



**Global Employment  
Compass  
Bahrain**

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# 1. Summary of applicable rights for different categories of workers

	Employees (part-time or full-time)	Independent contractors/ service providers	Volunteers
<b>Employment laws and regulations</b>	Yes	No	No
<b>Employees' compensation/ remuneration requirements</b>	Yes	No	No
<b>Minimum wage requirements</b>	Yes	No	No
<b>Mandatory provident fund/retirement benefit fund contributions</b>	Yes	No	No
<b>Immigration requirements including the right to work in your country</b>	Yes	No	/No
<b>Personal Data (Privacy) laws and regulations</b>	Yes	Yes	Yes
<b>Anti-discrimination laws and regulations</b>	Yes	No	No



## 2. Legal requirements/rights/ practices for different categories of workers

### a. Employees

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#### *Definition of an employee*

The Labor Law (Law No. 36 of 2012) ("**Labor Law**") broadly defines an employee as 'natural persons working in return for a wage and under the employers' management and supervision'.

### 1 Contracts of Employment

#### **What types of employment contracts are available? E.g. fixed term, part time, zero hour contracts, other? Are there any specific employment contracts available for non-profit organizations?**

Subject to our comment below, the Labor Law does not distinguish between different types of employment contracts. The law defines an employment contract as the agreement between an employer and employee, pursuant to which the employee undertakes to perform specific work for the employer under the latter's management and supervision and in return for a wage.

The law does however slightly distinguish between definite / fixed term employment contracts and indefinite / open term employment contracts. Whether an employment contract is for a fixed term or an open term is mainly relevant in the context of calculating post-termination entitlements.

#### **What are the key terms of employment contracts?**

The Labor Law does not set out any such key components. The general principles of contract formation under Bahrain's civil code would need to be observed. These include the existence of an offer, acceptance, consideration, legality (the subject of the contract is permissible in Bahrain),





intention to create legal relations, and capacity to contract (article 72 of the Civil Law provides that every person who has not been declared to be under total or partial legal incapacity, has the legal capacity to conclude a contract.). If any of the aforementioned principles are not met, then the contract may be deemed void and unenforceable.

Notwithstanding the generality of the above, employment contracts must specify the duration of the contract, the wage agreed upon, and the time and means of payment, and the employer's and employee's details (e.g., name, address, trade number, nationality (as applicable)). Whilst there is no express provision requiring employers to detail an employees' job duties/description in the employment contract, there exists an implied term suggesting that the required works/services should be stipulated in the contract.

**Is it acceptable to have a probation period for employees? If yes, for how long?**

Yes, it is acceptable to have a probation period for employees. As per the Labor Law, a probation period shall not exceed three (3) months. During probation, either employer or employee may terminate the employment contract by serving at least one day's notice.

**Are fixed term employment contracts permissible? Are there any limitations on fixed term contracts? Are there any requirements to have a fixed term contract?**

Yes, fixed term employment contracts are permissible for both Bahraini and non-Bahraini nationals. Where an employment contract is for a fixed term of more than five (5) years (or has been renewed for an overall period which is more than five (5) years), such contract shall be deemed to be an indefinite contract by operation of law.

There are no general limitations on fixed-term contracts or requirement to enforce any limitations. Employers are free to select the type of contract they prefer to use. The only implications relate to the calculation of compensation for unlawful termination.

**Do employment contracts have to be in writing? Are there any signatory requirements for employment contracts? For example, could they be signed in-person or electronically, etc.)?**

An employment contract must be in writing. In the absence of a written contract, the burden would be on the employee to prove his employment rights.

Under Electronic and Communications and Transactions Law ("ECTL"), where the law requires information to be in writing, that requirement can be met electronically. Further, ECTL stipulates that a secure electronic signature benefits from the presumption of reliability. It is highly encouraged to ensure validity of electronic signatures through accredited Trust Service Providers ("TSPs"). Where unaccredited TSPs are used, the burden of proof lies with the party denying the validity, reliability and enforceability of the electronic signature.

**Do employees have to be issued with a written employment contract before they start work?**

Yes.

**Can you provide a simple template of the contracts mentioned above?**

We note that the Labor Market Regulatory Authority ("LMRA") published a sample work contract on its web-portal:

[https://lmra.gov.bh/files/cms/downloads/english\\_attachment/work\\_contract\\_template\\_ar\\_en.pdf](https://lmra.gov.bh/files/cms/downloads/english_attachment/work_contract_template_ar_en.pdf)





**Is there an obligation for an employer to run a criminal record check to the extent that any individual they hire will be working with children or vulnerable people?**

There is no obligation on an employer to run a criminal record check prior to the employment of an individual who will be working with children or vulnerable people. However, it is common practice for employers to request a Certificate of Good Conduct (Police Clearance) from the Criminal Investigation Directorate. For completeness we note that Bahraini laws do not prohibit employers from carrying out background checks on individuals to hire, whether by itself or through a third party (in which case however, local privacy laws will need to be adhered to).

**Can employers request references from former employers for new hires?**

Yes.

**Is an employer required to set up any form of employee representative body? If so, what is the trigger for this?**

Unless the employee is part of a trade union, employee representatives are not required.

**Is it common to have collective agreements in your jurisdiction that apply to all employers in a particular region or sector?**

As per the Labor Law, collective agreements may take place at company, business, industrial, professional or national level. However, it is not a common practice in Bahrain.

## 2 Conditions of employment

**What is the minimum age requirement for employment?**

It is prohibited to employ persons who have not attained the age of fifteen (15) years.

**What type of work may a child undertake? For example, are there any specific restrictions?**

It is permissible to employ minors (defined under the law as persons who have attained the age of fifteen (15) years but have not yet attained the age of eighteen (18) years), subject to observing certain conditions relating to (amongst other things) working hours, rest periods, and the nature of the work to be performed by the minor (by way of example, a minor may not be employed in hazardous occupations).

### Wages

**What is the minimum wage requirement for employees? Are there any exceptions in minimum wages for young persons or people with disabilities?**

The National Employment and Training scheme have laid out minimum wage guidelines for Bahraini nationals as follows:

- BHD 450 for holders of university degrees
- BHD 380 for holders of diploma degrees
- BHD 300 for high school graduates and below

Generally, the Labor Law prohibits wage discrimination on the basis of sex, origin, language, religion or belief. The law is silent with regards to minimum wages for young persons or people with disabilities.





**Are there any conditions which warrant a pay raise or extra pay? If yes, what are they?**

While there are certain considerations relating to overtime pay (see [below](#)), there are no conditions which warrant a pay raise or similar.

**When are wages due? For example, is there any obligation to pay wages weekly, or monthly?**

The Labor Law provides that wages may be calculated hourly, daily, weekly, or monthly. Whilst there is no prescribed period in which wages must be paid, wages shall be paid on one of the working days. If the employee receives a monthly wage s/he should receive the wage at least once a month. Wages are typically paid monthly.

**Are employers obliged to provide employees with paid leave on public holidays?**

Yes. Employees are entitled to paid leave on public holidays announced by the government for the public and private sector. When an employee is required to work on a public holiday, then the employee shall have the choice between being paid overtime at the rate specified by law or to receive time in lieu.

**Are employers obliged to provide employees with annual leave?**

Yes. Employees are entitled to a minimum of 30 calendar days' annual leave.

**Are employees entitled to receive their usual salary during their annual leave?**

Yes.

**Is there a requirement to pay overtime? How is overtime compensated?**

Employees may be entitled to overtime pay for additional hours worked. Employees are entitled to be paid for overtime hours worked at the minimum rate of 125% of their normal hourly rate; this minimum rate to a 150% of their normal hourly rate for hours worked during the night.

**Are there any extraordinary circumstances that could be relied on to temporarily cease paying employees for the hours worked?**

Yes. Article 43 of the Labor Law provides that employees will only be entitled to half their wages if they are prevented from working for reasons of force majeure, of which are beyond the employer's control. In addition, the law recognizes deductions on account of loss or destruction to employer's property due to employee's gross negligence (Article 82), deductions on account of re-payment of any loans the employer may have granted to the employee (Article 44) or deductions for disciplinary sanctions (Article 75).

**Are employees entitled to an end-of-year payment?**

There is no such express entitlement prescribed under Labor Law.

**Are employees entitled to payments when their employment contract is terminated, such as notice or notice pay, accrued or untaken holiday and/or statutory severance?**

Yes. Employees are generally entitled to the following upon termination:-

- a) End of service gratuity (if eligible - all individuals whom the Social Insurance Organization Law does not apply to shall be entitled to end of service gratuity. This includes expatriates, all non-citizens shall be entitled to receive an end of service gratuity. Further, as the social security granted under the Social Insurance Organization ("SIO") Law is only calculated on





BHD 4,000 salary or lower Bahraini employees are entitled to an end of service gratuity on any amount exceeding BHD 4,000);

- b) Salary and other benefits (if any) up to the termination date;
- c) Pay in lieu of notice (if a termination notice is not served); and
- d) Pay in lieu of any accrued and unutilized annual leave (if any).

## **Working hours**

### **What is considered a full time working week? If the employee is contractually required to work less than this amount are they considered a part time employee?**

The Labor Law provides for maximum ordinary working hours of forty-eight (48) hours per week at the rate of eight (8) hours per day. The law does not address minimum working hours.

### **Are there fixed public/statutory holidays each year? Can employees be required to work on public/statutory holidays? Are employees entitled to any other type of leave besides public/statutory holidays?**

There are currently fourteen (14) days of public holiday in Bahrain. Where an employee is required to work on a public holiday, then the employee shall have the choice between being paid overtime at the rate specified by law or to receive compensatory leave days in lieu.

In addition to the leave entitlements provided, employees in Bahrain are also entitled to the following leaves as per the Labor Law:

- a) Marriage leave: three (3) days of paid leave on the event of them getting married. Such entitlement is only available to an employee once during their period of service with their employer.
- b) Bereavement leave: three (3) days of paid leave for the death of an employee's spouse or any of his/her relatives to the fourth degree of kin. In addition, an employee is entitled to a three-day paid leave for the death of his/her spouse's relatives to the second degree of kin.

Additionally, a Muslim female employee shall be entitled to one-month paid leave in the event of the death of her spouse; and is entitled to an Iddah (bereavement) period of three-months and ten-days, to be taken from the employee's annual leave and/or unpaid leave. Furthermore, an employee is entitled to a three-day leave for the death of his/her spouse's relatives to the second degree of kin.

- c) Pilgrimage leave: Muslim employees who have been in the service of their employer for at least five (5) consecutive years are entitled to a fourteen (14) day full paid leave to perform Hajj. This entitlement is granted only once during the period of employment unless the employee benefited from this entitlement during service for another employer.

### **Do part time employees receive any particular protection on the basis of their part-time status?**

No, the Labor Law does not distinguish between part-time and full-time employees. All employees are entitled to the same rights and benefits.

### **Do part-time employees receive the same pro-rated terms to full time employees, e.g. in relation to pay and benefits?**

Please see above.







## Social security

### **What social security contributions are employers obliged to pay? Presumably, pro-rated contributions are required for part time employees?**

All private sector employers are required to register their employees with the Social Insurance Organization ("**SIO**") for the purpose of remitting social insurance contributions.

The contributions differ depending on whether the employee is a Bahraini national or non-Bahraini national as follows:

- a) Employees who are Bahraini nationals:
  - The employer is required to contribute an amount equal to 15% of each Bahraini employee's gross monthly salary and remit this to the SIO; and
  - The employer is required to deduct an amount equal to 8% of each Bahraini employee's gross monthly salary and remit this to the SIO.
  
- b) Non-Bahraini employees:
  - The employer is required to contribute an amount equal to 3% of each Non-Bahraini employee's gross monthly salary and remit this to the SIO; and
  - The employer is required to deduct an amount equal to 1% of each Non-Bahraini employee's gross monthly salary and remit this to the SIO.

As mentioned above, there is no difference between part time employees and full-time employees under Bahrain employment laws.

### **Are employers obliged to provide health insurance to their employees?**

For expatriate employees, employers are required to provide 'basic healthcare'. This is generally done by way of paying 'medical services' fees to the LMRA during the process of obtaining work permits. There is currently no legal requirement for employers to obtain private health insurance coverage for expatriate employees.

For Bahraini employees, while such employees benefit from work injuries coverage, which is covered by way of the employer making payments to the SIO, there is currently no legal requirement for employers to obtain private health insurance coverage for Bahraini nationals.

Most importantly, note that Bahrain has a Health Insurance Law which was issued in 2018. The Health Insurance Law will see the Bahrain government covering health insurance for Bahraini nationals. For expatriate employees, employers will be mandated to obtain health insurance coverage for such employees.

While the law became effective in 2019, it is still pending administrative structuring, and the first phase of rolling out the national health insurance plan is expected to take place in Q4 of 2023 after which the provisions of the Health Insurance Law will become fully effective.

### **Are employees entitled to unemployment insurance/benefits following the end of employment?**

Yes. Eligible Bahraini nationals are entitled to unemployment benefits payable by the SIO. Non-Bahraini nationals may also be entitled to unemployment benefits subject to meeting specific conditions, although in practice, such benefits have only rarely ever been successfully obtained by expatriates. In all cases, there are generally no obligations on employers in this respect, as these





benefits are offered and managed by the SIO and the Ministry of Labor.

**Are employers obliged to provide sick leave? If yes, for how long? How many days have to be paid by employers? Is it possible to have unpaid sick leave?**

Yes, employers are required to provide sick leave to employees who have successfully completed their probation period. The total statutory sick leave entitlement adds up to 55 days and is divided as follows:

- a) Fifteen (15) days on full pay.
- b) Twenty (20) days on half pay.
- c) Twenty (20) days without pay.

**Are employers obliged to provide maternity leave for employees? If yes, for how long? How many days/months have to be paid by employers? Is it possible to have unpaid maternity leave?**

Yes. As per the Labor Law, employers must provide maternity leave to female employees on full pay for sixty (60) days. Additionally, the female employee may obtain an additional fifteen (15) day of unpaid maternity leave.

**Is paternity leave available to employees? If yes, for how long? How many days/months have to be paid by employers? Is it possible to have unpaid paternity leave?**

Yes. A one (1) day leave entitlement is provided to male employees upon the birth of a child. The Labor Law is silent on unpaid paternity leave, and as such, unpaid paternity leave may be governed by the employers' internal policies.

**Are employers liable for absence due to work-place injuries?**

Yes. Employers are liable for absence due to work-place injuries. The Labor Law generally requires the employer to bear full cost of treatment including the supply of medicine, transportation expenses, rehabilitation services and cost of the necessary aid equipment determined by the attending physician. Further, an injured worker shall be paid his wage during the period of his treatment. In the event that the period of treatment exceeds six months, the employer shall pay thereto one half of the wage until he recovers or until his inability to work is proven.

**Are employees entitled to retirement benefits from the employer? If yes, what benefits?**

Save for the general post-termination entitlements and the retirement benefits provided by the SIO (see [above](#)), there are no additional benefits payable by employers in this respect.

**Are employers obliged to introduce reporting channels and legal safeguards for whistleblowers?**

There are no such obligations under Bahrain law.

### 3 Safe and supportive work environment

**Broadly what measures have to be in place to ensure employers uphold health and safety? (such as fire or earthquake drills)**

An employer is under a general safety obligations to (inter alia):

- a) provide and maintain safe equipment;
- b) ensure safe use, storage, transport of materials and substances;
- c) inform employees of the dangers and risk of their employment and precautionary measures;





- d) provide necessary training to employees;
- e) provide appropriate supervision to the establishment's operations;
- f) provide all safety guidance and instructions at worksite in Arabic and language understood by the employees;
- g) ensure safety of worksite and its access;
- h) provide a safe work environment and appropriate health facilities;
- i) provide personal safety equipment at its expense; and
- j) provide first aid kits and urgent medical intervention in emergency cases at the worksite.

**Is there a requirement for an employer to issue any form of non-discrimination policies? (such as gender equality policies, equal employment opportunities, diversity, and inclusion policies, etc.)**

The law generally states that it is unlawful to discriminate workers due to their sex, ethnicity, language, religion or belief.

**Is there a requirement to provide employees with training designed to combat discrimination and harassment?**

There is no express requirement in relation to training to combat discrimination and harassment specifically.

**Is there a requirement to have a data protection policy?**

Yes.

**Is it mandatory for employers to have a Child Protection Policy (CPP)? Are employees obliged to provide training on CPP to its employees?**

N/A

## 4 Tax

**Which taxes are mandatory for employers to pay and deduct on behalf of their employees?**

Excluding social security deductions as provided above, there are no additional mandatory taxes for employers to pay and deduct on the employees' behalf.

**Are all employee taxes deducted from the salary that the employer pays or is there a requirement for employees to pay certain taxes directly?**

No. There is no income tax regime in the Kingdom of Bahrain.

## 5 Remote work

**Are employers required to have a registered legal entity in the jurisdiction in order to employ employees in the jurisdiction?**

Yes. Employers cannot directly engage employees in Bahrain without having a legal presence in Bahrain with a valid Commercial Register (CR).

**Are employers required to provide any form of physical working space for employees working in your country?**

Although there is no specific legal requirement to maintain a physical working space for employees,





as part of the application to secure a commercial registration (CR) from the Ministry of Industry & Commerce, a commercial address must be provided. The LMRA, which occasionally conducts unannounced inspections at workplaces, would expect that the provided address can accommodate all employees taking into account the activities of the relevant entity.

**Please provide general instructions for employers on what to check if the employer has remote employees, including concerning employee tax liabilities.**

Bahrain does not have a personal income tax regime, nor a corporate income tax (except on persons engaged in certain specific oil and gas activities). One of the most relevant tax considerations for entities abroad is the risk of unintended creation of a permanent or fixed establishment through the presence of their employees in Bahrain. Although the Bahraini income tax law on oil and gas companies does not define what is a permanent establishment, Bahrain is a signatory to the Multilateral Convention to Implement Tax Treaty Related Measures to Prevent BEPS ("MLI"). As per the MLI, the key elements in this respect usually are:

- The legal or actual ability to negotiate and conclude contracts in Bahrain on behalf of the foreign employer and the regular/habitual use of this possibility; and
- The auxiliary and preparatory nature of the activities carried out in Bahrain.

## 6 What to do when things go wrong

### Dispute resolution

**Do employees (including volunteers) need to go through any form of dispute resolution before bringing a claim to a court or tribunal?**

Yes, pursuant to the Labor Law, the Authority of Settlement of Individual Labor Disputes will attempt to settle the dispute between the employee and employer before resorting to the courts.

### Resignation

**What grounds do employees have for resignation?**

There are no specific grounds for resignation. Employees may resign for any reason, subject to serving prior written notice.

### Termination

**What grounds do employers have for the termination of employment contracts?**

Employers may terminate employment contracts for redundancy, poor performance, retirement, as well as gross misconduct (subject to observing the necessary conditions and formalities in all cases).

**How do employers have to document the termination of an employment contract?**

A notice of termination must be served (or a settlement agreement signed).

**What is the responsibility of employers for damages incurred by an employee's actions within his/her work?**

Bahraini laws stipulate that the employer shall be liable for damages caused by its employee due to the unlawful act of such employee, provided that such act occurred in the course and scope of his employment.





## b. Independent contractors/consultants\*

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#### *Definition of an independent contractor/consultant*

There is no legal definition of an independent contractor/consultant in Bahrain.

\* The term consultant will be used to also refer to independent contractors, or any other term that would mean a person that provides goods or services under a written contract or a verbal agreement but does not work to meet the definition of employee.

### 1 Contracts

#### **What types of independent contractor/consultant agreements are available? Are there any specific agreements available to NGOs?**

Bahrain does not directly regulate independent contracting/consulting relationships.

#### **What are the main elements of consultant agreements?**

Consultant agreements are governed by commercial law as commercial agreements. As such, it is up to the employer and consultant to mutually agree the terms of their agreement and the intentions of the parties should be clearly reflected, provided that their agreement does not contradict Bahrain law.

#### **Is it possible to have probation periods for independent contractors/consultants? If yes, for how long?**

Yes, Bahrain does not directly regulate independent contracting/consulting relationships and Bahrain law is therefore silent on this point.

#### **Is it possible to have a fixed term consultation/independent contractor agreement? Are there any restrictions around fixed term consultant/independent contractor agreements?**

Yes, Bahrain does not directly regulate independent contracting/consulting relationships and Bahrain law is therefore silent on this point.

#### **Do independent contractor/consultant agreements have to be in writing? Are there any signatory requirements? For example, could they be signed in-person or electronically, etc.)?**





All commercial agreements have to be in writing. Under ECTL, where the law requires information to be in writing, that requirement can be met electronically. Further, ECTL stipulates that a secure electronic signature benefits from the presumption of reliability. It is highly encouraged to ensure validity of electronic signatures through accredited Trust Service Providers (“TSPs”). Where unaccredited TSPs are used, the burden of proof lies with the party denying the validity, reliability and enforceability of the electronic signature.

**Do all types of independent contractors/consultants have to be under contract in order to be able to work?**

Bahrain does not directly regulate independent contracting/consulting relationships and Bahrain law is therefore silent on this point. That said, we would generally advise that the relevant parties enter into a contract to clearly document the agreement and relationship between the parties.

**Can you provide a simple template of the agreements mentioned above?**

We would be able to provide a template for a separate fee.

**Is there an obligation to run a criminal record check to the extent that any independent contractor will be working with children or vulnerable people?**

No.

## 2 Conditions of work for consultants

**Are there any minimum age requirements for an individual to work under a consultant/independent contractor agreement?**

Bahrain does not directly regulate independent contracting/consulting relationships and Bahrain law is therefore silent on this point. That said, note that the age of majority in Bahrain is generally considered to be eighteen (18).

**Does a consultant/independent contractor need to obtain a license or any other permission in order to work?**

Potentially. The general position under Bahrain law is that any person or entity which engages in commercial activities on the ground, or in or from Bahrain is required to have a suitable legal presence in Bahrain, involving duly registering with the Ministry of Industry & Commerce. This in principle extends to consultancy related services.

### Payment

**Are there any minimum pay requirements for consultants/independent contractors?**

N/A

**Are there any exceptions in minimum wages for young persons or people with disabilities?**

N/A

**Is there any requirement to provide statutory/paid leave to consultants for statutory holidays?**

N/A





**Is there any requirement to pay annual leave to consultant/independent contractors? If so, how is this compensated, if at all?**

N/A

**Is there an obligation to provide consultant/independent contractors with overtime? How is this compensated if required?**

N/A

**Are consultants entitled to an end-of-year payment?**

N/A

**Are consultants entitled to a final payment when the contract is terminated?**

N/A

### **Working hours**

**Are consultants entitled to any type of leave, whether paid or unpaid?**

N/A

### **Social security**

**Does the end user engager need to make any social security contributions on behalf of a consultant/independent contractor? Are independent contractors entitled to health insurance from the end user engager?**

N/A

**Are independent contractors/consultants entitled to unemployment insurance/benefits after termination of their independent contractor/consultancy agreement from the end user engager?**

N/A

**Are independent contractors/consultants entitled to sick leave from the end user engager? If yes, for how long? How many days have to be paid?**

N/A

**Are independent contractors/consultants entitled to maternity leave from the end user engager? If yes, for how long? How many days/months have to be paid?**

N/A

**Are independent contractors/consultants entitled to paternity leave from the end user engager? If yes, for how long? How many days/months should be paid?**

N/A

**Are employers obliged to cover work-place injuries for independent contractors/consultants?**

N/A





**Are independent contractors/consultants entitled to retirement benefits from the end user? If yes, what benefits?**

N/A

### **3 Safe and supportive work environment**

**Are there any differences in terms of the regime that applies to employees?**

N/A

### **4 Remote work**

**Are end user engagers required to have a registered legal entity in the jurisdiction in order to hire independent contractors/consultants there?**

In so far as the independent contractors will be engaging in a commercial activity on behalf of the end user engager, then the end user engager would likely need to have require a registered legal entity.

### **5 What to do when things go wrong**

#### **Resignation**

**Do consultants/independent contractors need a reason to terminate the contract or can they terminate it for any reason in accordance with the terms of the contract?**

N/A

#### **Termination of agreement**

**What grounds do end user engagers have for the termination of consultant agreements?**

N/A – this shall be subject to the terms of the relevant agreement.

**What is the responsibility of the end user engagers for damages incurred by a consultant's actions within his/her work?**

N/A







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#### *Definition of a volunteer*

There is no legal definition of a volunteer in Bahrain.

### 1 Contracts

#### **Are organizations required to sign any form of agreement with volunteers?**

N/A - Bahrain laws do not directly address volunteers.

### 2 Conditions of employment

#### **Is there a minimum age requirement for volunteers?**

N/A – noting however that it is prohibited to employ persons who have not attained the age of fifteen (15) years, we would be of the view that this minimum age requirement should be observed with respect to volunteers.

#### **What type of volunteering work may a child undertake? Are there any restrictions around this?**

N/A

#### **Payments and reimbursement**

##### **Are organizations allowed to pay stipends to volunteers?**

There are no local law restrictions in this respect. However, the relevant entity should exercise caution so as to not have the relationship with a volunteer reclassified as an employment one (e.g., through payment of stipends, among other things).

##### **Are organizations allowed to reimburse volunteers? If yes, for what expenses (such as transportation, food, etc.).**

Please see above.





## Working hours

**Are there any obligations around how many hours volunteers can work?**

N/A

**Are volunteers entitled to any type of leave?**

N/A

## Social security

**Are organizations obliged to pay any social security contributions on behalf of their volunteers?**

N/A

**Are organizations obliged to provide health insurance to volunteers?**

N/A

**Are organizations liable for absences of volunteers due to work-place injuries?**

N/A – to the extent applicable, such considerations shall be governed by the provisions relating to tortious acts under Law No. 19 of 2001 promulgating the Civil Code.

## 3 Safe and supportive work environment

**Are there any differences in terms of the regime that applies to employees?**

N/A

## 4 Tax

**Are organizations obliged to pay taxes if they pay their volunteers stipends? If yes, what types of taxes are mandatory to pay?**

No.

## 5 What to do when things go wrong

**What grounds do organizations have for the termination of volunteer agreements/arrangements?**

N/A – this shall be subject to the terms of the agreement.

**What is the responsibility of organizations for damages incurred by a volunteer's actions within his/her work?**

N/A





## d. Non-citizen employees and consultants, including refugees and others forcibly displaced

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### 1 Status and the right to work

#### **Are employers obliged to secure legal status for their employees or consultants if they are non-citizens? (such as refugee status, humanitarian visas, visas for trafficking survivors, other recognized protection statuses, etc.)**

Yes. In order for a non-Bahraini national to live and work in Bahrain, he or she must maintain a valid residence visa and work permit. Employers are required to sponsor employees' residency visa and work permit.

In respect of consultants, Bahrain laws do not directly regulate consultants. The general position is that any foreign national wishing to deliver commercial services to a client or customer in Bahrain (e.g., a consultant) should only deliver such services via a suitably licensed corporate entity established in Bahrain, which acts as their employer and sponsor.

#### **Are employers obliged to secure work permits for their employees or consultants?**

Please see above.

#### **Is it always necessary to obtain a work permit?**

Yes. A work permit is always necessary in order to legally work in Bahrain.

#### **Can asylum-seekers and other persons forcibly displaced access the right to work if they do not have refugee status or other recognized protection statuses?**

No.

### 2 Contracts

#### **Are employment contracts or consultant agreements for non-citizens different to those for citizens?**

Broadly speaking, employment contracts for non-citizens do not differ from those for citizens. Insofar





as consultant agreements are concerned, these are not directly regulated under Bahrain law.

### 3 Conditions of employment

#### **Does national law regulate the quotas for the number of non-citizens within one organization?**

Yes - there are certain nationalization requirements applicable relating to the employment of Bahraini citizens, generally referred to as 'Bahrainisation'. Employers who do not meet the necessary Bahrainisation quotas are required to pay higher government fees for renewing the work visas/permits of existing employees, or for the issuance of new work visas/permits for new employees.

Employers are not required to report on the employment of expatriates as such information is automatically recorded with the LMRA upon its issuance of the work permits under the sponsorship of the employer.

#### **Are employers obliged to report about employed non-citizens?**

Please see above.

#### **Are there any other differences in conditions of employment for non-citizens and citizens?**

There are generally no differences in conditions of employment for citizens and expatriates.

#### **Are there any specific employment terms that apply to citizens but not apply to non-citizens?**

There are generally no specific employment terms that apply to citizens but not to non-citizens. For completeness however, we should highlight that citizens benefit from a state pension-scheme, and therefore pay higher contribution amounts to the SIO.

### 4 Safe and supportive work environment

#### **Are there any differences in a safe and supportive work environment approach for non-citizens? If yes, please elaborate here.**

No.

#### **Does the employer have additional obligations for non-citizens?**

No.

### 5 What to do when things go wrong

#### **Is the process of termination of an employment contract for non-citizens different than for citizens? If yes, please explain here.**

No. However, we highlight for completeness that in cases of redundancies, an employer must retain a Bahraini national employee in preference to a foreign national employee where they are performing similar roles and have the same level of competency and experience.

#### **Is the process of resignation for non-citizens different than for citizens? If yes, please explain here.**

No.





**Are non-citizens entitled to the equal protection of employment laws in the event of employment-related disputes?**

Yes. The Labor Law provides all employees the same level of protection irrespective of their nationality.





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