MEMORANDUM CIRCULAR NO. [Number] (Series of 1989)

TO: ALL PRIVATE RECRUITMENT AGENCIES, SERVICE CONTRACTORS, CONSTRUCTION CONTRACTORS AND MANNING AGENCIES

SUBJECT: AMENDMENTS TO KUWAIT LABOR LAW

For the information of all private recruitment entities and placement agencies, as well as Filipino workers seeking employment in Kuwait, hereunder are amendments to certain provisions of Kuwait Labor Law affecting employment in the private sector, issuance of work permit and service conditions.

- Employers must first secure license/s from Kuwait's Labor Department to be able to recruit/employ foreign workers.

- Applications for Work Permit for non-Kuwaiti worker must be accompanied by: certificates of qualifications and experience; copy of passport; specimen signature of employer or his authorized representative.

- Employer must assure that a job is available for the worker for whom he has obtained a work permit.

- The work permit and other necessary documents must be presented to Kuwait Labor Dept. within one month from worker’s arrival in Kuwait.

- The policy of "one work permit one employer" shall prevail. Any worker found working for another employer, even with the consent of the Employer shall be deported at the expense of the second employer.

- Extension of contract period to three years is allowed which could be renewed three months prior to end of contract.

- Permission granted to hire foreign workers is non-transferable during the first three years.

- For the final cancellation of work permit, worker's travel document, work permit, return ticket and labor identity card must be submitted.
Employers carrying out government projects and hiring foreign workers must use Kuwait Airways Corp. or other national airlines.

The Employer must be responsible for the departure of the worker in case of pre-termination of contract during the validity period of the work permit.

Workers hired for government projects cannot be transferred to other employers during the contract period except when there is transfer of project.

Cancellation of work permit upon expiration of work and provision of return ticket shall be the responsibility of the employer.

The worker shall shoulder his return fare under the following circumstances: termination of contract/services by disciplinary action; refusal of worker to continue working before the expiration of contract; termination of contract in violation of the provisions of the labor law of Kuwait.

Workers involved in these cases are banned from working in Kuwait for two years.

For the guidance of all concerned.

TOMAS D. ACHACOS
Administrator

02 March 1989

pso/mrsd