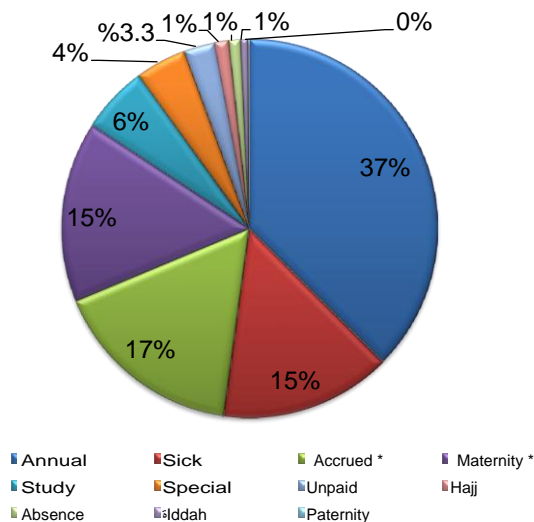
Performance review has been conducted for the 15 ministries and 3 federal entities subject to the HR Law, its regulations and amendments, and whose data is available in Bayanati' System, within the First Performance Report

| Ministries Implementing HR Law and its Executive Regulations | |
|---|--|
| 1 | Ministry of Public Works |
| 2 | Ministry of Economy |
| 3 | Ministry of Environment & Water |
| 4 | Ministry of Foreign Trade |
| 5 | Ministry of Education |
| 6 | Ministry of Higher Education & scientific Research |
| 7 | Ministry of Culture, Youth & Community Development |
| 8 | Ministry of Foreign Affairs (Excluding Diplomatic Corps) |
| 9 | Ministry of State for Federal National Council Affairs |
| 10 | Ministry of Social Affairs |
| 11 | Ministry of Health |
| 12 | Ministry of Energy |
| 13 | Ministry of Justice (Excluding Judges) |
| 14 | Ministry of Labour |
| 15 | Ministry of Finance |
| Federal Authorities Implementing RH Law & Regulations thereof | |
| 16 | National Media Council |
| 17 | Federal Authority for Government Human Resources |
| 18 | General Authority of Islamic Affairs & Endowment |

► **Classification of leaves according to number of days**

| | Type of Leave | Total Days |
|-------------------------|----------------------|----------------|
| 1 | Annual | 325,318 |
| 2 | Sick | 127,817 |
| 3 | Accrued | 143,793 |
| 4 | Maternity | 134,307 |
| 5 | Study | 50,229 |
| 6 | Special | 37,962 |
| 7 | Unpaid | 29,061 |
| 8 | Hajj | 10,810 |
| 9 | Absence | 8,711 |
| 10 | Bereavement or Iddah | 5,520 |
| 11 | Paternity | 830 |
| Total Leave Days | | 874.358 |

Distribution of Leaves by Percentages, 2012

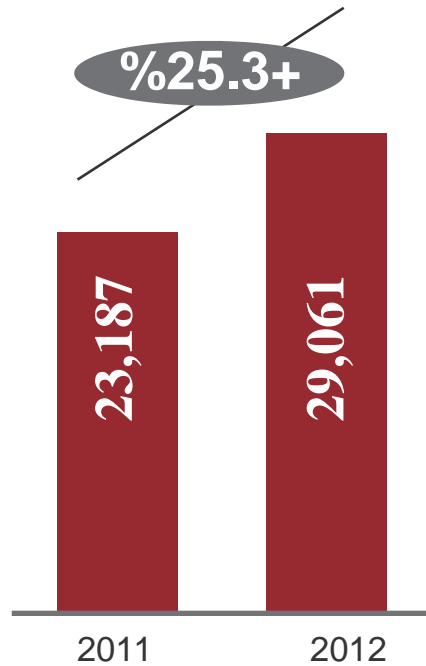


Status Analysis

The percentage of unpaid leaves in 15 ministries and 3 federal entities was 3.3% (29061 days) in 2012

► **Total number of unpaid leave days in 18 federal entities, 2012**

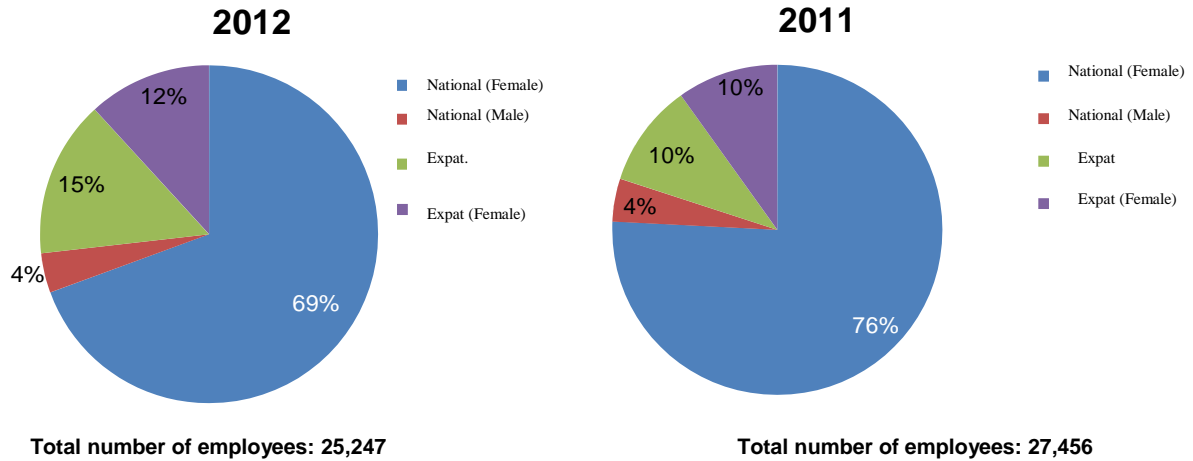
Total number of unpaid leave days during 2011-2012



Status Analysis

The number of unpaid leave days increased from 23,187 days in 2011 to 29,061 days in 2012, or by 25% per year

► Distribution of Unpaid Leave by Nationality and Gender



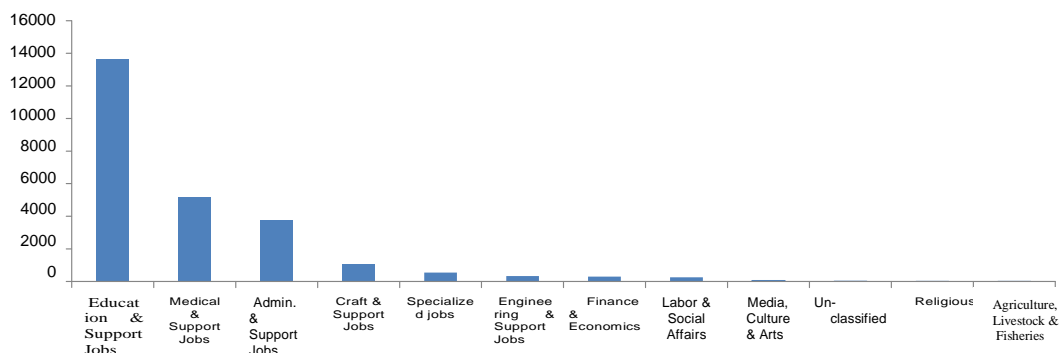
Percentages of employees by Nationality and Gender, 2012

| | | | |
|-------------------|--------------|----------------|-------|
| National (female) | %43.3 | Expat (Female) | %22.2 |
| National (Male) | %12.8 | Expat (Male) | %21.8 |

Status Analysis

This variation in the percentages is an indication to the increasing number of female employees compared to males in federal bodies because national females generally outnumber other groups. Female employees are also permitted to combine maternity, annual and unpaid leaves in line with flexible work arrangements provided for in the Executive Regulations of HR Law.

► Unpaid Leaves According to job classifications in federal entities, 2012



Obviously, the percentages are higher in larger sectors like Education and Health

► Key Results

The Human Resource Law and its Executive Regulations contain general provisions concerning unpaid leave that must be observed. These provisions are set forth in Article (90) of Executive Regulations of HR Law in the Federal Government as amended issued by Decree Federal Law No 11, for 2008:

- The competent authority may allow an employee to take more than one type of leaves successively, pursuant to the provisions of Human Resource Law, for example:
- Article (37) of the aforementioned Executive Regulations on maternity leave reads:
“An employee may combine maternity leave, annual leave and unpaid leave”
- Similarly, Article (75) of the aforementioned Executive Regulations reads:
“An employee may combine bereavement leave, annual leave and unpaid leave”
- This means that the law allows granting unpaid leave in all cases after the approval of the competent authority.

► Benchmarking

Certain benchmarking analysis has been conducted as follows:

- Poland, UK, Germany, Sweden, and Finland. In all these experiences unpaid leave is being granted for family reasons or to complement maternity leave (called unpaid maternity leave or parental unpaid leave).
- USA, Canada, Singapore, Australia, and New Zealand. An unpaid leaf in these countries is based on various reasons depending on certain circumstances of an employee, such as leaves related to study, personal, medical and compassionate reasons, or as a result of some tough decisions like termination from military service. In these countries the unpaid leave is known as:
«Leave of absence without pay (LWOP)»
«Administrative Leave without pay (ALWP)»
«Unpaid leave of absence (LOA)»

However, due to the different nature of leave without pay from one country to another, it is difficult to compare these experiences with the current situation of the Federal Government

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