

Administrative Resolution No. (1) of 2023
Approving the Bylaw Regulating Overtime Work at the
Departments Governed by the Government of
Dubai Human Resources Management Law¹

The Director General of the Dubai Government Human Resources Department,

After perusal of:

Law No. (31) of 2009 Establishing the Dubai Government Human Resources Department and its amendments;

Law No. (8) of 2018 Concerning Management of the Government of Dubai Human Resources;

Executive Council Resolution No. (62) of 2016 Concerning the Provision of Care Related to Occupational Injuries and Occupational Diseases to the Government of Dubai Employees; and

Executive Council Resolution No. (36) of 2020 Concerning the Telework System for the Employees of the Government of Dubai,

Does hereby issue this Resolution.

Approval of the Bylaw
Article (1)

Pursuant to this Resolution, the attached Bylaw Regulating Overtime Work at the Departments Governed by the Government of Dubai Human Resources Management Law, inclusive of the rules, regulations, and appendices set forth therein, is approved.

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¹Every effort has been made to produce an accurate and complete English version of this legislation. However, for the purpose of its interpretation and application, reference must be made to the original Arabic text. In case of conflict, the Arabic text will prevail.

Administrative Resolution No. (1) of 2023 Approving the Bylaw Regulating Overtime Work at the Departments Governed by the Government of Dubai Human Resources Management Law

**Repeals
Article (2)**

Any provision in any other administrative resolution is hereby repealed to the extent that it contradicts the provisions of this Resolution.

**Publication and Commencement
Article (3)**

This Resolution will be published in the Official Gazette and will come into force on the day on which it is published.

Abdullah Ali bin Zayed Al Falasi

Director General

Dubai Government Human Resources Department

Issued in Dubai on 14 August 2023
Corresponding to 27 Muharram 1445 A.H.

Bylaw Regulating Overtime Work
Definitions
Article (1)

The following words and expressions, wherever mentioned in this Bylaw, will have the meaning indicated opposite each of them unless the context implies otherwise:

Law:	Law No. (8) of 2018 Concerning Management of the Government of Dubai Human Resources.
Department:	Any of the Government departments; public agencies or corporations; or councils and authorities affiliated to the Government, which are governed by the Law.
Director General:	A director general of a Department, including an executive director/ chief executive officer, a secretary general, or any other person in a similar position.
DGHR:	The Dubai Government Human Resources Department.
Human Resources Directorate:	The organisational unit responsible for human resources within a Department.
Immediate Supervisor:	An Employee who undertakes direct supervision of the performance of the Employees of an Organisational Unit at a Department.
Employee:	A male or female person who occupies a budgeted post in a Department.
Overtime Work:	The exertion of effort by an Employee, outside of his official working hours, to perform specific work or tasks assigned to him in writing by the Immediate Supervisor, in accordance with the conditions and rules prescribed in the Law and this Bylaw.

Scope of Application
Article (2)

- a. The provisions of this Bylaw apply to:
1. any Employee working on a full-time basis or on a temporary basis; and
 2. any Employee working under the Telework System and holding a post included in the list of the posts whose duties and tasks can be performed under the Telework

Administrative Resolution No. (1) of 2023 Approving the Bylaw Regulating Overtime Work at the Departments Governed by the Government of Dubai Human Resources Management Law

System, as approved by the Department in accordance with the provisions of the above-mentioned Executive Council Resolution No. (36) of 2020.

- b. This Bylaw does not apply to Employees working on a part-time basis.

Objectives of the Bylaw Article (3)

This Bylaw aims to:

1. regulate the process of assigning Overtime Work to Employees;
2. establish the rules and regulations for assigning Overtime Work to Employees; and
3. develop the governance of the procedures for calculation of Overtime Work periods and pay.

Overtime Work Exemptions Article (4)

The following categories of Employees may not be assigned Overtime Work:

1. an Employee with disability whose working hours are reduced;
2. a female Employee granted a nursing break;
3. an Employee whose working hours are reduced due to his medical condition, as evidenced by a report issued by the competent Medical Committee;
4. an Employee whose working hours are reduced to attend classes. This exemption applies only to the days during which the working hours of the Employee are reduced.

Obligations of Immediate Supervisors Article (5)

- a. Subject to the Overtime Work conditions stipulated in Article (31) of the Law, before assigning any Overtime Work to an Employee of an Organisational Unit, the Immediate Supervisor in charge of that unit will:
 1. coordinate the assignment of Overtime Work in advance with the Human Resources Directorate; and

2. provide the grounds for Overtime Work assignment by indicating the nature of the Overtime Work assigned to the Employee, and establishing that such assignment is mandated by the work nature and needs.
- b. The Immediate Supervisor will provide the Human Resources Directorate with proof of completion by the Employee of the Overtime Work assigned to him.
 - c. Notwithstanding the provisions of sub-paragraph (1)(a) of this Article, an Immediate Supervisor may, in emergencies and exceptional circumstances, assign Overtime Work to an Employee verbally and directly, in which case the Human Resources Directorate must be informed of the Overtime Work assignment, and the Overtime Work conditions prescribed by Article (31) of this Law and by this Resolution must be satisfied.

Electronic Systems Article (6)

- a. Overtime Work will be assigned and approved using the electronic system adopted by the Department.
- b. A Department will continue to assign and approve Overtime Work using the systems adopted by it by the effective date hereof until that Department adopts an electronic system in accordance with the provisions of paragraph (a) of this Article.

Flexible Working Hours Article (7)

When assigning Overtime Work to an Employee, any flexible working hours scheme adopted by the Department must be observed.

Assignment of Additional Tasks Article (8)

- a. The Overtime Work assigned to an Employee must be related to his original duties.
- b. Notwithstanding the provisions of paragraph (a) of this Article, an Employee may, subject to his consent, be assigned other tasks that are not related to his original duties, provided that he has the professional competencies and experience required to perform these tasks.

Calculation of Maximum Overtime Work Period Article (9)

Subject to the provisions of Article (31) of the Law, the maximum Overtime Work period will be calculated based on a maximum limit of ninety (90) Overtime Work days per year. The maximum Overtime Work hours per year will be calculated as per the formula set out in the table attached hereto.

Calculation of Overtime Work Pay Article (10)

- a. Subject to the provisions of Article (31) of the Law, Overtime Work pay will be calculated based on the basic salary received by an Employee at the time of performing the Overtime Work. The calculation of Overtime Work pay will be made using the formula set out in the table attached hereto.
- b. Overtime Work pay will be disbursed to an Employee in the month following the month during which the Overtime Work is performed.
- c. The Overtime Work pay of an Employee appointed on a temporary basis will be calculated based on one-half of the monthly remuneration of that Employee.

Calculation of Compensatory Time-off Article (11)

Subject to the provisions of Article (31) of the Law, compensatory time-off will be calculated as per the formula set out in item (V) of the table attached hereto.

Occupational Health and Safety Article (12)

In assigning Overtime Work to an Employee, his physical and mental health and safety must be taken into account. The Overtime Work must not cause the Employee to suffer exhaustion or fatigue.

Refusing to Perform Overtime Work Article (13)

An Employee may not refuse to perform Overtime Work without providing a written excuse acceptable to his Immediate Supervisor.

Overtime Work Pay Calculation Method

I. Calculation of Maximum Overtime Work Period per Year

Maximum number of Overtime Work days x Average daily working hours = Maximum Overtime Work hours per year

$$90 \times 7.3 = 657 \text{ hours}$$

II. Calculation of Average Daily Working Hours

Total number of weekly working hours ÷ Number of working days per week = Average daily working hours

$$36.5 \div 5 = 7.3 \text{ hours}$$

Note: The average daily working hours in the above equation vary depending on the working hours adopted by each Department.

III. Calculation of Overtime Work Pay for Official Working Days

Monthly Salary	Basic	Varies from one Employee to another
Hourly Pay		$\frac{\text{Monthly basic salary} \times \text{Number of months in a year}}{\text{Average daily working hours} \times \text{Number of working days in a week} \times \text{Number of weeks in a year}}$ $(7.5 \times 5 \times 52)$
Hourly Pay During the Holy Month of Ramadan		$\frac{\text{Monthly basic salary} \times \text{Number of months in a year}}{\text{Daily working hours in Ramadan} \times \text{Number of working days in a week} \times \text{Number of weeks in a year}}$ $(5 \times 5 \times 52)$
Overtime Work Hours in a month		Varies from one Employee to another
Overtime Work Pay for the month		$1.25 \times \text{monthly Overtime Work hours} \times \text{hourly pay}$

Explanatory Example:	
Monthly basic salary	10,000.00
Hourly pay	$\frac{(10,000 \times 12)}{(7.3 \times 5 \times 52)} = 63.22$
Overtime Work Hours in a month	10
Overtime Work Pay for the month	$1.25 \times 10 \times 63.22 = 790.31$

IV. Calculation of Overtime Work Pay for Weekly Rest Days and Official Holidays	
Monthly basic salary	Varies from one Employee to another
Hourly Pay	$\frac{\text{Monthly basic salary} \times \text{Number of months in a year}}{\text{Average daily working hours} \times \text{Number of working days in a week} \times \text{Number of weeks in a year}}$
	$\frac{\text{Monthly basic salary} \times 12}{(7.3 \times 5 \times 52)}$
Hourly Pay During the Holy Month of Ramadan	$\frac{\text{Monthly basic salary} \times \text{Number of months in a year}}{\text{Daily working hours in Ramadan} \times \text{Number of working days in a week} \times \text{Number of weeks in a year}}$
	$\frac{\text{Monthly basic salary} \times 12}{(5 \times 5 \times 52)}$
Overtime Work Hours in a month	Varies from one Employee to another

Overtime Work Pay for the month	$1.5 \times \text{monthly Overtime Work hours} \times \text{hourly pay}$
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Explanatory Example:	
Monthly basic salary	10,000.00
Hourly pay	$\frac{(10,000 \times 12)}{(7.3 \times 5 \times 52)} = 63.22$
Overtime Work Hours in a month	10
Overtime Work Pay for the month	$1.5 \times 10 \times 63.22 = 948.37$

V. Compensatory Time-off Calculation
One-day compensatory time-off = Average daily working hours of the Employee [calculated as per the formula set out in item (II) of this table]
Explanatory Example: For an Employee to be granted one-day compensatory time-off, the total number of Overtime Work hours during the week must be 7.3.