

# ART OF RECRUITMENT

**Oil and gas companies in the UAE are required to abide by well-structured rules and regulations. Marcin Kubarek, manager - Knowledge and Content at Fragomen, describes those requirements**

**O**il and gas sector continues to play a significant role in the UAE economy. However, due to the complex nature of the industry, there are a number of considerations that must be made when hiring staff for projects. This is not limited to oil producing companies, but also applies to contracting firms who support oil extraction and other processes involved in the delivery of the final product. Failing to follow the correct procedures could lead to project delays, business disruption or even penalties.

Companies involved in oil and gas are mandated to have an 'onshore and offshore oil and gas field and facilities services' activity listed on their commercial license and approval from the Supreme Petroleum Council in Abu Dhabi (SPC), regardless of the area of business. This includes service providers, construction contractors, and even catering suppliers working with oil and gas firms.

In order to obtain the SPC's endorsement, a company must comply with certain requirements including a corporate set up in Abu Dhabi or the condition that the sponsor (company agent) is a UAE national. Companies located in free zones are not eligible for SPC approval, although, an MoU between the SPC and the Masdar City Free Zone has been signed to enable authorisation under special conditions.

For workers who are not sponsored in the UAE, long-term assignments can be granted upon obtaining an employment



residence permit, which is usually valid for up to two years and requires a UAE payroll and a signed contract issued in the UAE.

For short-term requirements, unsponsored workers will need either a 'service' or 'mission' visa. Both facilitate a single entry to the UAE, with the service visa allowing for stays up to 14 days and the mission visa allowing for up to 90 days.

Foreign nationals who are sponsored by a company in the mainland may receive a temporary work permit under the sponsorship of an oil and gas-licensed firm in Abu Dhabi, while GCC nationals can obtain a labour card issued by the Ministry of Human Resources and Emiratisation (MOHRE). If a contracting company is not legally established in Abu Dhabi, secondment of employees to a commercial agent or distributor licensed in the capital may be considered upon meeting compliance

measures and pre-defined agreements.

A final note to consider for all companies in the UAE is the National Program for Emiratisation, initiated by the MOHRE, requiring recruiters to seek Emirati talent for vacancies through an electronic platform called 'Tawteen Gate' before the offer is extended to foreign nationals. The exercise, known as a labour market testing, is expected to benefit the UAE economy and not to be a burden for companies considering the size of the private sector in the UAE. It may however delay the process of recruiting desired candidates if no suitable national candidate is identified, making it important for companies to start the recruitment process as early as possible.

With strict regulations in the UAE oil and gas sector, global project managers must take into account a number of factors before committing to deadlines and milestones for stakeholders. In addition to the time needed for visa applications, security passes and labour market testing, other considerations that may affect project success include legalisation of employee documents for immigration purposes, employee security screenings and the available quota for visa sponsorships. ○

**“ALL COMPANIES IN THE UAE NEED TO CONSIDER THE NATIONAL PROGRAM FOR EMIRATISATION, REQUIRING RECRUITERS TO SEEK EMIRATI TALENT FOR VACANCIES THROUGH AN ELECTRONIC PLATFORM CALLED THE ‘TAWTEEN GATE.’”**