	Policy and Procedure	
GOVERNMENT OF DUBAI	**Policy and Procedure for Labor Disputes Management (External)**	سلطـة مدينـة دبـي الطبيـة Dubai Healthcare City Authority Regulatory - القطاع التنظيمي
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1   PURPOSE:

1.1   To administer Labor disputes management within DHCC.

1.2   To ensure that all Labor disputes are addressed by DHCR in line with the applicable rules and regulations.

2   APPLICABILITY:

This document applies to:

2.1   All employees working for the Licensees within DHCC;

2.2   All DHCR – CPU employees;

2.3   Any other stakeholders identified as having a role in this Policy.

2.4   This Policy and Procedure should be read in conjunction with the following documents:

2.4.1   UAE Federal Law No. 8 of (1980) (as amended);

2.4.2   DHCR Visa Policy;

2.4.3   DHCA Personnel Secondment Agreement (PSA).

3   DEFINITIONS / ABBREVIATIONS:

3.1   **Authority:** Dubai Healthcare City Authority (DHCA)

3.2   **Clinical Affairs Department (CAD):** the department set up within DHCR to monitor, improve the quality of healthcare services within DHCC, and to oversee the accreditation processes of the healthcare institutions within DHCC

3.3   **Complainant**: A person making the complaint, whether on behalf of themselves or another

3.4   **Compliance and Assurance Department (C&A):** the body within the Clinical Affairs Department (CAD) which is responsible for monitoring compliance within DHCC

3.5 **Customer Protection Unit (CPU):** a unit within DHCR managing complaints including but not limited to Labor dispute cases

3.6 **Defendant:** an employee/or employer against whom a claim or a complaint is raised

3.7 **DHCC:** Dubai Healthcare City

3.8 **DHCR:** Dubai Healthcare City Regulatory

3.9 **DOA:** Delegation of Authority

3.10 **Employee**: any individual permitted by the authority to work for a licensee within DHCC

3.11 **Employer:** any entity who is licensed by DHCA to operate within DHCC

3.12 **Employment contract**: is a kind of contract used in labor law to attribute rights and responsibilities between parties during the period of employment. The contract is between an "employee" and an "employer"

3.13 **GSO:** Government Service Office – a department under DHCR

3.14 **Labor Dispute**: is a disagreement between the employee and the employer related to employment contract where both parties fail to reach an amicable settlement. The employer/employee shall submit the dispute to CPU to mediate for an amicable settlement

3.15 **License:** a license issued by DHCA for a business partner for operating within DHCC

3.16 **Mediation:** a process that undertaken by DHCR between the employee and employer in order to resolve the dispute

3.17 **Personnel Secondment Agreement (PSA)**: an agreement signed between DHCA and the Employer for the Sponsorship of an Employee

4   RESPONSIBILITIES:

4.1 DHCR designated staff shall ensure effective implementation of the policy and procedures set out in this document.

4.2 The CPU shall be the process owner and shall ensure compliance with the procedures outlined in this document.

4.3 The CPU is responsible for coordinating with the complainant and the respondent/the defendant.

4.4 The Complainant shall provide all necessary information and supporting documents as required.

4.5 Any deviation from this Policy and Procedure requires a specific approval from the Director of Clinical Affairs.

4.6 CPU employees shall maintain confidentiality at all times, conduct fair investigations and respect the rights of both parties without prejudice any applicable law.

5   POLICY and PROCEDURE:

5.1   General Policy provisions

5.1.1 Any employee who is permitted to work within DHCC including UAE national and non-sponsored are entitled to submit a dispute request.

5.1.2 The employee must satisfy all residency and visa criteria as specified in the DHCR Visa Policy.

5.1.3 An existing employment contract between the employee and employer is required for any dispute resolution.

5.1.4 Labor dispute resolution shall not be processed by CPU in the event the concerned employee has been declared absconded.

5.2   Acknowledgement of an employee dispute request

5.2.1 The Labor Disputes Resolution can be initiated through the following channels:

  a. Online through MASAAR Portal.

  b. Email – Labordispute@dhcr.gov.ae

  c. Call Center –800Health (800-432584)

d.   Walk In - DHCR office (building 27-Block C-ground Floor)

5.2.2 The CPU shall only proceed with the Labor disputes management procedure when the complainant completes and submits the complaint form (Appendix 2).

5.2.3 CPU shall conduct initial review the dispute request and notify the complainant of any missing requirement and/or supporting document

5.2.4 If the complaint is initiated by a representative, a Power of Attorney document must be submitted along with the Proof of Representative Identity.

5.3 Upon receipt of a complaint, DHCR shall acknowledge and respond within two working days.

5.4 **Review Process**

5.4.1 CPU shall review the complaint submitted and may request for additional documents if required;

5.4.2 A unique Tracking Number for the case will be issued and notification will be sent to the complainant and the defendant;

5.4.3 In the event the complaint does not meet the criteria, CPU may dismiss or reject the request. A notification for rejection of the dispute will be sent to the complainant including the grounds for rejection.

5.4.4 The defendant shall respond within seven working days from the date of notification of the tracking number.

5.4.5 CPU shall review the response and proceed accordingly based on the following:

I.   **Dispute Resolved**

CPU shall record the response and change the status in the system as Case Closed.

II.   **Dispute Unresolved**

CPU shall initiate the Mediation Process and change the status in the system as Under Mediation.

5.4.6 For failure to respond within the time frame, the system shall generate a reminder and extend the deadline for another seven working days.

5.4.7 Failure to respond on the second reminder, matter will be escalated to the next step below.

5.5   Mediation Process

5.5.1 DHCR shall send a notification to the Complainant and Defendant for a Mediation Meeting within three working days from the date of notification;

5.5.2 CPU schedule the meeting and both parties are required to attend;

5.5.3 Failure to respond to/attend the meeting, the status of the dispute will be considered "Dispute Unresolved";

5.5.4 The outcome of the meeting may either be:

I.   Dispute Resolved

CPU shall record the outcome of the meeting and update the status in the system as "Case Closed".

II.   Dispute Unresolved

CPU shall process a reference letter, case history and other relevant documents including employment contract, complaint form, visa copy and any other supported evidence.

5.5.5 CPU forwards the Reference Letter and other documents to Dubai Courts and change the status in the system as "Referred to the Court".

5.6 Coordination

5.6.1 CPU shall communicate to GSO to update the GSO system on the status of the case;

5.6.2 Upon receipt of the Dubai Courts Decision, CPU shall notify the GSO to update the system on the status of the employee.

6 APPENDICES:

Appendix 1:   Labor Disputes Flow Chart

Appendix 2:   Labor Disputes Registration Form (Complaint form)