

MEYER -
REUMANN
& PARTNERS



Niche Consulting

Labour Law Workshop

Session 4: Executing the Termination - Communicating appropriately and mitigating Risk

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Agenda



- I. Planning the exit
- II. Executing the exit
- III. Post-exit matters

I. Planning the exit



- Summary Dismissal
 - Reason for termination must fall within Art. 44 UAE Labour Law
 - Think twice
- Regular Termination
 - Parties need to have “good cause” for termination (Art. 43 UAE LL)
 - Risk of having to pay compensation for “arbitrary dismissal” still exists (Art. 47 UAE LL), but now requires employee to file a case first

II. Executing the exit



- Timing
 - Termination during leave now possible (Art. 35 UAE LL)
- Mitigating Risk
 - The employee's right to file a claim cannot be waived
 - Do your calculations / make the right offer
 - End-of-service gratuity (Art. 51 UAE LL)
 - Compensation for untaken leave (Art. 29 UAE LL)
 - (Partial) bonus, if applicable
 - Any other amounts due to the employee
 - Compensation for termination (1 month's salary?)
- Form
 - Aim for Settlement Agreement
 - Termination should be in writing and ideally receipt confirmed by employee

III. Post-exit matters



- Maintaining the employee's visa
 - No obligation to do so
 - Certain risk exists, but relatively small
- Timing of payment of end-of-service gratuity
- Non-competition clause
 - Generally accepted (Art. 10 UAE LL)
 - Usually too broad

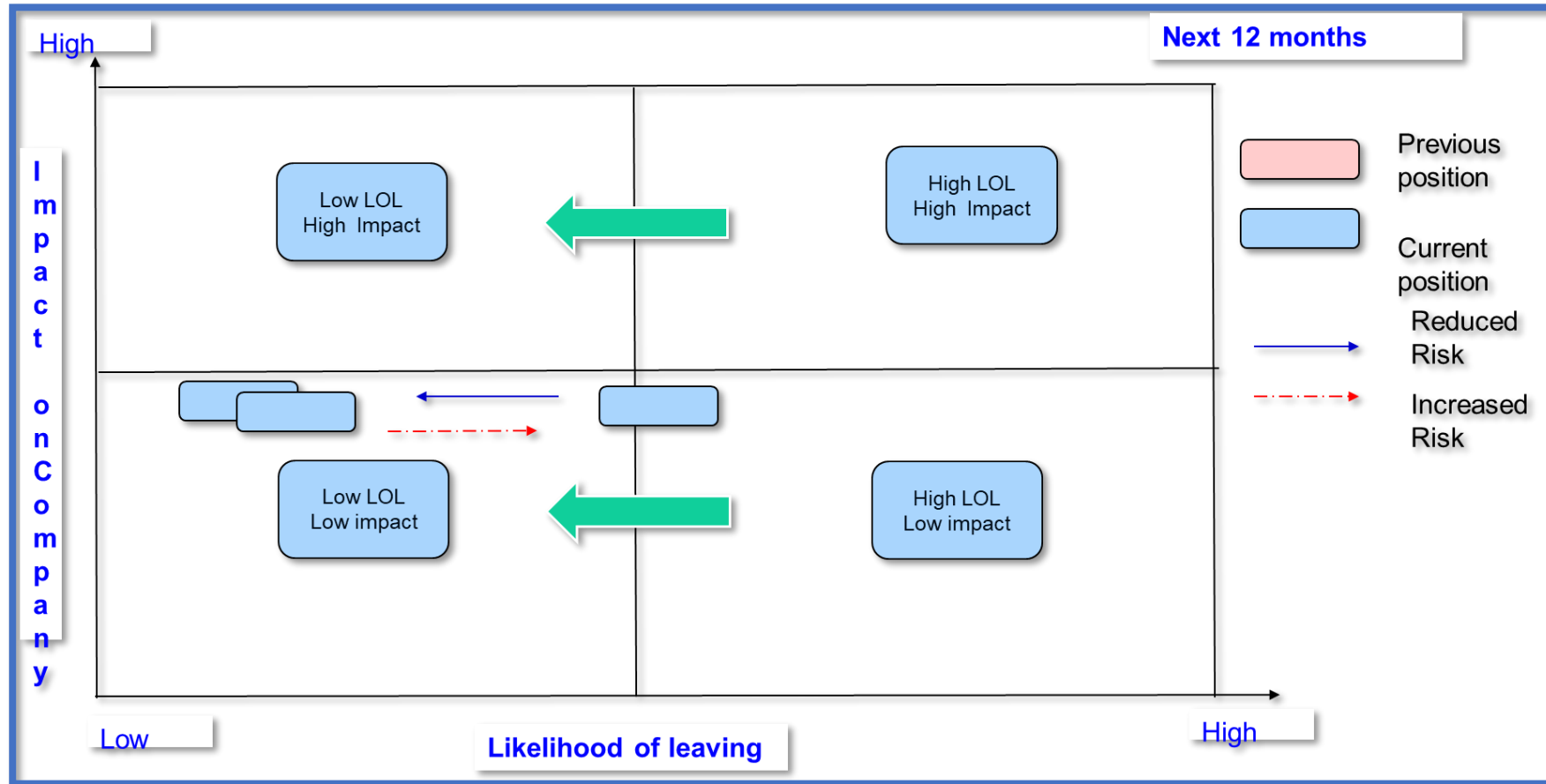


QUESTIONS?

Human Resources Agenda

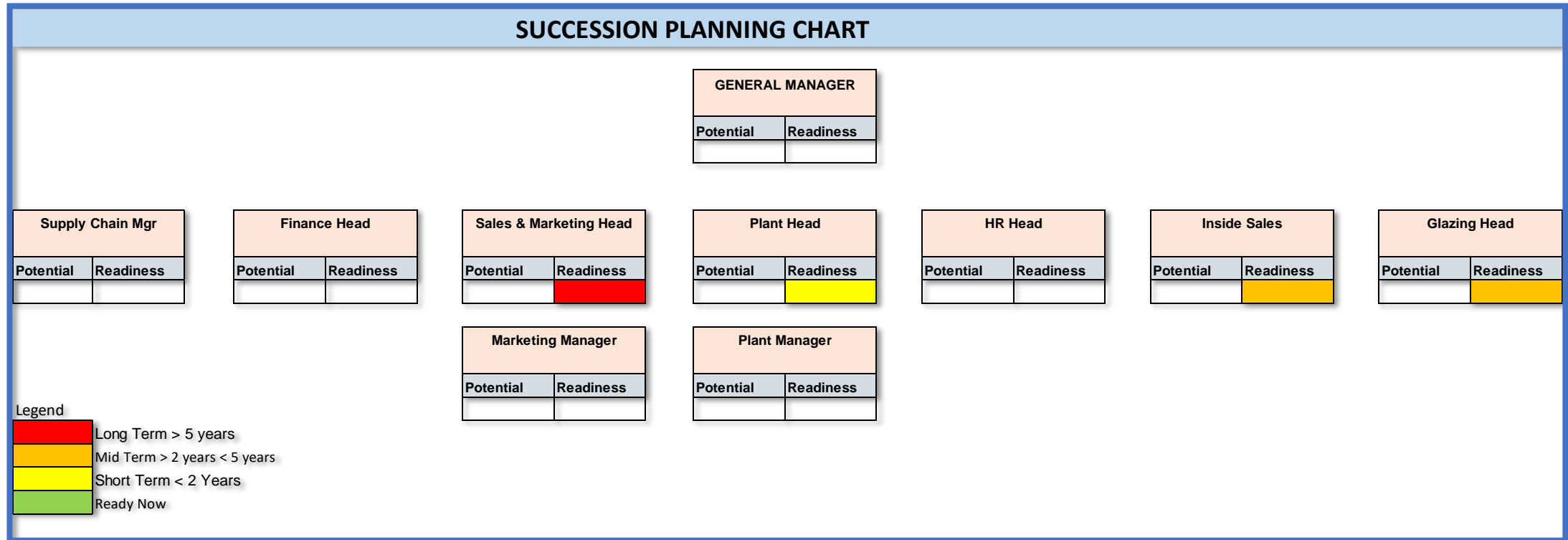


Organisational Risk





Simple Succession Planning Chart



Creating Brand Ambassador

- Coach Line Managers to be the People Managers
- Hand holding
- Smooth process
- Understand the mindset of the employee and do not react
- Offer outplacement support, if appropriate
- Explain REHIRE policy if applicable and if it exists





The process

Clearance Form

ITEMS DESCRIPTION	REMARKS	RECEIVED BY	DATE
A. HR / ADMINISTRATION DEPARTMENT			
1. Laptop / Desktop :Lenovo laptop, monitor, docking station, keyboard and mouse.			
2. Memory Stick :			
3. Mobile phone : I-Phone			
4. Car :			
4. Sim Card :			
5. Fuel Card: NA, chip installed.			
6. Token: NA			
7. Labour/CEC Card:			
8. Met Life Insurance :			
9. Working Permit / Visa Cancellation :			
10. Others: Hard disk; Room keys ; Parking card ; Jafza card			
Laptop password: Niche@123universe			
Iphone password (if applicable):Ishin-8691			
B. FINANCE DEPARTMENT			
1. Outstanding payments			
2. Telephone bills			
3. Loans / Advances			
4. Others: Specify			
C. Line Manager			
1. Office keys, car keys etc.			
2. Pending works / tasks			
3. Files / Documents at hand			
4. Turn-over arrangements			
5. Others: Specify			

EOSB Form

END OF SERVICE ENTITLEMENT			
EMPLOYEE DETAILS			
Employee Name		Date of Joining the Company	
Employee Number			
Designation		Last day at work	
Department			
Company Name		Period in year (Calculated last day at work)	
Reason for Leaving		Currency	AED
		Gratuity Policy	21 Days
SALARY PER MONTH			
Basic Salary			
House Rent Allowance			
Transport Allowance			
Other 1			
Other 2			
Total			
SETTLEMENT			
DUES		DEDUCTIONS	
Period From		Advance	-
Period To	31-Jan-2019	Traffic Fine	-
Salary	-	Personal Calls	-
House Rent Advance	-	Housing Advance	-
Other Allowance	-	Extra Leave Days	-
Notice Pay	-	Personal Medical Premium	-
Normal Overtime	-	Any other 1	-
Special Overtime	-	Any other 2	-
Gratuity	-		-
Claims	-		-
Any other 1	-		-
Any other 2	-		-
Total Dues	-	Total Deductions	-
Net Payable	-	Net Recoverable	-
		Received full settlement of all my dues from the company	



The process

- Handover - Close supervision
- Communication to the team and external business contacts
- Notify payroll, PRO, bank
- Exit Interview
- Experience certificate
- Medical Insurance
- Visa
- Repatriation flight





QUESTIONS?



Contact us

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