



Employment Standards Office Workplace Inspection Procedures

January 2019



Employment Standards Office
Qatar Financial Centre

Qatar Financial Centre Authority • PO Box 23245 • Doha, Qatar
T: +974 4496 7617 • F: +974 4496 7676 • eso@qfc.qa • qfc.qa

EMPLOYMENT STANDARDS OFFICE
OF THE
QATAR FINANCIAL CENTRE

WORKPLACE INSPECTION PROCEDURES

The Employment Standards Officer determines the following procedures regarding Workplace Inspections pursuant to Article 6 (3) of the QFC Employment Regulations Law No. (10) of 2006 as amended.



Luigia Ingianni
Commissioner
Employment Standards Office

Issued at: The Qatar Financial Centre, Doha

On: 22nd January 2019



Table of Contents

1 - Introduction

2 - General principles

3 - Purpose

4 - Powers of the ESO related to Workplace Inspections

5 - Procedures



1. Introduction

- 1.1. The Employment Standards Office (ESO) has been established by Article 6 of the QFC Regulation No. (10) of 2006, the QFC Employment Regulations (“Regulations”), pursuant to article 6 (11) of the QFC Law No. (7) of 2005 as amended.
- 1.2. The role and functions of the ESO are set out in Part 2 of the Regulations, while powers and procedures related to investigations and proceedings are set out in Part 12 (Articles 55 to 62 of the Regulations).
- 1.3. The ESO enforces the Regulations that set minimum employment requirements.
- 1.4. The ESO has the responsibility to promote fair and balanced employment practices including sound employment relations and a healthy and safe working environment through guidance and advice, monitoring, enforcement and other suitable measures.
- 1.5. The ESO has the power to investigate contraventions of the Regulations and perform workplace inspections to fulfill its functions.
- 1.6. The ESO is managed by the Employment Standards Officer, known as the Commissioner, who determines its procedures and management in accordance with Article 6(3) of the Regulations.
- 1.7. These Workplace Inspection Procedures (“Procedures”) are established pursuant Article 6 (3) of the Regulations with the aim to provide fair and transparent processes with regards to workplace inspections.
- 1.8. The Procedures apply to all workplace inspections performed by the ESO, initiated upon receipt of a complaint or on its own initiative.
- 1.9. The Procedures will be kept under review and may be amended as appropriate in the light of further experience and developing law and practice.

2. General Principles

- 2.1. The ESO exercises its powers as described in these Procedures in accordance with the principles below:
 - Independence and impartiality
 - Procedural fairness and natural justice
 - Integrity
 - Confidentiality
 - Courtesy and respect
 - Highest quality of professional standards
 - Clarity and transparency of procedures
 - Discretion



3. Purpose

3.1 The purpose of workplace inspections is to:

- a) promote compliance with the Regulations and ensure a fair, just, safe and healthy work environment;
- b) identify and record contraventions of the Regulations;
- c) detect and gather evidence pertaining to compliance or non-compliance of the Regulations, including copying information and documents by any means;
- d) require Employers to take preventive, precautionary and/or corrective measures to prevent, correct, or mitigate (the effects of) contraventions of the Regulations including but not limited to discrimination, payment of salary, annual, sick and maternity leave, working hours, employers' obligations, health and safety provisions and requirements relating to injuries and illness in the workplace.

4. Powers of the ESO related to workplace inspections

4.1 The investigation powers of the ESO include, but are not limited to, the following:

- a) enter the business premises during working hours without prior notice to inspect any place where the Employer's employees habitually carry out work (referred to in this procedure as the "workplace");
- b) detect and gather information and material related to the investigation;
- c) copying information and documents by any means, including, but not limited to, by camera, photocopy machine, recordings and measuring instruments;
- d) conducting interviews and making enquiries;
- e) calling in other people to assist, including technical or scientific experts and interpreters, if required by the circumstances;
- f) ordering any measures the ESO considers appropriate in relation to the circumstances.

5. Procedures

5.1 The ESO, represented by the Commissioner and/or ESO officers, experts or other people appointed by the ESO to perform the inspection, has the power to access the workplace for inspections at any time during the working hours without prior notice. The ESO inspection shall be conducted without impeding business continuity, except if the ESO determines that such continuity may compromise the inspection.

5.2 Upon commencement of the inspection, the ESO must provide the Employer with an "Information Notice" containing reference to its powers, the reason why the inspection is



being conducted and the documents and information the Employer is requested to provide during the inspection.

5.3 If the ESO determines during the inspection that the Employer is contravening or has contravened the Regulations, the ESO shall inform the Employer and may order the Employer to remedy the contravention(s) by taking such measures as the ESO considers appropriate.

5.4 If the Employer refuses or otherwise fails to take the required measures ordered by the ESO to remedy the contravention of the Regulations or if an imminent danger threatens the health or safety of the Employees, the ESO may order the Employer to do one or more of the following:

- a) to post a notice or signage, in the form and location specified by the ESO, specifying the nature of the contravention of the Regulations and/or the measures that the Employer must take to remedy the contravention, as required by the circumstances;
- b) to suspend the operations in all or part of the premises until the contravention has been eliminated or the cause of the danger has been eliminated;
- c) to isolate the area where Employees' health or safety is at risk by locking it down until there is no imminent danger anymore for Employees.

5.5 Upon completion of the inspection the ESO shall notify the Employer accordingly and, as soon as reasonably practicable, provide it with an "Inspection Report" containing the outcome of the inspection, the identified contravention, the measures required to reinstate compliance, if any, and timeline for compliance.

5.6 The ESO may schedule a follow-up inspection or periodic monitoring inspections to ensure that:

- a) the Employer has taken the required measures to remedy the contravention and reinstate compliance with the Regulations;
- b) new contraventions of the Regulations have not been committed;
- c) all measures identified during the inspection, including safety and precautionary measures, have been taken;
- d) hazards have been eliminated or minimised to as low as reasonably practicable;
- e) effective controls have been put in place to prevent further contraventions of the Regulations.

5.7 If the ESO identifies during the inspection that the Employer is committing or has committed any contraventions of QFC Regulations and Rules or other laws, rules, policies or orders applicable to the Employer it may notify the appropriate authorities accordingly.

5.8 The ESO may apply to the Relevant Review Body, as defined in QFC Authority Compliance and Enforcement Rules (Part 5 of the QFCA Rules), to assist in the enforcement of the ESO's powers as described in the Regulations and these Procedures.

5.9 In case of non-compliance with the Regulations and/or non-compliance with the measures ordered by the ESO under these Procedures, the ESO may apply to the Relevant Review Body for appropriate actions including an injunction order as described in Article 4.6 of the QFC Compliance and Enforcement Rules.

