

Cabinet Resolution No. (12) of 2023
Concerning the Freelance Work Leave for Employees
of the Federal Government

The Cabinet,

- Having reviewed:
- The Constitution; and
- Law No. (1) of 1972 Concerning the Competences of Ministries and the Powers of Ministers, as amended; and
- Federal Law No. (7) of 1999 Promulgating the Pensions and Social Security Law, as amended; and
- Federal Decree-Law No. (49) of 2022 Concerning Human Resources in the Federal Government; and
- Based on the Proposal of the Chairman of the Federal Authority for Government Human Resources, and the Cabinet's Approval thereof,

Hereby resolves as follows:

Article (1)

For the purpose of applying the provisions of this Resolution, and unless the context requires otherwise, the following words and expressions shall have the meanings assigned thereto respectively:

Federal Entity : Any ministry established in accordance with Federal Law No. (1) of 1972 concerning the Competences of Ministries and the Powers of Ministers, as amended, as well as any authority, institution or regulatory agencies affiliated to the Federal Government.

Head of the Federal Entity : The Minister, the Chairman of the Board of Directors, the Head of the Entity, or the like, as the case may be.

- Employee** : The national employee who occupies one of the positions mentioned in the budget of the Federal entity, exclusive of temporary or part-time employment contracts.
- Citizen** : A person who holds the nationality of the United Arab Emirates.
- Authority** : The Federal Authority for Government Human Resources.
- Leave** : The full-time self-employment leave.

Article (2)

Scope of Application

This Resolution shall apply to the Federal Entities, except for companies owned by the Federal Government.

Article (3)

The Authority Competent to Grant the Leave

The Head of the Federal Entity may grant the leave to the employee in accordance with the conditions and controls set forth in this Resolution.

Article (4)

Conditions and Controls for Granting the Leave

In order for the leave to be granted, the following conditions shall be met:

1. The employee's purpose of the leave shall be to establish his economic enterprise in the private sector, manage an existing enterprise or participate with others in establishing an economic enterprise.
2. The employee shall obtain the necessary licenses for his economic enterprise from the competent authorities in the State, has documents proving that he has initiated or is initiating the procedures necessary for obtaining the required licenses, or prove that he has a previous

enterprise that he wishes to manage by himself or is a partner with others in an economic enterprise.

3. The criteria contained in the manuals issued by the Authority in coordination with the Ministry of Economy shall be met.
4. The percentage or number prescribed by the Federal Entity to grant its employee this leave shall be complied with as determined by the Authority.
5. The employee shall have obtained a performance evaluation not less than 2 or its equivalent by his employer.
6. The employee's total period of service in the entities he has worked for (Federal or local) shall not be less than (5) five years.
7. The employee shall have performed the national service or have evidence of his status.
8. The employee shall not be committed to service for his employer due to dispatch on a study mission, unless the employer decides otherwise.
9. The employee shall satisfy any other additional conditions or controls set by his employer.
10. The employee shall undertake not to use the channels, electronic means, or other means available to his employer to promote his economic enterprise.

Article (5)

The Term of the Leave and Financial Allocations

The term of the leave shall be one year within which the employee shall receive (50%) of his total salary, exclusive of the bonuses and allowances associated with the job.

Article (6)

The Number of Employees Eligible for Obtaining the Leave

The Authority shall specify the number or ratio of the employees eligible for the leave on an annual basis at the level of the Federal Government in accordance with the interest of work.

Article (7)

Duties of Employees

The employee shall continue in his workplace after obtaining the approval of the leave for a period of not less than the notice period prescribed for his job grade according to the contract concluded with him, provided that all the tasks assigned to him are handed over to another employee during such period, and such period is not included in the leave period.

The head of the Federal Entity or whomever he authorizes may cancel or reduce the aforementioned period, as required by the interest of work in the Federal Entity.

Article (8)

Termination of the Leave

The leave period shall expire in the following cases:

1. Upon expiration of the approved leave period; or
2. At the request of the employee and the approval of the head of the Federal Entity or any person authorized thereby.

Article (9)

Combined Leaves

The employee may combine this leave with the leave without pay and annual leave.

Article (10)

General Provisions

1. During the leave period, the employee shall be subject to the provisions of Law of Human Resources in the Federal Government and its Executive Regulations, and all the resolutions issued based thereon.
2. During the leave, the employee shall not be entitled to the annual leave or any type of promotion, incentives, bonuses, or any other type of leave or promotions.

3. Official holidays or any other holidays during the leave period shall be considered as part of it and the employee shall not be granted an extension or compensation therefor.
4. The employee's participation in retirement shall continue throughout the leave period where the leave period shall be considered as a continuous period of service of the employee. Further, the employee's monthly retirement deduction shall continue on the basis of calculating the employee's contribution salary before obtaining the leave, and the employee shall assume his contribution rate. The employer shall transfer all the monthly contributions due from him to the General Pension and Social Security Authority on the scheduled dates.
5. After the end of the leave period, the employee shall return to his original job in the Federal Entity, or to any other job approved by the employer, as required by the interest of work.

Article (11)

Implementing Resolutions

The Chairman of the Authority shall issue the resolutions and manuals necessary for the implementation of this Resolution. To this end, he may amend the conditions and controls contained in this Resolution as required by the interest of work in the Federal Government.

Article (12)

Publication and Enforcement

This Resolution shall be published in the Official Gazette and shall enter into force as of 01/01/2023.

Mohammed bin Rashid Al-Maktoum

Prime Minister

Issued by Us

On: 10 Shaaban 1444 A.H.

Corresponding to: 02 March 2023 AD