

# Housing allowance must for staff laid off amid Covid-19



**ASHISH MEHTA**  
LEGAL VIEW

**Q:** I was working for a company in Dubai on an unlimited contract, but I was laid off in May this year. I was given a one-month paid notice period, which expired in June. Now, my employer is still unable to book a flight ticket for my return to India. Isn't it the company's obligation to provide for my accommodation until I am given the ticket to fly home? If the firm does release this allowance, will it be able to recover it from my end-of-service benefits?

**A:** The Ministerial Resolution No. 279 of 2020 (Concerning the Employment Stability in Establishments of the Private Sector During the Application of Precautionary Measures to Control the Novel Coronavirus Outbreak) is silent regarding the termination of an employee due to the prevailing Covid-19 situation. However, your employer may be obligated to give you the housing allowance and other support, excluding your basic pay, until you leave the country or until you find new employment in the UAE.

This is in accordance with Article 3 of the Ministerial Resolution No. 279 of 2020, which states: "Establishments affected by the mentioned precautionary

measures, which have an excess of non-national employees authorised to work for them, shall register their data in the virtual labour market system to enable their rotation according to the needs of other establishments, provided that their obligations towards these employees remain the same in terms of housing and fulfilling all their entitlements (except wages) until they leave the state or they are authorised to work for another establishment."

Further, your employer may not be in a position to deduct any amount from your end-of-service benefits if it has paid you for accommodation and day-to-day expenses until you travel to India.

However, if you have to pay any other

## Know the law



All companies affected by the precautionary measures must register the information of their redundant employees on the virtual labour market so that they can be recruited by other companies based on the job market needs.

outstanding amount to your employer for any loans or advances it may have lent you, then the employer has the right to deduct it from your end-of-service benefits. This is in accordance with Article 135 of the Employment Law.

You may inform your employer that

you are entitled to housing allowance and other support until you leave the country or find new employment in the UAE. If your employer does not agree with you, you may seek further advice from the Ministry of Human Resources and Emiratization and file a complaint against your employer, if necessary.

**ASHISH MEHTA** is the founder and Managing Partner of Ashish Mehta & Associates. He is qualified to practise law in Dubai, the United Kingdom, Singapore and India. Full details of his firm on: [www.amalawyers.com](http://www.amalawyers.com). Readers may e-mail their questions to: [news@khaleejtimes.com](mailto:news@khaleejtimes.com) or send them to Legal View, Khaleej Times, PO Box 11243, Dubai.