

Legal Services for Human Resources Departments

into Public and Private Sectors



Law Firm's Overview

The Group of ALKOSIR & ALTURKI Law Firm is established under the Professional Companies Law, practicing in all legal fields, and is member of Saudi Bar Association.

The Law Firm is originated from Homood AlKosir Law Office founded by Advocate Homood AlKosir, and as the Office, since inception, has achieved success, therefore, good performance and reputation were a key role to its expansion and innovation in providing legal services suitable to aspirations of clients, that why the Office was transformed from an individual entity to become a law firm, where, in addition to the experience of the founders, the level and quality of the legal services have been upgraded, as well as recruiting specialists.

The Labor Department consists of competent advisors, lawyers and specialists of providing services to Human Resources Departments inside all entities governed by Labor Law, as well as experienced consultants in leading companies and who have been working in the Ministry of Labor.

Concept and Goal



In view of amendments to the Labor Law and issue of circulars regulating the labor market in the Kingdom of Saudi Arabia, the Group has allocated legal services for Human Resources Departments in order to make a statutory working environment and increase awareness and efficiency of the staff within Human Resources Departments into entities governed by Labor Law; such as (companies, establishments, government agencies, banks and financial corporations, universities and private schools, community associations, hospitals and medical centers).



Our Legal Services

1. Employment Contracts

Drafting all types of employment contracts required for the recruiting process in accordance with Labor Law and its implementing regulations, taking into consideration, when drafting, the entity's activity and the position's duties, determining the rights and obligations of the parties and organizing termination and indemnities in a manner protecting the rights of the parties; also, to provide entity with most significant requirements and prominent issues and inaccuracies that occur when drafting contracts and in the course of the recruiting process; such as:

- **Fixed term employment contract.**
- **Non-fixed term employment contract.**
- **Part-time contract.**
- **Executive employment contract.**
- **Training employment contract.**
- **Contract for working in distance.**
- **A partial-time employment contract, and the like.**

2. Internal Work Regulations and Policies

The Group draft all types of internal work regulations, either mandatory or framework regulation as required by the Ministry of Labor; such regulations that are complementary to employment contracts concluded between employees and a particular entity, shall be prepared as per the requirements of such entity and to be approved by the Ministry of Labor, such as:

(a) Internal Work Regulation:

According to the Labor Law, all entities governed by Labor Law are obligated to issue an internal work regulation and to be approved by the Ministry; otherwise, a fine shall be imposed on the entity. Accordingly, due to having experience and skills in drafting several Internal Work Regulations for leading companies, we have become an accredited law firm by Ministry of Labor to review and get approved Internal Work Regulations, as well as having a keen interest when drafting such regulations by including detailed legal controls governing the relationship between employees and an entity according to entity's activity, as well as a Table containing all violations and special penalties shall be included in such a regulation, all that after study of the entity's status, activity and being aware of the entity's requirements, then providing a regulation to ensure the proficiency of Human Resources Department.

(b) Ethics & Conduct Regulation:

It is intended for ethics and conduct of employees inside the entity, to promote the moral and behavioral conduct of employees in their daily dealings with each other or with customers, to help provide an attractive working environment through determining the ethical controls and rules for all Heads, Managers and employees in order to build trust between the entity and customers and partners, as well as competitors, taking into consideration, when drafting such regulation, the following: Rules and provisions to protect the entity's assets and resources, the controls for the use of computers and interconnecting, the rules of confidentiality of data, records and official documents of the Group, the controls for authorization and publication for media, and charitable activities, donation, grant and receipt of gifts ... etc.).

(c) Occupational Safety and Health Regulation:

This Regulation sets the rules and provisions required for the staff of Human Resources Department, to take care of symptoms that may threaten their safety and customers and to be careful towards diseases, risks and health means that encounter workers during or as result of work, in order to find a healthy working environment and have highly quality of services provided by the entity, through studying and identifying working environment and safety requirements and to be aware of the risks that may be facing employees.

(d) Money-Saving Regulation:

This Regulation is designated to organize an internal Fund for employees in accordance with Labor Law, as the Group shall supervise the process for selecting members of the Fund's Managing Committee and to set the formation's rules of the Committee; doing that a regulation shall prepared to govern and organize the powers of members of the Committee and rules of subscription, methods of managing the sources and rules of borrowing, in order to achieve the subscribers' interests of the spirit of cooperation and money-saving, growth of savings, and promoting solidarity, enhancing staff's loyalty and raising their satisfaction and keeping the highly efficient human capital, as well as enhancing the position and reputation of the employer in the job market.

(e) Human Resources Policy

This Policy is one of the most significant policies to organize all aspects of human resources, where it focuses on most important legal techniques needed for the Human Resources Department to manage its activities, such as (controls for recruiting, controls for employment contract, controls for probation period, provisions for employee training, determining most significant entity's obligations and staff's obligations, controls for wages and salary payment, provisions for allowances and promotions, controls for working and rest hours and overtime, the rules of attending and leaving workplace, inspection, boarding ticket, transportation and allowances, and controls for leave and woman's leave and provisions for sick and exceptional leaves, exams leaves, the controls for prevention and medical care, controls for bonuses, violations and penalties, etc..) all that to be in accordance with Labor Law and the Internal Work Regulation, in order to ensure the Human Resources Department's activities are lawful, and in order to reduce labor issues that may be resulting from legal inaccuracies caused by the Human resources staff towards employees.

(f) Grievance Policy

This Policy organizes employees' rights in appeal to decisions issued by the entity's General Admiration or by Executive Managers, as well as organizes how to handle complaints and grievances received from employees in a manner reflecting the entity's keen interest for lawfulness of decisions and penalties that are imposed on employees and as well as reflecting the entity's interest to ensure the right of employees to challenge decisions and penalties in order to get justice and equality among employees, to prevent judicial disputes, to create an appropriate working environment, to increase the mutual trust between the entity's Admiration and employees and to raise the morale and productivity and stability of employees.

(g) Disclosure and Conflict of Interest Policy:

The Group prepare the controls and provisions for conflict of interest for employees concerning their job tasks and the interests of any person to whom they have a personal relationship, including: wife, children, parents, siblings or other members of the family. This Policy includes the most important statuses of conflict of interests and most important obligations of employees and the provisions of disclosure and conflict of interest that are part of the contract of employee who shall review such provisions and sign a pledge for conflict of interests and fill the disclosure form immediately after signing the contract, in order the entity to preserve its right for holding accountable who shall violate conflict of interests and whoever shall carry out competition.

(h) Compliance Policy:

This Policy is intended for compliance with regulations and standards and for maintaining reputation and credibility of the entity vis-à-vis of customers and competitors. The Policy covers all departments of the entity, wherein legal controls and obligations for the entity's departments shall be determined in order to comply with regulations, to limit inspection violations resulting from non-compliance with regulations and laws, and standards and provisions to be followed in doing business towards the relevant entities and staff.

(i) Policy for Using Social Media and for Electronic Powers

This Policy sets the rules and provisions for the use of electronic powers and use of blogs, digital newsletters, forums, social media and other that allow users to exchange information using electronic methods; this also applies to the use of smart devices and their accessories in order to reduce defamation or abuse made to the entity or employees or customers and to maintain relationship with competitors as strict controls and procedures are to be put in place for employees concerning their using social media, whether at work or among employees and customers.

(j) Policy for Criminal Statuses

This Policy organizes the procedures and controls in the event of criminal violations and how to investigate, to submit a report, and to deal with such violations to be forwarded to the security authorities and how to claim the rights of the entity resulting from such criminal violations.

(k) Controls for Inspection Violations by the Ministry of Labor

This Policy organizes specific violations and related fines issued by the Ministry of Labor, and organizes the mechanism for dealing with such violations and abidance thereof, to fully clarify the acts to be considered as violations towards the Labor Office and to determine the fine prescribed for each violation according to the latest updates and instructions issued from Ministry of Labor.

3. Privatization and Restructuring

The Group being experienced in the privatization process, provide services to both public and private sectors in relation to setting legal procedures and controls relevant to workers subject of privatization programs or in the event of Mergers or Restructuring, and supervise on the procedures for staff transition, follow up and handle all legal issues, as follows:

1. Drafting decisions for staff transition from Civil Service Regulation to Labor Law.
2. Setting policies and procedures for the transition process and how to deal with the staff's rights and benefits.
3. Participation in drafting regulations for the governmental agencies, related to staff's rights and benefits.
4. Handling problems arising when processing the staff transition to the private sector.
5. Drafting decisions and legal procedures and policies to organize the staff transition from an entity to a new one as a result of Mergers and Acquisitions.
6. Drafting decisions and legal procedures for restructuring the entity and addressing the transition or termination of staff's employment contracts.

4. Workers' Internal Committee (People Committee)

One of interests of the Ministry of Labor is to form a Labor Committee inside leading entities, for that the Group supervise on the formation of such Committee until functioning, as follows:

- Setting the rules for formation of Labor Committees inside the entity.
- Drafting and getting approval of the Work Internal Regulation of the Committee.
- Organizing the voting process for electing members of the Labor Committees.
- Supervising the formation of the Elected Committee and accreditation of members of the Committee and the back-up members.
- Holding an introductory meeting for members of the Committee, on the tasks and powers of the Committee.
- Providing labor-legal consulting and administrative consulting to the Committees' staff, concerning difficulties facing them.
- Drafting circulars or prospectus for employees on the tasks and role of the Committee and the mechanism for communication.

5. Labor-Legal Consulting, Legal Review and Due Diligence

The Group provides legal consulting and responds to inquiries related to the statutory employment inside the entity, and we, in collaboration with the Human Resources Department, carry out avoidance any statutory mistakes before occurrence through providing advice on matters related to the concerned human resources department, keeping in touch such department in providing legal support in different subjects related to HR.

We also review contracts executed with employees, readproof regulations, instructions and internal policies, forms made by the human resources and ensure compliance with Labor Law and its implementing regulations, as well as we provide legal opinion on the lawfulness and accuracy of such documents.

6. Labor Disputes and Lawsuits



We address most labor issues and set solutions for amicable settlement prior to bringing in court, and handle cases filed against the entity through attending hearings, submitting legal memos, responding to plaintiffs' plea before labor courts and address legal inaccuracies that lead to filing lawsuit against the entity, all that in the aim to mitigate and prevent occurrence of litigation.

7. Workshops for Human Resources Staff

We organize workshops to raise legal awareness of the staff and Managers of the Human Resources, to ensure they are legally carrying out their functions and in order to avoid increase of violations and labor lawsuits against the entity, such workshops vary according to the following:



Definition of Labor Law, its characteristics and area of application.

Recruiting procedures and concluding employment contracts.

The rights and obligations of employee and employer.

Working hours, vacations and overtime.

Wages and end of service bonus.

Discipline and disciplinary sanctions, violations and penalties and specific controls.

Investigating with employee on labor violations.

Rules and regulations of work for women.

Labor lawsuits and how to deal with.

Protection of wages and Ajeer and Taqat.

Dealing with inspectors of Labor Office and methods for addressing inspection violations and methods of objection.



We hope our services meet your satisfaction and appreciation.

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