

**Executive Council Resolution No. (36) of 2020**

**Concerning the**

**Telework System for the Employees of the Government of Dubai<sup>1</sup>**

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**We, Hamdan bin Mohammed bin Rashid Al Maktoum, Crown Prince of Dubai, Chairman of the Executive Council,**

After perusal of:

Law No. (3) of 2003 Establishing the Executive Council of the Emirate of Dubai;

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;

Decree No. (7) of 2020 Determining the Government Entities Governed by the Government of Dubai Human Resources Management Law; and

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,

**Do hereby issue this Resolution.**

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*<sup>1</sup>Every 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.*

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

## **Definitions**

### **Article (1)**

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

UAE:	The United Arab Emirates.
Emirate:	The Emirate of Dubai.
Government:	The Government of Dubai.
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; councils; authorities; or other entities, which are subject to the Law.
DGHR:	The Dubai Government Human Resources Department.
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.
Human Resources Directorate:	The organisational unit responsible for human resources within a Department.
Employee:	A person who occupies a budgeted post in a Department, and to whom the Telework System applies.
Immediate Supervisor:	A person who undertakes direct supervision of the performance of an Employee at a Department.

**Telework System:** A work arrangement which allows an Employee to perform his employment duties outside of the workplace of the Department in accordance with the rules and conditions prescribed by this Resolution and the Bylaw.

**Bylaw:** A regulatory bylaw, issued by a Director General, governing the implementation of the Telework System at the Department in a manner that is suitable to the nature of its work and consistent with the provisions of this Resolution.

**Emergency:** An unexpected and unforeseeable public situation that may render the performance of work duties at the head office or branch offices of a Department a danger to the Employees. This includes declared crises and disasters at the level of the UAE, Emirate, or Department; or any other situation which the Government decides to consider as an Emergency.

### **Scope of Application**

#### **Article (2)**

The provisions of this Resolution apply to all UAE National and non-UAE National civilian Employees to whom the Law applies.

### **Objectives of Telework**

#### **Article (3)**

The Telework System will have the following objectives:

1. to provide various flexible work arrangements that are aligned with the Government policies and with the relevant adopted international best practices;

2. to increase the productivity of Departments and their Employees by focusing on results and achievements;
3. to enhance organisational agility by allowing each Department the flexibility to manage its operations, provide its services, and perform the duties assigned to it according to its operational nature, in a way that contributes to increasing its efficiency and effectiveness and to retaining its human resources;
4. to strike a balance between Employees' working hours and work requirements and their personal life requirements; and
5. to ensure business continuity in Emergencies.

### **Types of Telework**

#### **Article (4)**

An Employee may be assigned to perform his employment duties remotely under the Telework System according to any of the following schemes:

1. full-time telework, in case of posts whose duties are capable of being performed outside of the workplace of the Department; and
2. part-time telework, in case of posts whose duties are capable of being performed both within and outside of the workplace of the Department. In this case, working days may, at the discretion of the Department and as it deems fit in this regard, be divided evenly, or otherwise, between performing employment duties at the workplace of the Department and remotely.

## **Telework System Implementation Requirements**

### **Article (5)**

- a. The Telework System will be implemented in respect of a post subject to the following requirements:
  1. The duties of the post must be capable of being performed outside of the workplace of the Department.
  2. The Telework System must not adversely affect the productivity of the Department or the Employee; the proper flow of work at the Department; its overall performance; or the provision of its services as required.
  3. The performance of the Employee occupying the post must be monitorable and assessable.
  4. Telework must be performed within the UAE.
- b. Notwithstanding the provisions of sub-paragraph (a)(4) of this Article, the Director General may allow the Employee to telework from outside of the UAE where an Emergency arises at the country where the Employee is present, rendering his return to the UAE onerous.
- c. Where a teleworking Employee performs his employment duties from outside of the UAE under paragraph (b) of this Article, information security and confidentiality must be ensured; and the Employee's performance of these duties, and his productivity during the telework period, must be monitored.

## **Telework Bylaw**

### **Article (6)**

- a. Telework will be regulated at a Department pursuant to a Bylaw issued by the Director General.
- b. The Bylaw must provide for the following:
  1. the cases where Employees are allowed to telework;
  2. the telework periods, days, and hours of Employees as per work requirements. Telework may take place at other than the official working hours adopted by the Department;
  3. the mechanism and means of contact and communication between Employees and their Immediate Supervisors; and between Employees and the Department;
  4. the technological means, tools, hardware, and software required to enable Employees to perform their employment duties;
  5. the mechanism and procedures for monitoring and measuring the performance by Employees of their employment duties;
  6. the mechanism and procedures for assigning employment duties to Employees;
  7. the roles and responsibilities of Employees, set forth in a manner that ensures proper implementation of the Telework System;
  8. the potential technical hazards arising from the performance by Employees of their employment duties under the Telework System; and ways of managing these hazards to ensure business continuity at the Department; and
  9. the measures, procedures, and rules that must be observed to protect information security and confidentiality, in line with the legislation in force.

- c. Telework may not be deemed an acquired right of the Employee or an entitlement to him as against the Department. Telework may be cancelled or amended where its implementation contradicts the public interest or disrupts the proper flow of work at the Department.

## **Functions of the DGHR**

### **Article (7)**

For the purpose of achieving the objectives of the Telework System, the DGHR will have the duties and powers to:

1. provide Departments with technical advice and support on all matters related to the implementation of the provisions of this Resolution;
2. monitor compliance by Departments with the provisions of this Resolution in implementing the Telework System;
3. measure and evaluate the impact of implementing this Resolution by Departments in order to improve and update the same;
4. review the provisions of this Resolution on a regular basis, propose any necessary amendments thereto, and submit the same to the competent entities for approval;
5. issue, in coordination with the competent entities, the resolutions and circulars required for the implementation of the Telework System in Emergencies that are declared across the Emirate, to ensure business continuity at Departments and uninterrupted provision of their services and performance of their required duties; and
6. exercise any other duties or powers assigned to it by the Chairman of the Executive Council of the Emirate.

## **Obligations of Departments**

### **Article (8)**

A Department must:

1. provide the technological means and equipment, as well as the technical support, as required to enable Employees to perform their employment duties outside of the workplace of the Department;
2. devise an effective plan for communicating with the Employees working under the Telework System;
3. review the main processes pertaining to the provision of services to its customers, and determine which services are affected by the implementation of the Telework System, to determine to what extent the employment duties and tasks associated with the performance of these processes and services are teleworkable;
4. prepare periodic reports and provide data on the outcomes of the Telework System implementation, and submit the same to the DGHR; and
5. perform any other obligations determined pursuant to the relevant resolutions or circulars issued by the Director General of the DGHR.

## **Duties of Human Resources Directorates**

### **Article (9)**

For the purpose of implementing the provisions of this Resolution, a Human Resources Directorate will, in coordination with the concerned organisational units within a Department, have the duties and powers to:

1. draft, and regularly update, the Bylaw; and submit the same to the Director General for approval;



2. prepare, and regularly update, a list of the posts whose employment duties and tasks are capable of being performed under the Telework System; and submit the list to the Director General for approval;
3. provide Employees with the training and technical support required for implementing the Telework System; and
4. measure the impact of implementing the Telework System; and submit the reports required in this respect to the DGHR.

### **Duties of Immediate Supervisors**

#### **Article (10)**

For the purpose of implementing this Resolution, an Immediate Supervisor will:

1. determine the Employees assigned to telework, within the organisational unit he supervises. In this regard, the Immediate Supervisor must act in the public interest and maintain impartiality and justice when selecting the Employees to be assigned to work under the Telework System in accordance with the Bylaw;
2. determine and follow up the duties and performance indicators of the teleworking Employees he supervises, and document the outcomes thereof;
3. ensure the satisfaction of all the requirements needed to enable the teleworking Employees he supervises to perform their employment duties and tasks outside of the workplace of the Department;
4. determine, in coordination with the Human Resources Directorate, the telework days and hours of, and the mechanism for communicating with, the teleworking Employees he supervises; and submit the same to the director supervising his organisational unit at the Department; and

5. coordinate with the Human Resources Directorate on the assignment of Employees within his organisational unit to work under the Telework System, or cancelling this assignment, in line with the exigencies of public interest.

## **Obligations of Employees**

### **Article (11)**

An Employee must:

1. comply with the provisions of the Law, this Resolution, the Bylaw, the legislation in force in the Emirate, and the bylaws and regulations adopted by his Department;
2. maintain the confidentiality of the information and data to which he has access by reason of his work under the Telework System;
3. perform his duties and tasks efficiently and effectively as required, maintaining honesty, integrity, and professionalism;
4. perform his employment duties and tasks by himself, and not outsource the same to any Employee or any other person;
5. submit periodic reports to the Immediate Supervisor on the employment duties and tasks performed during the telework period;
6. adhere to the telework days and hours agreed upon with the Immediate Supervisor;
7. comply with the communication mechanism approved by the Immediate Supervisor, and maintain an effective contact and response approach in order to perform the work assigned to him;
8. protect all equipment and supplies entrusted to him or put in his possession; and request maintenance for the same where required;

9. return the supplies and equipment provided to him by the Department, when requested;
10. refrain from using the supplies and equipment provided to him by the Department for other than work-related purposes; and
11. subject to disciplinary liability, report to work at the workplace of the Department whenever recalled and where required to attend meetings, events, gatherings, or any other occasion.

### **Rights and Benefits**

#### **Article (12)**

An Employee who works under the Telework System will be entitled to the salaries, bonuses, benefits, allowances, and increments stipulated in the Law and the resolutions issued in pursuance thereof.

### **Occupational Injuries and Occupational Diseases**

#### **Article (13)**

The above-mentioned Executive Council Resolution No. (62) of 2016 does not apply to Employees who perform their employment duties and tasks under the Telework System.

### **Application of the Law**

#### **Article (14)**

Where this Resolution is silent, the provisions of the Law and the legislation issued in pursuance thereof will apply.

## **Publication and Commencement**

### **Article (15)**

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

**Hamdan bin Mohammed bin Rashid Al Maktoum**

**Crown Prince of Dubai**

**Chairman of the Executive Council**

Issued in Dubai on 25 November 2020

Corresponding to 10 Rabi al-Thani 1442 A.H.